



TOWN OF MANSFIELD
TOWN COUNCIL MEETING
Monday, March 8, 2010
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.

AGENDA

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CALL TO ORDER	
ROLL CALL	
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OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

FUTURE AGENDAS

EXECUTIVE SESSION

- 30. Pending claims and litigation, in accordance with CGS §1-200(6)(b)
(Mansfield/Windham WPCA Arbitration)

ADJOURNMENT

SPECIAL MEETING-MANSFIELD TOWN COUNCIL

February 22, 2010

DRAFT

Deputy Mayor Gregory Haddad called the special meeting of the Mansfield Town Council to order at 630 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. CALL TO ORDER

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

Excused: Paterson

II. WORK SESSION – Meeting with State Legislators

Deputy Mayor Gregory Haddad welcomed State Senator Donald Williams to the Town Council meeting.

Senator Williams updated the Council on the priorities and challenges facing the State. Senator Williams stated the current and projected budget deficits and the jobs situation are his highest priorities in this session. The Senator also expressed his concern that the State might experience a double dip recession.

Council members questioned Senator Williams regarding Mansfield's institutional population disadvantage in the Pequot Mohegan Grant formula, potential changes to the school bonding situation, regionalization opportunities and possible tax increases.

Senator Williams thanked the Council for the opportunity to address the meeting and thanked them for their work on the local level.

III. ADJOURNMENT

Mr. Paulhus moved and Ms. Lindsey seconded to adjourn the meeting at 7:03 p.m.

Motion passed unanimously.

Gregory Haddad, Deputy Mayor

Mary Stanton, Town Clerk.

REGULAR MEETING – MANSFIELD TOWN COUNCIL
February 22, 2010

DRAFT

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: Haddad, Keane, Kochenburger, Lindsey, Moran, Paulhus, Ryan, Schaefer
Excused: Paterson

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Ms. Keane seconded to approve the minutes of the February 9, 2010 Special meeting as presented. The motion passed. Ms. Moran moved and Mr. Schaefer seconded to approve the minutes of the February 8, 2010 meeting as presented. The motion passed.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, spoke in favor of retaining the second opportunity for public comment in the Town Council Rules of Procedure.

Mike Sikoski, Wildwood Road, asked if the Potter property was sold in a competitive bidding process and spoke in favor of retaining the second opportunity for public comment in the Town Council Rules of Procedure.

Betty Wassmundt, Old Turnpike Road, urged members to modify the rules for political signs to include street rights of way.

Carol Pellegrine, Clover Mill Road and Vice Chair of the Commission on Aging, presented a communication from the Commission indicating their support for reserving the space at the Wellness Center for senior health and wellness services and their support for expanding the social worker position to a full-time licensed clinical social worker. (Statement attached) Ms. Pellegrine also spoke in favor of political signs on private property and against their placement on public property.

IV. TOWN MANAGER'S REPORT

Report attached

The Town Manager also reported that Mayor Paterson is recuperating nicely and will be back soon. In response to questions, the Town Manager will ask the Transportation Advisory Committee to provide an interim staff report on the effects of a one school solution at Southeast School on Rte 89.

Mr. Schaefer moved and Ms. Keane seconded to move Item 4, Presentation: Youth Service Bureau Advisory Committee, as the next item of business. The motion passed unanimously.

V. OLD BUSINESS

1. Community/Campus Relations

The Town Manager announced the ad hoc Ordinance Development and Review Committee will meet on February 26th at 7:30 a.m. to review the draft Off Street Parking on Residential Rental Property Ordinance.

2. Community Water and Wastewater Issues

The Town Manager reported the proposed Capital Improvement Plan budget will include a request for some funds for an engineering analysis regarding the Four Corners water study which, if approved by the Council, may require approval at a town meeting. Area environmental groups have been invited to the next Four Corner Water and Sewer Advisory Committee meeting. The Town Manager will present information regarding the length of time it will take to identify the best of the three water supply options and the approximate total cost of each option.

3. Town Council Rules of Procedure

Mr. Paulhus moved and Ms. Keane seconded, effective February 22, 2010, to adopt the revised Town Council Rules of Procedure as proposed by the Personnel Committee.

Members discussed possible changes to the rules including reinstating the second opportunity for the public comment; adding the Pledge of Allegiance to the agenda; deletion of the prohibition of votes in a work session; changes to the wording of Rule 5, Decorum; reinstatement of office hours; clarification of reference to the Charter in Rule 6 and the appointment of standing committees by the Mayor.

By consensus a reference to the Mansfield Charter will be added to Rule 6d.

Ms. Keane moved and Ms. Lindsey seconded to retain the second opportunity for public comment. The motion to amend passed with all in favor except Haddad, Kochenburger and Moran who were in opposition.

Ms. Keane moved and Mr. Paulhus seconded to change Rule 5 to read: "All meeting participants including Councilors, citizens and staff should confine their remarks to the substance of the issue at hand. The Town Council supports the right of a resident to criticize its local government, but this should be done appropriately and responsibly, with civility and discretion. All participants should address their remarks..."

The motion to amend failed with Keane, Lindsey, Moran and Paulhus in favor and Haddad, Kochenburger, Ryan and Schaefer opposed.

Ms. Lindsey moved and Ms. Keane seconded to amend the motion by reinstating Rule 10 Council Office Hours and changing the second sentence of the rule to read, "Councilors should participate in the office hours on a rotating basis." The motion to amend passed with all in favor except Ryan and Schaefer who were in opposition.

Ms. Keane moved to amend Rule 5 to read, "All meeting participants including Councilors, citizens and staff should confine their remarks to the substance of the issue at hand. Participants should avoid discussing personalities and not impugn the motive, character or integrity of any individual. The Town Council supports the right of a resident to criticize its local government, but this should be done appropriately and responsibly, with civility and discretion. All participants should address their remarks..." Seconded by Ms. Lindsey the motion passed unanimously.

The motion to adopt the Rules of Procedure, as amended, passed unanimously.

Mr. Paulhus moved and Ms. Keane seconded to refer the issues of appointment of standing committees and inclusion of the Pledge of Allegiance to the Personnel Committee. Motion passed unanimously

At this time State Representative Denise Merrill arrived and by consensus the Council agreed to add her remarks to the agenda. Representative Merrill spoke to the very difficult budget year ahead and commented the Town should budget for an amount slightly less than the current state figures. She also expressed her support for a progressive income tax to address the current and future budget shortfalls.

VI. NEW BUSINESS

4. Presentation: Youth Service Bureau Advisory Committee

Youth Service Coordinator Pat Michalak and Social Worker Kathy McNamara presented an overview of the youth services programs. Ms. Michalak introduced participants and partners who participate in the youth service programs and shared their experiences with the Council. The participants included Charles Ausburger a single father raising a daughter, Amber Hoyt a longtime participant in the programs and now an active volunteer and Marianne Barton director of the UConn Psychological Services Clinic and partner to the program.

The Council thanked the participants for their presentation and candor.

5. Community Partnership Grant

Mr. Paulhus moved and Mr. Schaefer seconded, effective February 22, 2010, to authorize Mayor Elizabeth Paterson and Town Manager Matthew Hart to sign and submit the Community Partnership grant application.

Motion to approve passed unanimously.

6. Political Signs

The Planning and Zoning Commission is reviewing the issue of political signs and as part of that review there will be a public hearing and a mandatory referral to the Town Council. Council members discussed some issues that will need to be addressed including a definition of political signs, allowing or limiting placement on public property depending on use of that property, permitting the placing of advocacy signs versus the placement of event signs and the fact that all organizations would have access to public property.

VII. DEPARTMENTAL AND COMMITTEE REPORTS

As requested the Town Manager will provide a copy of the Commission on Aging Long Range Plan to the Council.

VIII. REPORTS OF COUNCIL COMMITTEES

Ms. Moran, Chair of the Committee on Committees, reported the Committee has agreed that at this time it would not implement the proposed Board of Ethics Vetting Procedure.

Ms. Moran made the following committee recommendations:

Meg Reich	Four Corners Sewer and Water Advisory Committee
Jane Reinhardt	Cemetery Committee
Bruce Clouette	University Town Relations Committee
Lee Terry	Personnel Appeals Board
Denise Houman	Advisory Committee on Persons with Disabilities
John DeWolf	Advisory Committee on Persons with Disabilities
Ethan Avery	Parks Advisory Committee
Norma Lomonaco	Parks Advisory Committee
Jason McGarry	Historic District Commission full member

Motion to approve the recommended appointments passed unanimously.

Deputy Mayor Haddad reported the Personnel Committee will be reviewing the proposed Ethics Ordinance, the resolution regarding Open and Transparent Government and the Rules of Procedure referrals.

Mr. Kochenburger reported the ad hoc Ordinance Development and Review Committee will meet on February 26th at 7:30 a.m.

IX. REPORTS OF COUNCIL MEMBERS

No Reports

X. PETITIONS, REQUEST AND COMMUNICATIONS

6. Easley re: Holiday donations
7. Legal Notice: Comprehensive Annual Financial Reports
8. Legal Notice: Eastern Highlands Health District Audit Report
9. MBOE Goals and Objectives
10. FY 2010/11 Budget Review Calendar

11. CIRMA re: 2010 CIRMA Annual Meeting
12. Proclamation Request: Girls Scouts
13. Proclamation Request: Peace Corps
14. Proclamation Request: Silver Star Families of America
15. Chronicle "Mansfield may move human services office" – 02-03-10
16. Chronicle "Storrs Center gets another commitment" – 02-03-10
17. Chronicle "Many questions raised about new school plan" – 02-05-10
18. Chronicle "Letter to the Editor" – 02-06-10
19. Chronicle "Editorial: We offer these threads, needles" – 02-08-10
20. Chronicle "Letter to the Editor" – 02-09-10
21. Chronicle "Mansfield seeks fed funding" – 02-09-10
22. Chronicle "Mansfield to celebrate wintertime" – 02-09-10
23. Chronicle "Seniors pleased, human services to stay" – 02-11-10
24. Chronicle "Letter to the Editor" – 02-12-10
25. Hartford Courant "How to act regionally" – 12-29-09
26. Hartford Courant "Merrill to kick off Secretary of the State bid" – 02-14-10
27. Hartford Courant "Legislature's Denise Merrill enters race for..." – 02-16-10
28. Mansfield Today "Horse-drawn carriage rides, 'wacky hats', ..." - 02-10-10
29. Mansfield Today "Town seeks grants to support Four Corners..." – 02-10-10
30. Mansfield Today "Public input invited on work near Eagleville..." – 02-11-10

XI. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Cynara Stites, Hanks Hill Road, stated the Town can only regulate political signs on Town Roads, as the State owns the right of ways on state roads. Ms. Stites asked members to look at her suggestions presented at the February 8th meeting.

Mike Sikoski, Wildwood Road, asked the Council to be careful of submitting grants that have a local match.

Ric Hossack, Middle Turnpike, requested answers to his questions regarding the STEAP grant.

Betty Wassmundt, Old Turnpike Road, expressed her disappointment in communicating with Council members via email.

XII. FUTURE AGENDAS

Policy on communicating Town opinions will be referred to the Committee on Committees with assistance from Mr. Haddad, Mr. Schaefer or Town Manager Matt Hart.

A report on status of hiring at the Senior Center will be provided at a future meeting.

The communication from Director of Public Works Lon Hultgren regarding the *personal use of snow plows will be distributed at future meeting.*

Mr. Paulhus left the meeting at 10:30 p.m.

Mr. Ryan moved and Ms. Lindsey seconded to recess the meeting and go into executive session regarding sale or purchase of real property, in accordance with CGS §1-200(6)(d)

Motion passed unanimously.

XIII. EXECUTIVE SESSION

Sale or purchase of real property, in accordance with CGS §1-200(6) (d)

Present: Haddad, Keane, Kochenburger, Lindsey, Moran, Ryan, Schaefer

Also included: Town Manager Matt Hart

XIV. ADJOURNMENT

The Town Council reconvened in regular session. Mr. Kochenburger moved and Mr. Schaefer seconded to adjourn the meeting.

Motion passed unanimously.

Gregory Haddad, Deputy Mayor

Mary Stanton, Town Clerk

TO: Town Council Members
From: Commission on Aging
Date: Feb. 22, 2009
RE: Senior Wellness Center and Senior Issues

At the COA meeting held on February 8, 2010 the Commission took the following stands and asked that they be transmitted to you verbally as well as a part of our minutes:

The COA moved that the Wellness Center continue to use the available space for senior health and wellness services due to our expanding senior population as identified in the Commission's long Range Plan. (passed unanimously by those voting members present (7/10).

The COA urges the Town Council to seriously consider expanding the social worker's position to a full-time licensed clinical social worker, recognizing the increasing needs of our senior population. (passed unanimously by those voting members present (7/10).

**Town Manager's Office
Town of Mansfield**

Memo

To: Town Council
From: Matt Hart, Town Manager *MuH*
CC: Town Employees
Date: February 22, 2010
Re: Town Manager's Report

Below please find a report regarding various items of interest to the Town Council, staff and the community:

Budget and Finance

- *Revised Budget Review Calendar* – Please see communication item number 11 in your 2-22-10 Council packet for an updated budget review calendar. The calendar and other pertinent budget process information can be found on the Town's website at www.mansfieldct.org.
- *Town Council Budget Retreat* – We conducted the annual budget/finance retreat on Tuesday, February 9, 2010, and I thought we had an informative discussion. Staff has updated the town's website to include information related to the preparation of the FY 2010/11 Budget; this is a good resource for members of the public. Also, at the retreat the Council asked about the valuation of residential rental properties – pursuant to CGS §12-63b, rental properties containing six or less units, regardless of whether the property is owner-occupied, is valued according to a market sales approach similar to a single-family home.

Council Requests for Information/Council Business

- *Changes to IWA Regulations* – Council requested a copy of the draft IWA regulations with track changes, in order to view the specific proposed amendments to the regulations. Director of Planning Gregory Padick has informed us that the project of overhauling our IWA regulations has been underway for the past five years and that a Planning & Zoning sub-committee attempted to insert provisions from a DEP model and additional statutory changes into Mansfield's existing regulation format. The subcommittee was not successful, and, in the interim, DEP significantly updated its model regulations. Consequently, the PZC subcommittee made a decision about one year ago to start with the DEP model and modify it as appropriate to incorporate some existing Mansfield provisions and other local specifics such as building and development area envelopes and yield plans. The proposed draft is considered a comprehensive overhaul of the existing regulations and although there are some common elements with the existing regulations, it is not feasible to indicate, on a section by section basis, the specific revisions that are being proposed. Most municipalities in Connecticut have started using the DEP model as their regulatory framework.
- *MBOE Goals and Objectives* – Per Council's request, please item #10 in your packet for a list of the Mansfield Board of Education's Goals and Objectives.
- *Ordinance Providing a Property Tax Exemption for Farm Buildings* – As requested, attached please find a copy of the latest version of this proposed ordinance. I believe that Council members wanted to consider referring this proposal to the new Ad hoc Ordinance Development and Review Subcommittee.
- *Potter Property* – Per Council's request, the price paid for the Potter Property was \$2,605.
- *School Building Committee Q & A Webpage* – Council requested a copy of the Q & A webpage for the School Building Committee. We had expected to be able to include the questions and answers as a communication in this meeting packet. However, more time is needed by the Board of Education staff to complete this webpage. The Board of Education expects to have the webpage completed before the March 8, 2010 Council meeting.

- *Water and Sewer Inquiries* – Some councilors had questions about the 2/4/10 Four Corners Sewer and Water Advisory Committee meeting materials and the water permitting process, respectively. Please see the attachments to old business item number 2 in your Council packet for materials related to this request. Also, Council requested information on the impact of a consolidated elementary school on the sewer and water system at Southeast School and Route 89. A new school would have its own septic system independent of the existing septic system at Southeast School. There are no sewer lines in the area. Southeast School has a modern two well water system at this time. With a larger consolidated school, the state would likely want another well added to this system as well as another holding tank (10,000 gal) because of the necessity to install a sprinkler system.

Departmental/Division News

- *Mansfield Resident Trooper's Office*
 - The Mansfield Resident Troopers Office applied for and was awarded a grant from the Northeast Communities Against Substance Abuse in the amount of \$2,481.00. This funding must be used in Mansfield to conduct alcohol compliance checks in conjunction with Connecticut State Liquor Control.
 - On January 19, 2010 Troop C personnel arrested a suspect charged with two recent robberies at the Four Corners CVS pharmacy. I would like to commend Troop C personnel as well as detectives from the Eastern District Major Crime Squad for their good work on this case.
 - On February 3, 2010, the Statewide Narcotic Task Force (STNF) East Field Office assisted by the Mansfield Resident Troopers Office and Troop C executed separate narcotic related search warrants for two residences within Tolland County – one in Willington and the other in Mansfield. These search warrants were the result of a joint investigation by SNTF-East and the Mansfield Resident Troopers Office and resulted in the arrest of five individuals for various narcotic related charges.
- *Town Manager's Office*
 - *Requests for Proclamations* – We have received the following requests for proclamations. If Council would like to accommodate these requests, please let me know.
 - Girls Scouts of Connecticut (communication item number 13 in your Council packet)
 - Peace Corps (communication item number 14 in your Council packet)
 - Silver Star Families of America (communication item number 15 in your Council packet)

Upcoming Meetings*

- Traffic Authority, February 23, 2010, 11:00 AM, Conference Room B, Audrey P. Beck Municipal Building
- School Building Committee, February 24, 2010, 5:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Ordinance Development and Review Subcommittee, February 26, 2010, 7:30 AM, Conference Room B, Audrey P. Beck Municipal Building
- Planning and Zoning Commission, March 1, 2010, 7:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Parking Steering Committee, March 2, 2010, 5:00 PM, Mansfield Downtown Partnership Office, 1244 Storrs Road
- Agriculture Committee, March 2, 2010, 7:30 PM, Conference Room B, Audrey P. Beck Municipal Building
- Mansfield Advocates for Children, March 3, 2010, 5:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Mansfield Downtown Partnership Board of Directors, March 4, 2010, 4:00 PM, Mansfield Downtown Partnership Office, 1244 Storrs Road

- Community Quality of Life Committee, March 4, 2010, 7:30 PM, Council Chambers, Audrey P. Beck Municipal Building
- Solid Waste Advisory Committee, March 4, 2010, 7:30 PM, Conference Room B, Audrey P. Beck Municipal Building
- Housing Code Board of Appeals, March 8, 2010, 5:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Communications Advisory Committee, March 8, 2010, 7:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Finance Committee, March 8, 2010, 6:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Town Council, March 8, 2010, 7:30 PM, Council Chambers, Audrey P. Beck Municipal Building

**Meeting dates/times are subject to change. Please view the Town Calendar at www.MansfieldCT.org or contact the Town Clerk's Office at 429-3302 for a complete and up-to-date listing of committee meetings.*

Mansfield Youth Service Bureau
Compassion & Concern for the Children & Families of the Mansfield
Community!

2009-2010
Fact Sheet

Who Relies on us?

After School Programs	Police
Community Members	Probation Officers
Day Care Centers	School Administrators
Department of Children & Families	School Counselors
Faith Community	School Nurses
Juvenile & Family Courts	Students
Parents	Teachers

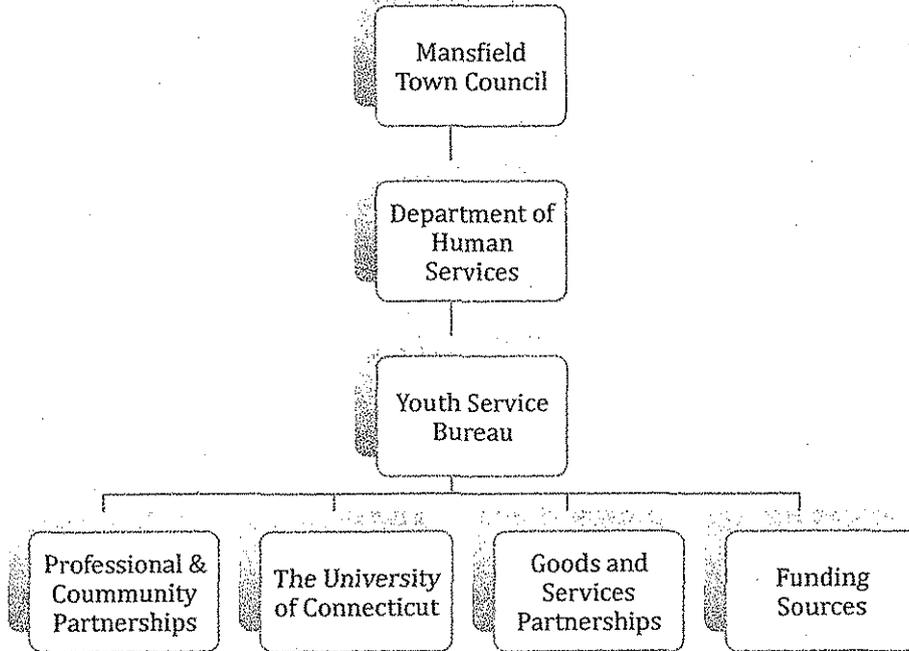
What Services Does the YSB offer?

Programs	Participants	Volunteers (Students, Previous Clients & Community Members)
Big Friend's Mentoring Program	26 Children; 30 Parents	30 Volunteers
Children's Grief Group	36 Participants*	13 Volunteers
Divorced Parent's Group (Cope)	55 Families	6 Volunteers
EO Smith Transition Group	17 Participants	1 Volunteer
Family & Individual Therapy	48 Children & Families	No Volunteers
Grandparents raising Grandchildren	15 Grandparents; 28 Grandchildren	1 Volunteer
Job Bank	9 Participants	1 Volunteer
JOY - Jorgenson Outreach to Youth	65 Tickets**	3 Volunteers
JUMP - Leadership Development	14 Children	6 Volunteers
LEAP - Transition to Middle School	18 Children	3 Volunteers
Mansfield's Challenge Program	16 Children*	2 Volunteers
Multi-Family Therapy	39 Participants	5 Volunteers
On-Line Mentoring Program	1 Participant	1 Volunteer
Parent Education Group	15 Participants	2 Volunteers
PAWS Regional Leadership - East of the River Conference	230 students*	1 Volunteer
Psychiatric Evaluation	25 Children & Families	No Volunteers
School Readiness Program	14 Families	21 Volunteers
Summer Campership	22 Children	1 Volunteer
Youth Work Employment	125 Children	No Volunteers

*Numbers provided are from the 08/09-year

**Tickets are from September 2009 - January 2010

PARTNERSHIPS



- Advisory Board:
- Ethel Mantzaris – Chair
- Frank Perroti – Co-Chair
- Jenifer Abele
- Eileen Griffin
- Amber Hoyt
- Jerry Marchon
- Candace Morrel
- Jay O’Keefe
- Sheila Riffle
- Community Center
- E.O. Smith Regional HS
- Fire Dept.
- Health Dept.
- John Haney, MD
- Janit Romayko, LCSW
- Mansfield Library
- Mansfield School System
- Matthew Raynor, DDS
- Police Dept.
- Senior Center
- Surrounding Towns Youth Service Bureaus

- Baseball Team
- Community Outreach
- Educational Psychology Dept.
- Family Studies
- Give & Go Recycling
- Humphrey Center
- Jorgenson Center for the Performing Arts
- NEAG School of Education
- Psychological Services Clinic
- School of Allied Health
- School of Social Work
- Student Employment Office

- After School Programs
- Curves of Storrs
- Day Care Centers
- Faith Community
- Holiday Hill Family Camp
- Lion’s Club
- People’s Bank
- Villari’s Martial Arts of Storrs
- Rectory School in Pomfret

- Bishop’s Fund of the Episcopal Diocese of CT
- Mansfield Board of Education
- Northeast Communities Against Substance Abuse
- Region 19
- State Dept. of Education
- State Dept. of Mental Health & Addiction Services
- William Caspar Graustein Memorial Fund

PAGE
BREAK



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant to Town Manager
Date: March 8, 2010
Re: An Ordinance Providing a Tax Exemption for Farm Buildings

Subject Matter/Background

Council recently requested that this item be placed on a future agenda for discussion purposes, to determine whether it would be appropriate to refer the draft ordinance to an existing council committee or to an ad hoc ordinance development and review committee.

For your reference, I have attached some of the previous correspondence related to this item. The Council did conduct a public hearing regarding this proposal. My impression at the time the ordinance was last discussed was that the proposal in its draft form did not enjoy the support of the majority of the Council. If the Town Council does wish to renew its work on the proposed ordinance, I would encourage you to look at the issue of sustainable agriculture in a more comprehensive manner, including the review of a broader range of financial incentives and tax policy options.

Attachments

- 1) March 10, 2008 Agenda Item Summary
- 2) An Ordinance Providing a Property Tax Exemption for Farm Buildings
- 3) D. O'Brien re: Proposed Farm Building Tax Exemption Ordinance
- 4) Excerpts from CT Assessor's Handbook, "Farm, Forest and Open Space Land"
- 5) Minutes of January 28, 2008 Public Hearing



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager
CC: Maria Capriola, Assistant to Town Manager; Jeffrey Smith, Director of Finance; Irene LaPointe, Assessor; Jennifer Kaufman, Parks Coordinator
Date: March 10, 2008
Re: An Ordinance Providing a Tax Exemption for Farm Buildings

Subject Matter/Background

This memo is intended to address the questions raised after the January 28, 2008 Public Hearing regarding the proposed Ordinance Providing a Tax Exemption for Farm Buildings. If adopted, the ordinance would exempt from local property taxation up to \$100,000 in assessed value of any building used actually and exclusively for farming purposes. Sources of information include a legal opinion obtained from Town Attorney Dennis O'Brien (attached), research provided by Connecticut Conference of Municipalities CCM (attached), and research conducted by staff.

To receive the proposed tax exemption, the applicant farmer would be required to file with the Assessor's Office annually by November 1st; otherwise the exemption would be removed for that year. In addition, Section 4 (c) of the ordinance provides that when the farmer applies annually for this exemption the farmer must include a notarized affidavit certifying that they have derived at least fifteen thousand dollars in gross sales or expenses from their farming operation.

What would be included as the definition of farming?

For purposes of the ordinance, the term "farming" is defined in Section 1-1(q) of the Connecticut General Statutes. This definition is attached.

Would horse farms be eligible for this tax exemption?

As stated above, the term farming is defined by Connecticut General Statutes Section 1-1(q), which provides, in relevant part: "...the words 'agriculture' and 'farming' shall include cultivation of the soils, dairying, forestry, raising, shearing, feeding, training and caring for, training and management of livestock, including horses." Thus, horse farms with annual revenues over \$15,000 and applicable buildings would be eligible to apply for the proposed tax exemption.

What would the ordinance's effect be on the tax base?

As previously reported, it is estimated that the revenue loss would be \$13,000 to \$21,500 per year (please see attached list of qualifying farm buildings). However, if

these farms were converted, it would be most likely be to single family homes. A cost of community services study done by American Farmland Trust for Hebron, Connecticut, found that working and open lands cost Hebron \$0.43 in services for every tax dollar generated, while residential properties cost \$1.06 in services. A primary objective of the proposed tax exemption is to provide Mansfield farmers with additional economic incentive to keep their land in agriculture. Since farmland and open space typically have a lower impact on municipal services than do residential uses, by keeping properties in agricultural uses the ordinance would theoretically help to stabilize the rising cost of Town services.

Can the Town place a lien against the farm property as it was enabled to do in the recently enacted tax relief program for senior citizens authorized by C.G.S. 12-129n?

In his February 7, 2008 opinion, Attorney O'Brien's writes:

Section 12-129n(f) provides that "Any municipality providing property tax relief under this section may establish a lien on such property in the amount of the relief granted..." When the Town Council enacted that particular tax exemption, it opted to include the lien requirement in the tax exemption ordinance for the elderly. As noted by Deputy Mayor Gregg Haddad at the January 28, 2008 meeting of the Town Council, "The general rule of construction in taxation cases is that provisions granting a tax exemption...embrace only what is strictly within their terms..." **Daimlerchrysler Services North America, LLC v. Commissioner of Revenue Services, 274 Conn. 196, 203 (2005)**. There is nothing in C.G.S. 12-91, (the legal authority for the farm building tax exemption) that allows a town to place a lien on the farm building to which a tax exemption is applied. If the legislature wanted to limit the farm building exemption in that way, it could have expressly said so, just as it did in C.G.S. section 12-129n when it permitted any town like Mansfield to lien property exempted from tax for a senior citizen. As no lien is expressly authorized in this instance, none may be included. Given the obvious purpose of this tax exemption to preserve farm property, this distinction makes perfect sense. Moreover, as a general rule of law, liens, which are neither consensual nor expressly authorized by statute, are legally ineffective.

Consequently, the Town Attorney advises that "no lien requirement should be added to the subject proposal as it would surely be null and void."

Is there an option to set income limitations, acreage requirements or a maximum benefit for the farm building tax exemption?

Attorney O'Brien also addresses these issues in his February 7th opinion. He states in that only one limitation is expressly authorized in the enabling legislation codified in C.G.S. section 12-91(c): "The municipality shall establish the amount of such exemption from the assessed value, provided such amount may not exceed one

hundred thousand dollars with respect to each eligible building.” Attorney O’Brien further provides that:

The legislature could have provided for a “maximum income allowable,” just as it did when it enacted the aforementioned section 12-129n to benefit lower income senior citizens, but it did not. Nor did the policy makers elect to limit the farm building tax exemption by establishing an acreage requirement or maximum benefit. The statutes express the intent of the legislature, and they should be strictly construed. Neither of the tax exemptions compared herein is required by law, but if a town votes to adopt a particular exemption, it should limit it only in ways “strictly within [the] terms” of the statutory basis.

On this question, Attorney O’Brien concludes that “since a principal purpose for the rule of strict construction of tax exemptions is to protect those local taxpayers who do not qualify for the particular exemption, it is arguable that the town may legally and effectively add income, acreage and maximum benefit limitations on this exemption, but it cannot be done not without risk of violating the letter and intent of the enabling statute, C.G.S. section 12-91.”

Are there specific ordinances relating to dairy farms?

Connecticut General Statutes Section 12-81m enables a municipality to abate up to fifty percent of property taxes for a dairy farm, fruit orchard or wine grape vineyard property. Glastonbury, Rocky Hill, and Coventry have passed such ordinances, and copies of these ordinances are attached.

What other Connecticut communities have adopted ordinances providing a tax abatement for dairy farms or a tax exemption for farm buildings?

CCM and staff have researched other communities around the state that have enacted ordinances to provide abatements for dairy farms, or a tax exemption for farm buildings. Copies of the following ordinances are attached:

- *Glastonbury Code of Ordinances sec. 18-8* “Property tax exemption for buildings used in farming”
- *Glastonbury Code of Ordinances Article 3*, “Tax Abatements for Dairy Farms”
- *Guildford Code of Ordinances Article IX* “Tax Exemption for Farm Machinery and Farm Buildings”
- *South Windsor Code of Ordinances sec 90-10* “Exemption from real property tax for qualified farm buildings”
- *Rocky Hill Code of Ordinances Article V* “Abatement for Dairy Farms”
- *Stafford Code of Ordinances sec. 4-8* “An ordinance providing a property tax exemption for certain farm buildings”
- *Coventry Code Division 2. sec. 94-56* “Abatement for Dairy Farms”

CCM also reports that the Town of Washington's Annual Town Meeting Minutes from October 3, 2005, indicate that the Town established an ordinance authorizing a tax exemption for farm machinery and farm buildings.

Recommendation

As reported, following a referral from the Town Council, the Planning and Zoning Commission, the Agriculture Committee and the Open Space Preservation Committee have all responded favorably to the proposal.

Staff also supports the proposed ordinance, but we certainly respect the concerns expressed by the Town Council and members of the community regarding the fact that the burden to absorb the exemption would be shifted to other property taxpayers. As detailed in previous communications, Mansfield's 2006 Plan of Conservation and Development indicates that the preservation of existing and potential farmland and forest land has increasingly become a conservation priority in Mansfield (see pages 14-15). Local farms, including tree farms, provide scenic character and specialized plant and wildlife habitats, produce high-quality products and help mitigate rising prices associated with transportation costs. Local farms contribute to Mansfield's diversity and economy and help preserve an important link to the agricultural history and economy of the town and region. In the last two decades, a number of open field areas previously used for farming purposes have been subdivided and developed within Mansfield. These areas have been permanently lost for agricultural use. Arguably, a continuation of this pattern would have a serious and increasingly detrimental effect on Mansfield's economy and character. To address this issue in part, Mansfield's Open Space Preservation and Agriculture Committees have recently placed a greater emphasis upon farmland preservation.

Preserving farmland in Mansfield requires making farming financially feasible. Farming, particularly on a small scale, can prove financially difficult. To lower the financial burden on farmers, the state has mandated certain tax benefits for farmers. For example, pursuant to Public Act 490, farmland is taxed at a lower rate and under Connecticut General Statutes §12-91(a) farmers may apply for a tax exemption for farm machinery.

A tax exemption for farm buildings, such as the one proposed and supported by the Open Space Preservation and Agriculture Committees, would provide Mansfield's farmers an additional incentive to keep their land in agricultural production, thus maintaining Mansfield's rural heritage and providing our citizens with access to a local, sustainable food source. By establishing the tax exemption for farm buildings, Mansfield would contribute to the effort to support agriculture in Connecticut. The Connecticut Farmland Trust reports that Connecticut's farmland is disappearing at the alarming rate of 8,000 acres a year. Fertile, highly productive land is being converted to residential and commercial uses at one of the fastest rates in the country - in less than 20 years, we have lost 21 percent of our state's farmland. If this rate of conversion continues, all of our remaining farmland will be gone in less than two generations.

Furthermore, one can argue that the preservation of open space and farmland contributes to the quality of life for all Mansfield residents and serves to enhance property values. This is a benefit that is hard to calculate in concrete terms, but worth noting.

In the discussion of this proposal at previous meetings, I do not sense that the Town Council has reached a clear consensus regarding the ordinance. However, I do sense a desire to promote agriculture, perhaps in a manner other than the proposed tax exemption for farm buildings.

At this point, I see at least four possible courses of action for the Council:

- 1) Approve or reject the ordinance in its present form;
- 2) Revise the ordinance to set income limitations and/or acreage requirements;
- 3) Table the ordinance pending discussion and prioritization of the pending strategic plan;
- 4) Refer the ordinance back to the Agriculture Committee, with a request that the Committee consult with other municipal advisory committees and staff to critically examine the issues raised by the Town Council, and to provide recommendations regarding programs and other means to promote agriculture and economic incentives for farming, in addition to or in lieu of the proposed tax exemption for farm buildings.

I hope that this report and the attached information serve to assist your deliberations. Please let me know how you wish to proceed with this item.

Attachments

- 1) An Ordinance Providing a Tax Exemption for Farm Buildings
- 2) D. O'Brien re: Proposed Farm Building Tax Exemption Ordinance
- 3) Excerpts from CT Assessor's Handbook, "Farm, Forest and Open Space Land"
- 4) Qualifying Farm Buildings per 2007 Grand List
- 5) Connecticut Conference of Municipalities Research Report
- 6) Coventry Code of Ordinances, Sec. 94-56 et seq., "Abatement for Dairy Farms"
- 7) American Farmland Trust, Conservation Options for Connecticut Farmland



**Town of Mansfield
Code of Ordinances**

“An Ordinance Providing a Property Tax Exemption for Farm Buildings”

January 28, 2008 Draft

Section 1. Title.

This Ordinance shall be known and may be cited as “An Ordinance Providing a Property Tax Exemption for Farm Buildings.”

Section 2. Legislative Authority.

This Ordinance is enacted pursuant to the provisions of Section 12-91(c) of the Connecticut General Statutes, as it may be amended from time-to-time.

Section 3. Findings and Purpose.

The Town Council of the Town of Mansfield finds that the preservation of farming and farmland is vitally important to retaining Mansfield’s rural character and quality of life, as well as promoting economic and environmental sustainability. Therefore, pursuant to *Connecticut General Statutes* § 12-91(c), as amended, the Town of Mansfield seeks to protect, preserve and promote the health, welfare and quality of life of its people by providing a tax exemption for certain farm buildings.

Section 4. Applicability and Benefits.

- (a) For a farmer who qualifies for the farm machinery exemption under Connecticut General Statutes § 12-91(a), any building used actually and exclusively in farming, as “farming” is defined in Section 1-1 of the Connecticut General Statutes, upon proper application being made in accordance with this section, shall be exempt from property tax to the extent of an assessed value of one hundred thousand dollars.
- (b) This exemption shall not apply to any residence of any farmer but may be applied to a residence used to house seasonal farm workers.
- (c) Annually, within thirty days after the assessment date, each individual farmer, group of farmers, partnership or corporation shall make written application to the Assessor for the exemption provided in subsection (a) of this section, including therewith a notarized affidavit certifying that such farmer, individually or as part of a group, partnership or corporation, derived at least fifteen thousand dollars in gross sales from such farming operation or incurred at least fifteen thousand dollars in expenses related to such farming operation, with respect to the most recently completed taxable year of such farmer prior to the commencement of the assessment year for which such application is made, on forms prescribed by the Commissioner of Agriculture. Failure to file such application in said

manner and form within the time limit prescribed shall be considered a waiver of the right to such exemption for the assessment year. Any person aggrieved by any action of the Assessor shall have the rights and remedies for appeal and relief as are provided in the general statutes for taxpayers claiming to be aggrieved by the doings of the Assessor.

Section 5. Effective Date.

Following its adoption by the Town Council, this Ordinance shall become effective on the twenty-first day after publication in a newspaper having circulation within the Town.

O'Brien and Johnson

Attorneys at Law

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February 7, 2008

Matthew W. Hart
Town Manager
Town of Mansfield
Four South Eagleville Road
Mansfield, CT 06268

Re: Proposed Farm Building Tax Exemption Ordinance

Dear Matt:

Connecticut General Statutes section 12-91(c), permits the Town Council to provide an exemption from property tax for any building used actually and exclusively in farming. You have asked for my opinion whether the Council has the discretion to modify the proposed farm building tax exemption ordinance in a manner that is not specified by the enabling legislation, by establishing income limitations, acreage requirements or a maximum benefit for the exemption.

On January 28, 2008, I attended a Town Council meeting at which the foregoing questions were raised by Council members during or after a public hearing on the proposed farm building tax exemption ordinance. Another question was whether the town could place a lien against the farm property as it was enabled to do in the recently enacted tax relief program for senior citizens authorized by C.G.S. section 12-129n. Section 12-129n(f) provides that "Any municipality providing property tax relief under this section may establish a lien on such property in the amount of the relief granted . . ." When the Town Council enacted that particular tax exemption, it opted to include the lien requirement in the tax exemption ordinance for the elderly.

As noted by Deputy Mayor Gregg Haddad at the January 28, 2008 meeting of the Town Council, "The general rule of construction in taxation cases is that provisions granting a tax exemption . . . embrace only what is strictly within their terms. . . ." **Daimlerchrysler Services North America, LLC v. Commissioner of Revenue Services**, 274 Conn. 196, 203 (2005). There is nothing in C.G.S. 12-91, the legal authority for the farm building tax exemption, that allows a town to place a lien on the farm building to which a tax exemption is applied. If the legislature wanted to limit the farm building exemption in that way, it could have expressly said so, just as it did in

Matthew W. Hart
Town Manager
Town of Mansfield
February 7, 2008
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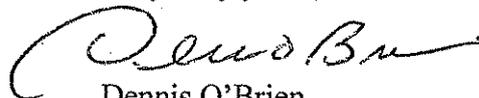
C.G.S. section 12-129n when it permitted any town like Mansfield to lien property exempted from tax for a senior citizen, but it did not. As no lien is expressly authorized in this instance, none may be included. Given the obvious purpose of this tax exemption to preserve farm property, this distinction makes perfect sense. Moreover, as a general rule of law, liens which are neither consensual nor expressly authorized by statute are legally ineffective.

As to the Council's other questions about establishing income limitations, acreage requirements or a maximum benefit for the farm building tax exemption, only one limitation is expressly authorized in the enabling legislation codified in C.G.S. section 12-91(c). "The municipality shall establish the amount of such exemption from the assessed value, provided such amount may not exceed one hundred thousand dollars with respect to each eligible building." The legislature could have provided for a "maximum income allowable," just as it did when it enacted the aforementioned section 12-129n to benefit lower income senior citizens, but it did not. Nor did the policy makers elect to limit the farm building tax exemption by establishing an acreage requirement or maximum benefit. The statutes express the intent of the legislature, and they should be strictly construed. Neither of the tax exemptions compared herein is required by law, but if a town votes to adopt a particular exemption, it should limit it only in ways "strictly within [the] terms" of the statutory basis.

In conclusion, no lien requirement should be added to the subject proposal as it would surely be null and void. Since a principal purpose for the rule of strict construction of tax exemptions is to protect those local taxpayers who do not qualify for the particular exemption, it is arguable that the town may legally and effectively add income, acreage and maximum benefit limitations on this exemption, but it cannot be done not without risk of violating the letter and intent of the enabling statute, C.G.S. section 12-91.

Please let me know if you need any more from me on this.

Very truly yours,



Dennis O'Brien
Town Attorney

FARM, FOREST AND OPEN SPACE LAND - PUBLIC ACT 490

History and Legislative Intent - §12-107a

In the early 1960's, it became apparent that farm, forest and open space lands in Connecticut were rapidly diminishing due, in part, to economic pressures on landowners to sell because of a disproportionate tax burden. In 1963, the Connecticut General Assembly passed what is commonly referred to as Public Act 490, in order to prevent the forced conversion of farms, forests, and open space lands to more intensive uses, and to maintain a natural resource base for future generations.

Section 12-107a of the Connecticut General Statutes contains Public Act 490's Declaration of Policy. This policy essentially states that it is in the public interest to encourage the preservation of farm land, forest land and open space land and to prevent the forced conversion of such land to a more intensive use because of economic pressures caused by property assessments at values incompatible with preservation.

Public Act 490 provides for the valuation of qualifying farm, forest or open space land on the basis of its current use, without regard to neighborhood land use of a more intensive nature. When land is classified as farm land, forest land or open space land, its assessment is based on its use value, rather than on its market value (or highest and best use). Use value assessments are lower than those based upon fair market values, so owners of classified farm, forest and open space lands receive preferential property tax treatment. It should be noted that Connecticut is not unique: every state in the nation has a use value assessment law for farm, forest, or open space land.

Public Act 490 is codified in the Connecticut General Statutes as §12-107a through §12-107e, inclusive. Section 12-107a gives the intent of the legislation. Section 12-107b provides general definitions intended to guide the assessor in determining whether or not to allow the classification of farm, forest or open space land. Sections 12-107c through 12-107e, inclusive, are the statutes governing the application process for classification of farm, forest and open space land, respectively.

While not part of Public Act 490, §12-107f affects open space lands in that it allows certain tax-exempt organizations to be exempt from property taxation for any such lands they hold, for the benefit of the public, in perpetuity for educational, scientific and aesthetic or other equivalent passive uses.

Transfer of Ownership of Classified Lands

Prior to July 1, 2005, case law affirmed that the additional conveyance tax was due only if there was an actual sale of property, not a transfer of ownership of classified land or a sale of such land for no consideration, and that classification did not cease upon a transfer of title. See *Stepney Pond Estates, Limited v. Town of Monroe*, 260 Conn. 411, 425, 434 A.2d260 (2002).

However, §12-504f was amended effective July 1, 2005 and now states: "Upon the sale or transfer of any such [classified] property, the classification...shall cease as of the date of sale or transfer..." Section §12-504h provides that classification is "personal to the particular owner who requests and receives such classification" and does not run with the land.

Pursuant to subsection (a) of §12-504a, any time there is an ownership change in land that is classified as farm, forest or open space a revised application for classification must be filed with the assessor.

Assessors must understand and keep in mind the intent of recent legislative changes when reviewing revised applications. At times, the only required change resulting from a transfer of classified land is the name of the property's owner. For example, no change in the date of classification is required for a deed "...to or from any limited liability company when the grantors or grantees are the same individuals as the principals or members of the limited liability company." The only change that the assessor makes upon receiving a revised application from the limited liability company is a name change, since the individual(s) who originally classified the land are the same individual(s) who are the current owners. In fact, the provisions of §12-504b that exempt certain persons or entities from paying an additional conveyance tax, will most likely result in no changes other than name changes in an assessors' records.

In the case of a transfer or sale of classified farm, forest or open space land to a person or entity that is not exempt from the imposition of the additional conveyance tax, or for a sale or transfer of such land that occurs after the classification period ends, the new property owner must file an application for classification. If approved, a new ten-year period of classification begins.

Section 12-504f requires a town clerk to notify an assessor of the sale of any classified farm, forest or open space land when the filing in the land records occurs. This statute also requires the assessor to inform the new owner of the property tax benefit of classification. (Assessors are not required to receive notice of transfers of classified lands, nor are they required to notify a person or entity receiving title in a transaction that is not a sale of the tax benefits of classification.)

The imposition of the additional conveyance tax, pursuant to §12-504a is discussed on the next page.

Additional Conveyance Tax – Sale, Transfer or Change of Use of Classified Lands

Because the intent of Public Act 490 is the preservation of Connecticut's farm, forest and open space lands, once such lands are classified they become subject to a conveyance tax penalty upon a sale, a non-exempt transfer or change of use within a ten-year period, pursuant to §12-504a or §12-504e. This penalty is meant to discourage a property owner from taking advantage of the preferential tax treatment of classified land, and not preserving the land as it was intended for the statutorily required period of time (also known as the holding period).

The additional conveyance tax for classified farm land or forest land is levied if the land is sold or transferred to a non-exempt entity within a period of ten years from the date the owner acquired title to the land, or within a period of ten years from the time the owner first caused the land to be classified, whichever is earlier. For classified open space land, the additional conveyance tax is levied if the land is sold or transferred to a non-exempt entity within a period of ten years of the date the owner first caused the land to be classified as open space.

Pursuant to §12-504e, the additional conveyance tax must be levied if an owner changes the use of classified land, to a use other than farm, forest or open space, within a period of ten years of acquiring title.

The rate at which the additional conveyance tax is calculated is set forth in §12-504a (for a sale of classified land) and §12-504e (for a change in the use of such land). These statutes provide for a declining rate for each of the ten years comprising the period during which the additional tax can be levied. The additional conveyance tax is applied to the sales price of the land in the case of a sale and, in the case of a non-exempt transfer or use change, to the market value of the land as determined by the assessor at the time of the town's last revaluation.

Any person aggrieved by the imposition of the additional conveyance tax may appeal the assessor's determination regarding the tax to the board of assessment appeals.

On pages 7-44 through 7-46, forms for calculating the additional conveyance tax for sales, non-exempt transfers or changes of use of lands classified as farm, forest and open space are presented for illustrative purposes. There is no requirement that these forms be used, but assessors may find them helpful although some modifications may be needed. This is due to the fact that each form calls for the grand list year of certification, rather than the date a property is classified, and that some assessors use the certification date, rather than the grand list date, to determine the ten-year holding period.

The forms also cite property class codes that an assessor may no longer be using since they are not the codes currently prescribed by the Office of Policy and Management.

Additional Conveyance Tax -- Exemptions

Certain conveyances or sales of classified land, within the ten-year holding period specified in §12-504a, do not result in the levy of an additional conveyance tax. Section 12-504c sets forth an exemption from the additional conveyance tax for the following:

1. Transfers of land resulting from eminent domain proceedings.
2. Mortgage deeds.
3. Deeds to or by the United States of America, State of Connecticut or any federal or state political subdivision or agency.
4. Strawman deeds and deeds which correct, modify, supplement or confirm a deed previously recorded.
5. Deeds between husband and wife and parent and child when no consideration is received (although if there is a subsequent nonexempt transfer by the grantee in such cases, the provisions of §12-504a are applicable as if the grantor were making such nonexempt transfer).
6. Tax deeds.
7. Deeds of foreclosure.
8. Deeds of partition.
9. Deeds made pursuant to a merger of a corporation
10. Deeds made by a subsidiary corporation to its parent corporation for no consideration other than the cancellation or surrender of the capital stock of such subsidiary.
11. Property transferred as a result of death (by devise or otherwise) when no consideration is received. In such a transfer, the date of acquisition or classification of the land, whichever is earlier, becomes the date of acquisition or classification by the decedent.
12. Deeds to any corporation, trust or other entity that has received a determination from the Internal Revenue Service that contributions to it are deductible under the Internal Revenue Code, of land to be held in perpetuity for educational, scientific, aesthetic or other equivalent passive uses.
13. Land subject to a covenant providing that the land cannot be sold or developed (for a period of at least eight years from the date of the transfer) in a manner inconsistent with its classification. The deed must set forth the covenant and the town in which the land is located must be able to enforce it. If such a covenant is violated, the additional conveyance tax under §12-504a is applicable at the rate that would have been applicable when the deed containing the covenant was delivered.
14. Land the development rights to which have been sold to the State of Connecticut under Chapter 422a of the Connecticut General Statutes.
15. Deeds to or from a limited liability company when the grantors or grantees are the same

individuals as the principals or members of the limited liability company.

Use Values For Classified Farm, Forest and Open Space Land

Every five years, the Office of Policy and Management, in consultation with the Department of Agriculture, issues recommended use value schedules for classified farm, forest, or open space land, pursuant to §12-2b. These schedules differentiate between different types of land and are based, in part on an analysis of rental and lease data from across the state. Recommended values were most recently issued for the October 1, 2005 assessment year, and will be updated for the assessment year commencing October 1, 2010. (See page 7-43.)

Assessors are not required to use the recommended values. However, if an assessor chooses to apply values for classified farm, forest and open space land other than those that are recommended, such values must be developed in compliance with §12-63. That is, they must reflect the present true and actual value of classified farm, forest and open space land based upon the land's current use without regard to neighborhood land use of a more intensive nature. This statute also provides that the present true and actual value of open space land cannot be less than the value of classified farm land.

The Classification of Land as Farm Land

The Changing Nature of Farming

In times past, it was fairly easy to recognize a farm: even a child could describe one. A person with no technical knowledge of the agricultural industry could identify a farm, just by driving by a property having scenic acres of gently rolling land, some tilled, some being used as pastures and some wooded. There were often numerous outbuildings (mostly red barns with silos) and seemingly countless cows and horses corralled in by miles of white fencing.

The historic farm (because it was self contained and self-supporting) had to consist of different types, or tracks, of land. The farm unit of the historic farm needed woodlands as a source of fuel for heating and production. Wasteland, ponds and streams provided drinking water, irrigation and power. Not all farms today, however, have (or need) all of these various types of land.

With the urbanization of America and the ever-changing character of agriculture, the face of farming has changed. Farming is no longer that historic (almost romantic) image of a truly self contained and self-supporting family business. In Connecticut and elsewhere today, there are fewer self contained and self-supporting historic farms and more gentleman farmers and corporate farmers.

The gentleman farmer usually concentrates on one activity (such as haying or pasturing) and the land used for that activity, whether owned or leased, does not have to be more diverse than necessary to support that single purpose. So if property is being hayed, the gentleman farmer's farm unit may consist only of the land that is being hayed.

Corporate farms can range in size from those on very large tracks of land, to highly specialized and technologically intense farms on relatively small tracks of land. In addition to the traditional raising or harvesting of agricultural or horticultural commodities and livestock, farming today can include such diverse activities as aquaculture and technologically advanced methods of production such as hydroponics.

Regardless of the type of farm, each must be viewed using the same standard: What commercial farming activity is taking place and what land is necessary to support that activity?

While the Connecticut General Statutes do not specifically use the phrase "commercial farming activity", the policy declaration in §12-107, states, in part "...in order to maintain a readily available source of food and farm products close to the metropolitan areas of the state." Given this and the fact that assessors must, pursuant to §12-107c, take into account a land's productivity and the gross income of its owner in making a determination regarding an application for classification, it would appear that the legislators who framed these laws were not seeking to preserve casual backyard gardens, but rather to preserve the commercial farming activities necessary to feed the citizens of this state.

Definitions of Farm / Farmland

There are various definitions in the Connecticut General Statutes related to agriculture, farm land and farming, some of the more important of which are reflected below.

§1-1:

(a) In the construction of the statutes, words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in the law, shall be construed and understood accordingly.

(q) Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto,

nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.

§12-107b(a):

The term "farm land" means any tract or tracts of land, including woodland and wasteland, constituting a farm unit...

Note: "Farm unit" is not defined.

§14-49(q):

...no farm [motor vehicle] registration shall be issued to any person operating a farm that has gross annual sales of less than two thousand five hundred dollars in the calendar year preceding registration...

Note: Although §12-107c requires the assessor to consider a farmer's gross income among other factors, the majority of such income does not have to be derived from a farming operation. Essentially, then, the absence of a farm vehicle registration plate does not disqualify a farmer for farm land classification. On the other hand, the fact that such a registration plate has been issued may indicate that the owner is a farmer.

§22-3:

(a) The Commissioner of Agriculture shall evaluate all information and statistics collected by the department with regard to agriculture for the purpose of recommending methods to be pursued, the needs and wants of practical husbandry and the adaptation of agricultural products to soil, climate and markets, and shall determine the policies best adapted to encourage and promote the development of agriculture within the state. The commissioner may appoint qualified persons to make studies and recommendations concerning matters of interest to the commissioner.

(b) As used in this section "agricultural land" means any land in the state suitable with reference to soil types, existing and past use of such land for agricultural purposes and other relevant factors, for the cultivation of plants, for the production of human food and fiber or other useful and valuable plant products and for the production of animals, livestock and poultry useful to man and the environment and may include adjacent pastures, wooded land, natural drainage areas and other adjacent open areas; "development rights" means the rights of the fee simple owner of agricultural land to develop, construct on, sell, lease or otherwise improve such land for uses that result in rendering such land no longer agricultural land, but shall not be construed to include: (1) The rights of the fee owner of agricultural land to develop, construct on, sell, lease or otherwise improve the

agricultural land to preserve, maintain, operate or continue such land as agricultural land, including but not limited to, construction thereon of residences for persons, farm buildings, roadside stands for retail sale of food products and ornamental plants, facilities for the storing of equipment and products or processing thereof or such other improvements thereon as may be directly or incidentally related to the agricultural operation or (2) the rights of the fee owner to provide for the extraction of minerals, gravel or like natural elements.

The following dictionary definitions of the term "farm" may also assist the assessor in determining what constitutes a farm or a farming activity.

Black's Law Dictionary (Fifth Edition): A tract of land devoted to agriculture, pasturage, stock raising, or some allied industry. Includes dairy, stock and poultry farms.

Webster's New Riverside University Dictionary: Land cultivated for agricultural production...land devoted to the raising and breeding of domestic animals...an area of water devoted to the raising and breeding of a particular kind of aquatic animal...

Application for Classification

The Commissioner of the Department of Agriculture prescribes the *Application To The Assessor For Classification of Land As Farm Land* (Form M-29) that appears on pages 7-31 and 7-32. A copy of §12-504a through §12-504e must be attached to Form M-29 when the assessor provides it to an applicant. (See attachment on page 7-39.) Except during a year of revaluation, a completed application (including the signatures of all owners) must be filed between September 1st and October 31st. During the year of a revaluation, the deadline is extended to December 30th. No other extension of the filing period is available and failure to file within the prescribed time period is a waiver of the right to the classification for the assessment year commencing on October 1st.

There is nothing prohibiting the applicant from providing the assessor with information in addition to that required on the application form. Considering the diverse nature of farming in the state, additional information may not only be desirable but necessary in order for the assessor to make a determination as to whether the land in question should be classified as farm land. Also, the Department of Agriculture may issue an advisory opinion as to whether or not a property's use is agriculture or farming, or regarding the classification of land as farm land.

Factors To Consider When Determining What is a Farm or Farmland

The following list of six factors, as set forth in §12-107c, should be considered in order to determine what constitutes farm land. While each is important, no single factor should be used to either approve or reject a particular application for farm land classification, nor should they be viewed as the only factors to be considered when determining what is farm land.

1. Acreage

As mentioned earlier, farming can be quite diverse. This diversity can result in acreage varying in size for each type of farming activity. While a specific type of farming may

require a certain amount of acreage, there is no universally accepted standard of minimum acreage required in order for a property or parcel to be considered a farm. State law sets no minimum acreage requirement for farm land classification, but some towns have established certain acreage provisions.

2. Portion Actually Used in Farming

Because there are different types of farming, the acreage actually used will vary. Also, each farm product can have different acreage requirements. Once the assessor has determined that the land in question is farm land, the assessor must determine the portion actually used for a farming activity, in order to properly value the property.

3. Productivity of the Land

Productivity does not have to mean that the land is employed to its maximum capacity. There can be legitimate reasons why farm land must lay fallow for a short period of time or why it is not being employed to its maximum capacity. As long as there is a bona fide commercial farming activity occurring, the degree of productivity may not be a controlling factor unless the diminished activity draws into question whether there is, indeed, a commercial farming activity occurring.

4. Gross Income Derived from Farming

The income derived from any farm will vary with the size of the farm unit and the farm product(s) being produced. There is no simple guideline to judge what level of income is reasonable. When considering gross income derived from farming, only the income attributable to the land in question should be taken into account. Also, the majority of a farmer's income does not have to be derived from the farming operation.

5. Nature and Value of Equipment Used

The type, quantity and value of equipment used will vary greatly from farm to farm. If a commercial farming activity is occurring, there is generally some equipment involved. Equipment used in farming may be either owned or leased by the farmer. Even if the owner of the land is leasing it to another for a commercial farming activity, equipment owned by the lessee may be used. If a commercial farming activity is occurring, the personal property (including leased items) used in the conduct of that activity should be declared to the assessor of the town where such personal property is located.

6. Extent to Which Tracts Comprising Farmland are Contiguous

It is becoming increasingly rare to find a farm that is one large contiguous parcel. Frequently, separate parcels of land may be rented or leased from others for a commercial farming activity.

This list of factors is not all encompassing; there may be other factors to consider. And, while there is no one simple standard or single test to determine what constitutes a farm or farmland, an assessor should always start with the following question: *What commercial farming activity is occurring on this parcel of land?* A site visit to the property may provide additional information

or, at the least, may be a means of verifying information that was presented in the application for farm land classification.

The Department of Agriculture is authorized to provide an advisory opinion as to what constitutes agriculture or farming pursuant to §1-1(q), or regarding the classification of land as farm land or open space land. The agency's staff can issue such an opinion upon receiving a request form a land owner, an assessor, a municipality or a state agency. The Connecticut Agricultural Experiment Service may also be able to assist assessors in such determinations.

Also, the federal Internal Revenue Code has specific requirements regarding farm operations. An assessor may find helpful certain information that is contained on the Internal Revenue Services' web site (www.irs.gov/individuals/farmers/display). Click on individuals, then click on farmers, then click on chapter 3: examination techniques.

Determination of Eligibility

The determination as to whether to classify land as farm land rests solely with the assessor. A person claiming to be aggrieved by the denial of a farm land classification may make application for a hearing before the board of assessment appeals.

The use of the property on October 1st of the year for which Form M-29 is filed should be the final determining factor as to whether the property in question should be classified as farm land.

Once classified, there is no statutory requirement that the property owner file another application in order to continue receiving the farm land classification. However, there is nothing to prevent the assessor from requiring additional information (after the initial filing) in order to clarify the status of a classified property's continued use as farm land.

Notice to Applicant

While there is no deadline noted in the statutes, an applicant should be notified of the assessor's decision regarding Form M-29. Therefore, a copy of the application's section entitled "*Assessor's Verification*" should be completed by the assessor and provided to the applicant in a timely fashion.

Any person claiming to be aggrieved by the assessor's denial of a farm land classification may file an appeal of the assessor's decision with the board of assessment appeals. Similarly, a board of assessment appeals hearing request may be filed if the property owner disagrees with the assessor's decision regarding the size or value of the farm land the assessor approved for classification.

Classification and Valuation

Once the assessor decides that a property for which Form M-29 has been filed qualifies for classification, the acreage actually used as farm land should be classified and valued at its use value. If the property has a house and/or commercial building, the house lot and/or commercial lot (as defined by zoning or local practice) should be valued as all other similar lots are valued. Only that portion of the land that is actually used for the commercial farming activity should be classified and valued at its use value.

If the assessor chooses not to employ the use values recommended by the State of Connecticut, the values the assessor applies must still reflect the value of the farm land based on its use, rather than on the basis of its market value.

Assessor – Annual Certificate Filing With Town Clerk

Pursuant to §12-504f, the assessor must annually file a certificate listing any property classified as farm land with the town clerk, no later than 60 days after October 1st. Such certificate, which must specify the date of initial classification, serves as a notice of the obligation to pay the conveyance tax pursuant to §12-504a or §12-504e.

As already mentioned, a person claiming to be aggrieved by the assessor's decision regarding a farm land classification application may file an appeal with the board of assessment appeals. If the board of assessment appeals decides to overturn the assessor's decision by classifying a property as farm land, or changes the acreage that was classified, the assessor should file an amended certificate with the town clerk. Even if the assessor does not agree with the board's decision, the amended certificate must be filed in order to protect the town's right to impose an additional conveyance tax should it become necessary to do so.

Changes in Title, Use and Acreage

As previously discussed, §12-504a provides that any land which has been classified as farm land is subject to an additional conveyance tax if such land is sold, transferred to a non-exempt person or entity or if its use changes, within a ten-year period from either the date the property was acquired or from the date of its classification, whichever is earlier. Pursuant to §12-504e, the additional conveyance tax is to be levied if an owner, within a period of ten years of acquiring title, changes the use of the land.

In accordance with §12-504h, the classification of land as farm land ceases when the use of such land is changed to a use other than that described in the application for the existing classification (i.e., a non-agricultural use), or when the property owner sells or transfers the property in a non-exempt transactions. For a property that is transferred to a person or entity against who the additional conveyance tax is not applicable (see §12-504c), a new classification period does not begin. Rather, the new owner files a revised application and the assessor corrects the property record accordingly.

Any action which results in the cessation of a commercial farming activity would require the previously classified land to be revalued without the benefit of the farm land classification. Similarly, if the acreage of classified land changes, its use value should be revised accordingly. Amended applications may be required in such circumstances.

Declassification

Upon termination of the classification, the assessor must record with the town clerk a certificate indicating that such property has been declassified pursuant to §12-504b. If the declassified property is still in the name of the person who initially filed for its classification, it is recommended that a copy of the declassification certificate be sent to that person.

The Classification of Land as Forest Land

Definition of Forest Land

Pursuant to subdivision (2) of §12-107b, the term "forest land" means "any tract or tracts of land aggregating twenty-five acres or more in area bearing tree growth that conforms to the forest stocking, distribution and condition standards established by the State Forester pursuant to subsection (a) of section 12-107d, and consisting of (A) one tract of land of twenty-five or more contiguous acres, which acres may be in contiguous municipalities, (B) two or more tracts of land aggregating twenty-five acres or more in which no single component tract shall consist of less than ten acres, or (C) any tract of land which is contiguous to a tract owned by the same owner and has been classified as forest land pursuant to this section".

Application Process

Forest land classification involves a two-step application process. Landowners seeking classification of their land as forest land on and after July 1, 2004, must employ the services of a Certified Forester to examine the land and make a determination as to its eligibility for forest land classification.

A Certified Forester is a person who "... has satisfactorily completed training by and obtained a certificate from the State Forester or his or her designee related to policies and standards for evaluating land proposed for classification as forest land..." Such certifications are provided in accordance with §23-65h.

Pursuant to subsection (c) §12-107d, as amended, a Certified Forester who determines that land conforms to these standards issues the landowner a report on a form the State Forester prescribes. The report must include a description of the land, a description of the forest growth upon the land and a description of forest management activities recommended to be undertaken to maintain the land in a state of proper forest condition. It must also include the name and address of the Certified Forester and his or her certificate number, as well as a signed, sworn statement regarding the Certified Forester's determination that the land that is proposed for classification conforms to the State Forester's established standards of forest stocking, distribution and condition. The State Forester may also require the report to include additional information concerning measures of forest stocking, distribution and condition.

Once a Certified Forester's report is issued, the landowner must then apply to the assessor to have the land classified as forest land for property tax purposes. The landowner must submit the required application, together with copy of the Certified Forester's report, to the assessor on or before October 1st. The date of a report issued by a Certified Forester must be no later than October first of the year the classification is requested.

REGULAR MEETING-MANSFIELD TOWN COUNCIL

January 28, 2008

Mayor Elizabeth Paterson 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: Blair, Clouette, Duffy, Haddad, Koehn, Nesbitt, Paterson, Paulhus, Schaefer

II. APPROVAL OF MINUTES

Mr. Clouette moved and Mr. Paulhus seconded to approve the minutes of the December 10, 2007 meeting as corrected. Motion passed with Mr. Haddad, Ms. Blair and Mr. Schaefer abstaining. Mr. Haddad moved and Mr. Paulhus seconded to approve the minutes of the January 14, 2008 meeting as corrected. Motion passed with Ms. Blair abstaining.

III. MOMENT OF SILENCE

Mayor Paterson requested a moment of silence in honor of and respect for our troops around the world.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Robert Kremer, 67 Charles Lane, questioned the need for the Housing Code, noting that he is a landlord who has maintained his property and paid his taxes. (Statement attached)

Mary Gawlicki, 132 Lorraine Drive East, expressed concern regarding the wording and effectiveness of the Housing Code and asked that the Town let citizens know how to properly sign a petition. (Statement attached)

V. PUBLIC HEARING

1. *An Ordinance Providing a Tax Exemption for Farm Buildings*

Irene LaPointe, Town Assessor, outlined the exemption program and estimated the number of residents who might qualify as 21 or 22. Ms. Koehn requested a review of how the inclusion of the set acreage stipulation might effect the ordinance.

Quentin Kessel, 97 Codfish Falls Road, spoke in favor of the ordinance commenting that the Town Council should do whatever they can to keep parts of the Town rural.

Vicky Wetherell, 33 Summit Road, who is a member of the Open Space Preservation Committee and their representative to the Agriculture Committee spoke in favor of the ordinance. She commented that this is one component of a complex support mechanism for farms. (Statement attached)

Betty Wassmundt, 54 Old Turnpike Road, spoke against the proposed ordinance and questioned the definition of seasonal workers as the term applies to the Town. (Statement attached)

David Freudmann, 22 Eastwood Road, spoke against the ordinance urging the Council not to grant exemptions to specific financial groups. Mr. Freudmann commented the ordinance is ripe for abuse, creates a distortion in the economic order, creates a two-tiered system of landlords, opens the way for other professions to request assistance and in the long run will not preserve open space.

Anne Wiant-Rudd, 688 Middle Turnpike, spoke in favor of the proposed ordinance noting the importance of the production of local produce. (Statement attached)

Mike Sikoski, 135 Wildwood Road, spoke against the ordinance and suggested a rebate system targeted to farmers who need help might be a better idea. (Statement attached)

The Town Clerk noted a written communication from Elisa Santee, 85 South Bedlam Road, who is a dairy farmer and is in favor of the ordinance. (Statement attached)

VI. OLD BUSINESS

2. An Ordinance Providing a Tax Exemption for Farm Buildings

Mr. Paulhus moved and Mr. Schaefer seconded to adopt the Ordinance Providing a Tax Exemption for Farm Buildings, dated January 28, 2008, which ordinance shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Council members discussed whether the proposed ordinance would save farmland, whether the ordinance should require the tax break be repaid

upon the sale of the property, the feasibility of a rebate, the need to maintain a local food supply and the definition of seasonal workers. Mr. Haddad stated that the State often dictates the way ordinances and exemptions can be approved and asked staff to see if the enabling legislation allows any flexibility.

Mr. Clouette moved and Mr. Schaefer seconded to table the motion to the next meeting. Motion passed.

3. Community/Campus Relations

Town Manager, Matt Hart, noted that both the worksheet titled "What Other College Communities Have Done?" and the consultant's draft report and staff recommendations regarding the staffing and implementation of the Housing Code, as requested by Council members, is included in the packet.

4. Community Water and Wastewater Issues

Matt Hart, Town Manager, will clarify the Projected Average Day Demand and Available Supply table and will provide the water demand estimations found in the final report of the 1999-2000 UConn Water Supply Plan.

VII. NEW BUSINESS

5. Art Display Policy for Municipals Buildings

Mr. Paulhus moved and Mr. Clouette seconded to schedule a public hearing at 7:30 PM at the Town Council's regular meeting on February 11, 2008, to solicit public comment regarding the proposed Mansfield Community Center Art Display Policy and the Art Display policy for Mansfield Town Buildings (Other than Schools).

Kim Bova, Jay Ames and Scott Lehman, members of the Arts Advisory Council, were present to answer question. Mr. Lehman commented the guidelines are meant to be quite liberal and serve more to give the artists some direction. The Advisory members noted the importance of each town entity establishing a committee to establish more specific policies.

Motion passed unanimously.

6. 2008 Child Daycare Application

Mr. Haddad moved and Mr. Nesbitt seconded to approve the following resolution:

Comments on proposed property tax exemption for certain farm buildings

Thank you for considering this tax exemption proposal. Both the Open Space Preservation Committee and the Agriculture Committee have urged the Town Council to approve this exemption.

The Town's Plan of Conservation and Development and current discussions about the Town's strategic plan both support the preservation of farmland. The benefits of preserving these lands are several. Many residents value the rural character of the Town (what one sees as one travels around town). But farms are also an important factor in the town's economy. They are part of the local business community. They are a source of local food, which helps ensure a sustainable resource for the Town and for the region. Farmers are stewards of the prime agricultural soils that are the best cropland. These soils are a natural resource that is taken for granted, but cannot be replaced once developed. Farms help keep property taxes at a lower level for all of us. If local farms were developed for housing, the cost to the town for services to additional residents would be far greater than the amount of property taxes that would be exempted under this proposal. Preserving farmland is good economic policy.

But in order to preserve farmland, you have to preserve farming activity. Without the management of these lands, they would revert to forest or to houses. How can the Town support farming? One way is to provide zoning that does not negatively impact farming operations. Another way is to help farmers resist the get-rich-quick offers by developers. Operating a farm is not a very profitable enterprise in New England. Mansfield does not have a lot of farms, so we need to make sure that the ones we have will continue to exist, and we need to welcome new farmers. To accomplish that, we are going to have to provide economic and marketing support for them. One way that the Town can provide economic support is through this proposed tax abatement. This tax policy would help ensure that farming activity continues in town. This proposed exemption would be an investment in preserving an important component of the Town's character and economy.

Vicky Wetherell

Farm Exemption Public Hearing
January 28, 2008.

I am here to ask you to vote against this ordinance. My reasons follow.

Consider the financial impact statement saying to expect this ordinance to cost between \$13,000 and \$21,500. There is no supporting documentation for these numbers. You must conclude that you cannot rely on these numbers and that you should have this information. The public should have had this information prior to this hearing.

However much the cost is, where are you going to get this money? This has got to be a very difficult budget year. China is supporting the federal government. State revenues have got to be down – RE sales, sales tax, casino gambling all are down. This means that Mansfield will hurt. Is this the time to be cutting taxes however commendable the project is? Or are you going to shift this unknown amount of tax revenue on to the rest of us. Please note, there is no requirement for the farmer to demonstrate need. We could have a farmer with a \$1,000,000 profit who qualifies for this tax break which likely will be paid for by the middle class in town. Sounds like a George W. Bush policy to me.

Did you read the article in the Chronicle on 1-21-08? The State now is trying to deal with the \$5 billion in tax exemptions which they have passed. All of that is shifted on to you and me. Don't do this to Mansfield.

I question section 4 b of the ordinance regarding residences used to house seasonal workers. Are there any in town? (I need an answer) Please define such a dwelling in this town. Can a house be used to rent to students during the school year and used for seasonal labor in the summer growing season and still qualify? (Answer) Can a house be rented to someone who works from time to time on the farm and qualify? (Answer) Is this proposed ordinance open to abuse as you have found is happening with your Landlord and Housing ordinances? I think so. I can hear our mayor saying some months down the line, "Why I never would have thought of such a thing."

Section 4 b requires clear definition before you vote on this ordinance.

Let's take an example of possible abuse of the ordinance. I own 25 acres, some of it wooded, I can build a barn which I would like because I'd like to encourage swallows and I have a lot of equipment I'd like to store. I can call myself a timber farm. I can clear cut all of my land. Then I can sell it to a developer and all the while you will have given me lots of tax breaks because I'll qualify for a break on the land, each piece of equipment qualifies up to \$100,000 and now my barn will qualify. I might throw in a few cows as I contemplate dairy farming and my cows will be tax free. If my grandchild wants a pony, I can easily make that tax exempt. You should vote no for this ordinance.

If you want more examples, just ask.

Next, our mayor gave the best reason to vote against this ordinance in her statement to the Chronicle. She said "We're hoping to help farmers ... to hang on to their land and not sell it to developers". We're hoping. Can your legislation affect a hope?

General experience shows us that people will take advantage of every tax break. Past experience in town equally shows us that this has not stopped development. Let me recount an example which I know of from the eastern part of this town. One farmer with a beautiful piece of land took advantage of all the tax breaks. Included was this: there was a drought in the Midwest back in the 70's or 80's and the federal government legislated a 1% loan to the corn farmers. Our farmer grew corn for his cows so he got himself the 1% loan. I think that was the year that he bought his house on Marco Island in FL. Now his farm is all developed - excepting for one beautiful piece which was sold to a family in town who are people who value open space and privacy. That is still open space. What did the tax breaks do? The one you are considering will have the same non-effect. You cannot affect a hope by legislation. Don't we wish you could, what a perfect world we'd have.

Look at the Claude McDaniels farm. What is happening to that? Would all the tax breaks in the world have stopped Claude from dying and his heirs doing what they want?

What about the Green property on rte 32. That beautiful hillside is becoming a gravel bank. I'm sure the Greens took advantage of every tax break.

Take a look at page 68 of your packet; there is a picture of the Ash house reproduction. This is a commendable project but let's consider the impact to open space. Prior to the current ownership of this farm property, the property had on it a house, a barn, a sugar shack and decrepit farm buildings. It now has all of those as well as a 2 car garage, a very large studio, 4 rental dwellings and the Ash house is the 5th rental coming up. And, the Ash house is built on what is quite likely prime farm land; that parcel grew produce for many, many years. Can you pass legislation to affect a hope? This is bad legislation. Vote no.

The best thing you can do is to manage an effective town government which does not overextend the ability of the citizens to pay the tax bill. Consider carefully how you spend our money. This will promote open space as you will not require all the non-farmers who own open space to sell off their land because the tax burden is too high. Thank you.

As a local taxpayer I support the proposed tax exemption for local farm buildings.

It is important that we support our local farmers not only by buying local produce and other commodities but also by easing the potential financial strain that it takes to operate a farm.

Farmland is becoming a scarce commodity as our population continues to increase. Locally, nationally and globally our open space is quickly being developed which is an irreversible trend.

I think farms are a necessity and by supporting the Tax Exemption Proposal we are looking ahead and supporting our future.

As the saying goes: No Farms. No Food

Thank you.

Anne Wiant-Rudd
688 Middle Trk

I am here to tell you that I grew up in New Hampshire on a farm so that I know what it is like to struggle as a small dairy farmer. I am not opposed to helping farmers.

But, I do see that this ordinance can backfire as you have learned with The Housing Code, etc. People will find a way to qualify for this exemption in ways that you never dreamed of.

Can you assure us that this ordinance will not be abused by people you are not intending to target with this tax break? As you can probably guess, I will look for a way.

I will make you a suggestion. If you want to help farmers who may need help, come up with a rebate system for the specific farmers you want to target. Say, in December of each year you return a portion of the taxes they paid in the prior year.

What in your ordinance is going to prevent a farmer from finishing his career and then selling his land and property to fund his retirement while all along he was not paying taxes on the buildings. And, they have a right to do this, after all, it really is their only asset. Farming barely keeps bills paid; funding a retirement plan is not possible when the next corn shipment, grain shipment or fuel bill is due. Most likely, the farmer must sell his property in order to retire.

Small family farms are not going to continue forever, that's just the way it is....it's sad but it is a fact. No matter how hard Mansfield or America tries, small business, be it farmers or hardware stores, trash companies or gas stations, they are all going to get swallowed up by the big guys. While they are here, we do want to help them as much as possible, but we need to remember, no matter how hard we try, they will not be around forever.

You can come up with better ideas to preserve open space in Mansfield. Personally, I believe the Town and Joshua's Trust currently have enough preserved land. Sooner or later the town, the trust, the department of corrections and the university will own most of the land in Mansfield - thus leaving for the Homeowners on their 2 acres to provide all the town revenue.

To summarize:

This property tax exemption is wrong - unless, of course you want to give it to me, too.

Mike Sikoski

1-28-08

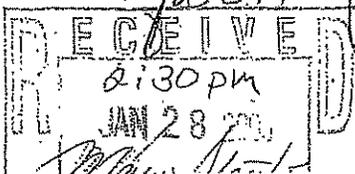
To: Mansfield Town Council

From: Elsa Santee / William Trietch
Foxfire Farm, LLC
85 South Bedlam Rd
Mansfield Center, CT 06250

RE: "Ordinance providing a property tax exemption for farm buildings"

We are a small dairy farm
and would be at the meeting tonight
if we weren't milking cows -

We would like to express our
support for the proposed ordinance -
Property tax relief will help to keep us
farming -



Elsa Santee
William Trietch
-45-

PAGE
BREAK



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant to Town Manager; Curt Vincente, Director of Parks and Recreation; Jennifer Kaufman, Parks Coordinator
Date: March 8, 2010
Re: Presentation: Open Space Program

Subject Matter/Background

At Monday's meeting, the Open Space Preservation Committee, together with the Conservation Commission, Agriculture Committee and Parks Advisory Committee, will conduct a presentation regarding Mansfield's open space program. The presentation will review past accomplishments and will include an opportunity for discussion of future goals for the program.

Recommendation

The advisory committees recommend that Council members continue to familiarize themselves with the open space program and invite your support for new programs and initiatives that are designed to meet the emerging needs of the community.

Attachments

- 1) Planning, Acquisition, and Management Guidelines for Mansfield Open Space, Park, Recreation, Agricultural Properties and Conservation Easements
- 2) Open Space Preservation Action: A Brief Summary, 1987 – 2010
- 3) Capital Projects – Open Space: Status Report Through February 28, 2010

**Planning, Acquisition, and Management Guidelines
for
Mansfield Open Space, Park, Recreation, Agricultural Properties
and
Conservation Easements**

(Approved by Mansfield Town Council Nov. 13, 1995, revisions approved Aug. 25, 1997 and August 24, 2009)

Background

This document serves to guide the Town of Mansfield as it plans, acquires and manages the following:

- Open space, park, and recreation areas
- Agricultural properties
- Open space acquired as a result of subdivision, as appropriate
- Conservation easements

I Planning

- A. The Planning and Zoning Commission (PZC) has a statutory responsibility to periodically review and update the Town's Plan of Conservation and Development (POCD), including open space, recreation and agricultural elements. Appendix J of the 2006 POCD contains a listing of Significant Conservation and Wildlife Resources. Appendix K contains the Open Space Acquisition Priority Criteria. These pertinent sections of the POCD are contained in **Attachment A**.
- B. The Town Council, Conservation Commission, Agriculture Committee, Open Space Preservation Committee, Parks Advisory Committee, Recreation Advisory Committee, Historical Society, various staff members and the public shall directly assist the PZC with its review and updating of the POCD. Interim studies and reports shall be encouraged on specific areas of Town and on various aspects of local goals to promote recreational opportunities and to protect and enhance valuable natural, agricultural or historic resources.
- C. The PZC and Inland Wetland Agency periodically shall review and update land use regulations to help implement community goals and objectives regarding the protection and enhancement of natural, agricultural, historic and recreational resources.
- D. The Town Council shall consider on an annual basis the allocation of funds and taxation policies to help implement community goals regarding the protection and enhancement of natural, agricultural, historic and recreational resources.

II Acquisition

A. Planning and Zoning Commission/Inland Wetlands Agency (IWA) Application/Approval Process

The Town Manager is authorized to receive for the Town any open space/conservation easement acquisition approved by the PZC/IWA application process. However, in the event that the Town Council disagrees with PZC/IWA recommendation for the proposed acquisition, the Town Manager is not authorized to accept the acquisition without specific Town Council authorization. Before acting however, the Town Council will provide PZC/IWA the opportunity to justify their recommendation.

1. The procedure for reviewing open space/conservation easement acquisitions associated with the PZC application/approval process is detailed below.
2. Proposed open space/conservation easements associated with the PZC application/approval process shall be referred for comment to the Open Space Preservation Committee, the Town Council, the Conservation Commission, and as appropriate, the Parks Advisory Committee, the Recreation Advisory Committee, and the Agriculture Committee.
3. Proposed open space/conservation easements associated with the PZC application/approval process shall be evaluated by taking into account site and neighborhood characteristics, the proposed development layout, natural, historic, cultural and scenic resource information, and priority criteria contained in Mansfield's POCD and regulatory provisions.
4. Comments from committees shall be forwarded to the PZC/IWA and the Town Council. As deemed necessary, the PZC/IWA and/or the Town Council may obtain expert advice to address management concerns and potential liabilities.
5. Any Town Council comments or recommendations, including any obtained expert advice, shall be forwarded to PZC/IWA in association with the application review process.
6. If a public hearing is held as part of the PZC/IWA application process, committee and Town Council comments shall be submitted prior to the close of the public hearing.

B. Other potential open space acquisitions

1. Step I-Committee Reviews

In response to a Town Council or staff referral or a committee initiative, the Open Space Preservation Committee shall conduct preliminary reviews of potential acquisitions and/or conservation easements. Potential acquisitions shall be evaluated based on resource information and priority criteria contained in Mansfield's POCD. As deemed appropriate, property owners shall be contacted, sites shall be visited and the Town's other land use commissions and committees shall be consulted. Available properties worthy of further consideration shall be referred to the Town Council with a background report. Said report shall identify important site characteristics and potential benefits. In addition, potential liabilities and management concerns, including anticipated maintenance and improvement costs, shall be noted.

2. Step II-Town Council Review

The Town Council shall review the Open Space Preservation Committee report. In instances where deemed necessary to maintain the confidentiality of the transaction, the Open Space Preservation Committee report shall be discussed in executive session. As deemed appropriate, the Town Council shall take a field trip to the site. Where multiple properties are being reviewed, the Town Council may schedule a meeting (in executive session when necessary) with the Open Space Preservation Committee to consider priorities.

3. Step III-Negotiations, Grant Applications

After evaluation of site characteristics, potential benefits and management needs, the Town Council shall authorize the Town Manager to begin preliminary negotiations with property owners of land deemed suitable for further consideration. If appropriate, and if grant funds are available, the Town Manager shall direct staff to complete a grant application to subsidize the purchase of the identified property.

4. Step IV-Appraisals, Consultants

Depending on preliminary negotiations, the Town Council may authorize the Town Manager to hire a real estate appraiser to prepare an opinion of value or appraisal report for potential properties or portions of said property. In addition, the Town Council may authorize the Town Manager to retain other expert advice to inform the Council on other management concerns and/or potential liabilities.

5. Step V-Purchase Agreements

Subject to Town Council authorization, the Town Manager may negotiate and execute purchase agreements for potential acquisitions. Said purchase agreements shall be conditional upon final approval by the Town Council, following a Public Hearing. As appropriate, the Town Manager may utilize specialists, such as the Trust for Public Land, to negotiate and facilitate agreements.

6. Step VI-Public Hearing

The Town Council shall hold a Public Hearing to receive public comment regarding a proposed purchase. Prior to the Public Hearing, neighboring property owners shall be notified by staff and, in situations where a referral has not yet taken place, the proposed purchase shall be referred to the PZC pursuant to Section 8-24 C.G.S.

7. Step VII-Town Council Vote

Following the Public Hearing, the Town Council shall vote on whether to acquire the subject property.

8 Step VIII-Property Preparation

After the Town Council votes to acquire the property, and before a management plan is approved, Town Staff, relevant committee members and other volunteers shall take appropriate steps to prepare the property for Town ownership. These steps may include, but are not limited to:

- Gathering information from abutters regarding management issues/concerns
- Creating safe access
- Surveying land and marking boundaries, if appropriate
- Developing a map including boundary information, existing notable features such as trails, waterways, buildings and vistas

C. Sale of Town-owned Properties

In general, it is the Town's policy *not* to sell land or conservation restrictions acquired by the Town through purchase, donation or as a result of a PZC/TWA subdivision application process. In some instances, a deed restriction may prevent the Town from selling Town-owned land. In the unusual instances where Town lands and easements may be transferred to private ownership, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed sale. In addition, staff shall notify neighboring property owners of the proposed sale.

D. Leasing of Town-owned Properties

1. Agricultural Land

The policy goals of the Town 2006 POCD encourage sustainable agricultural land use, and the conservation and preservation of Mansfield's agricultural resources (p.4). For this reason, when the Town acquires farmland or land with prime agriculture soils, it is Town policy that this land be actively farmed. When the Town initiates an agricultural lease of Town property, there shall be a formal "Request for Agricultural Services." The Town shall publish a legal notice requesting sealed proposals no less than 10 days prior to the date the proposals are due. The Town Manager, with advice from the Agriculture Committee, shall be responsible for selecting the services rendered and for monitoring the leases. A sample lease for Town-owned agricultural land is contained as **Attachment B**.

2. Other Land

In instances where an individual requests to lease Town-owned property, this request shall be referred to the Open Space Preservation Committee and any other relevant committee to review. In general, it is the Town's policy to lease only Town-owned agricultural lands. In the rare instance when the Town agrees to lease other Town-owned land to a private party, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed lease. In addition, staff shall notify neighboring property owners of the proposed lease.

III Managing Town Parks, Preserves, Open Space and Agricultural Land

A. Step I-Management Plan Assignments

The Town Manager, with the advice of committees and Town staff, shall assign the support role of a draft management plan to the appropriate Town staff, with input from appropriate committees.

As a general rule, the preparation of a draft management plan shall be a coordinated effort involving the Conservation Commission, Agriculture Committee, Parks Advisory Committee, Recreation Advisory Committee, Open Space Preservation Committee, Town staff, and, as appropriate, the PZC, Inland Wetland Agency and Beautification Committee. Responsibility for preparing a written draft management plan will be as follows:

- 1) The Conservation Commission shall provide input for draft management plans for undeveloped open space areas;
- 2) The Agriculture Committee shall provide input for draft management plans for properties with existing or proposed agricultural or horticultural uses;
- 3) The Parks Advisory Committee shall provide input for draft management plans for existing or proposed park areas with trails, community gardens or other recreational facilities;
- 4) The Recreation Advisory Committee shall provide input for draft management plans for properties with existing or proposed playgrounds or athletic fields.
- 5) The Open Space Preservation Committee shall provide input for draft management plans for properties with special characteristics reviewed during the acquisition process.

B. Step II-Drafting the Management Plan

1) Format

Management plans shall be prepared utilizing the general format contained in **Attachment C**. Each plan shall summarize the information gathered and presented during the acquisition process. In addition, the management plan shall document important site characteristics, concerns, and goals for the use of the property as well as recommended management and monitoring actions.

2) Invasive Species

Pursuant to Mansfield's Non-Native Invasive Species Policy (included as **Attachment D**) adopted on the staff level after briefing the Town Council at their 11/22/04 meeting, management plans shall include the development and implementation of an invasives control plan and prohibit the use of species banned by Public Act 04-203 of the State of Connecticut, with any subsequent revisions.

3) Fiscal Notes and Budget Considerations

Fiscal notes estimating the costs associated with managing the property shall be included as an attachment to the management plan. These fiscal notes shall serve to guide the Town

Council and committee members as to *estimated* projected costs associated with implementing the management plan. More precise cost estimates shall be prepared annually for budget consideration by the Town Manager and Town Council as part of the annual Capitol Improvement Budget. When available, sources of grant assistance shall be investigated and grant applications shall be prepared by staff to implement goals and objectives stated in the management plan.

4) Naming the Property

The proposed name of the property shall be included in the draft management plan. In general, the Town of Mansfield shall name properties after a significant natural or historic feature. In some instances, it shall be deemed appropriate by the advisory committees, the Town Council, the PZC or staff to name a property in a different manner. Naming of properties after a person shall be limited to those properties that have been donated to the Town or made a specific condition of acquisition. In all cases, the Town Council, with advice from advisory committees and the PZC, shall make the final decision regarding the name of the property.

C. Step III-Staff and Committee Review

Staff shall provide comment and circulate the draft management plan to appropriate committees for final review before an abutters' review and public comment.

D. Step IV-Abutters' Review

After the preparation of a draft management plan or significant changes in a plan, the responsible staff member or committee member shall notify abutting property owners and schedule an abutters' meeting to provide opportunity for neighborhood comment.

E. Step V-Town Council Review

The Town Council shall review draft management plans or significant changes in a plan and, as deemed appropriate obtain additional information from the Town's various land use commissions/committees and staff. The Town Council may choose to hold a Public Hearing to receive public input to the plan.

F. Step VI-Town Council Approval

The Town Council shall approve a new management plan or significant changes to an existing plan for Town-owned properties.

G. Step VII-Implementation

Implementing management plans shall be a coordinated effort among Town staff, advisory committee members, and volunteer stewards. Implementation shall be coordinated through the Parks and Recreation Department but may include staff from various other Town departments including the Department of Public Works, Planning Department, etc.

Plan implementation may include but will not be limited to:

- Structural improvements for public access and safety (such as establishing a parking area, constructing trails, improving wheelchair accessibility)
- Ecological management (such as inventorying natural resources, managing and controlling invasive species, encouraging native habitats, improving wildlife habitat)
- Maintenance of parking areas, signage, and boundary markers
- Monitoring of plan goals and objectives to ensure effective implementation
- Public outreach including public information and interpretive guides and maps, and use for education and research

H. Step VIII-Monitoring

Site conditions, including any new improvements, shall be monitored in accordance with the schedule established in the approved management plan by staff or appropriate volunteers. Any problems or issues uncovered shall be reviewed by staff and the commission /committee members that assisted in the preparation of the management plan. As appropriate, problems or issues shall be referred to the Town Council.

I. Step IX-Management Plan Update

The management plan(s) shall be updated as per the approved schedule or as often as deemed necessary by the Town Council or by the commissions/committees.

IV Management of Conservation or Agricultural Easements

A specific management plan is not needed for conservation or agricultural easements unless public access, trails or other municipal interests not adequately addressed in the easement are involved. If a management plan is appropriate, a draft shall be prepared, using the steps detailed in Section III of these guidelines. The Conservation Commission, with staff assistance, shall be responsible for periodically monitoring Mansfield's existing Conservation Easements. Attachment E contains a Conservation Easement Abstract and Monitoring/Inspection Form. The Agriculture Committee, with staff assistance, shall be responsible for periodically monitoring any agricultural easements.

Problems or issues uncovered shall be reviewed with staff. As appropriate, problems or issues shall be referred to the Town Council, PZC, or Inland Wetland Agency, depending on the specific easement document.

Attachment A
Pertinent Documents from the 2006 POCD

2006 Mansfield Plan of Conservation and Development

Effective Date: April 15, 2006

Adopted by Mansfield Planning and Zoning Commission: January 17, 2006

Endorsed by Mansfield Town Council: January 9, 2006

Appendix J: LISTING OF SIGNIFICANT CONSERVATION AND WILDLIFE RESOURCES

The following listing is intended to identify locations and/or streambelts/greenways which have *significance* with respect to conservation and wildlife resources in Mansfield. The listing is not intended to suggest priorities.

NATURAL DIVERSITY RESOURCES

- Locations depicted in the Connecticut Department of Environmental Protection Agency's Natural Diversity Data Base mapping (see Map 11 of this Plan)

WATER RESOURCES (Surface and Groundwater)

- The Willimantic River Valley Greenway from the Willington town line to the Windham town line, including Eagleville Lake, an important stratified drift aquifer associated with UConn well fields north of Route 44 and west of Route 32 and tributary streams;
- Weaver Brook streambelt, which bisects the University of Connecticut's Depot Campus and enters the north end of Eagleville Lake;
- Cedar Swamp Brook streambelt, which flows from Cedar Swamp (a large, important swamp extending north into Willington and south across Rt. 195 into Mansfield) joining Nelson Brook and ultimately entering the north end of Eagleville Lake. Cedar Swamp itself, scenic falls, old dams, ledges, Pink Ravine Pond and Pink Ravine are all features of this streambelt system.
- Nelson Brook streambelt, which enters Mansfield from Willington and joins Cedar Swamp Brook at Shelter Falls Park. Two of its tributaries drain unusual wetlands. The first, a unique perched oligotrophic pitch pine-blueberry bog, lies just north of Rt. 195 and west of Tony's Garage. The second is roughly 100 acres of wetlands and glacial ridges. This parcel is nearly surrounded by residential development on Cedar Swamp Rd., Rt. 195, Baxter Rd. and Rt. 44. Another significant wetland, made up mainly of a dwarfed maple swamp, accompanies Nelson Brook from northwest of its crossing of Rt. 44 to its crossing with Birch Rd.
- Eagleville Brook streambelt, including a tributary stream north of S. Eagleville Road;
- Dunham Brook streambelt, including Dunham Pond and associated upland wetlands and tributary streams;
- Cider Mill Brook streambelt, including Coutu Pond and tributary streams;
- The Fenton River Valley streambelt, including associated stratified drift aquifer areas, adjacent meadows, ledges, hillsides and tributary streams;
- Fishers Brook streambelt, including "Codfish Falls" and tributary streams;

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- Gurleyville (Valentine) Brook streambelt, including Valentine Meadow, the Horsebarn Hill drumlin, adjacent University of Connecticut agricultural land and tributary streams;
- Tift Pond and the Albert E. Moss Sanctuary south of Route 275, west of Rt. 195 and north of Birchwood Heights Road;
- Hanks (Hitchcock) Pond and associated streambelt areas;
- Bradley Brook streambelt, including Hansen's Pond and tributary streams to both Bradley Brook and Hansen's Pond;
- Schoolhouse Brook streambelt, including Bicentennial Pond, Schoolhouse Brook Park, Chapins Pond and tributary streams;
- The Mount Hope River Valley streambelt, including associated stratified drift aquifer areas, hillsides, identified potholes and tributary streams;
- Knowlton Pond, Leander Pond and McLaughlin Pond and the streambelt areas between these ponds;
- The Mansfield Hollow Reservoir (Naubesatuck Lake) and associated flood plain and stratified drift aquifer areas;
- Echo Lake, Eaton Bog and associated stratified drift aquifer and streambelt areas;
- The Natchaug River Valley streambelt, including the Willimantic Reservoir;
- Kidder-Sawmill Brook streambelts, including a significant white cedar swamp between Maple Road and Mansfield City Road that is on State DEP priority lists; Wolf Rock, east of Crane Hill Road, a significant forest area south of Browns Road, east of Crane Hill Road, north of Puddin Lane and west of Route 195, and tributary streams;
- Conantville Brook streambelt, including associated stratified drift aquifer areas and tributary streams;

AGRICULTURAL AND FORESTRY RESOURCES

- Agricultural land in southwestern Mansfield, hillside vistas extending from Browns Road through Pleasant Valley Road and along Mansfield City and Crane Hill Roads;
- Agricultural land located along Rt. 32 north and south of Route 44. Important natural features and scenic beauty make this area significant.
- Agricultural land east and west of Route 195 behind Mansfield Supply and in the Horsebarn Hill area;
- Prime agricultural soils and agricultural soils of State-wide significance within active farming areas;
- Interior forest tracts as identified on Map #21 of this Plan

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GEORGRAPHY AND EARTH RESOURCES

- Coney Rock and adjacent steeply-sloped and hillside areas north of Mulberry Road and east of Chaffeeville Road;
- Fifty-foot Cliff and adjacent steeply-sloped areas west of Chaffeeville Road

2006 Mansfield Plan of Conservation and Development

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Appendix K: OPEN SPACE ACQUISITION PRIORITY CRITERIA

The following open space acquisition criteria, are provided to assist in the evaluation of potential sites for additional preserved open space. All open space acquisition decisions should be based on a comprehensive review of specific site characteristics, information contained or referenced in this Plan and information obtained through an active public notice and review process. The listed criteria are not weighted to help establish priorities, but in general, sites that address multiple primary categories or that would be of town-wide significance in addressing a goal or objective of this Plan would have a higher priority than sites that address fewer primary categories or do not have Townwide significance. It also is noted that land availability, acquisition costs and budgetary priorities will also significantly influence open space acquisition decisions.

1. Identified or specifically referenced as a potential conservation, preservation or recreational area within Mansfield's Plan of Conservation and Development, the WINCOG Regional Land Use Plan or the Connecticut Policies Plan for Conservation and Development
 - Identified as a potential conservation area on Map 21
 - Identified as within one of Mansfield's significant conservation and wildlife resource areas in Appendix J
2. Conserves or preserves historic or archaeological resources
 - Site is located within or adjacent to a Plan-identified village area (see Map #5)
 - Site contains historic structures, sites or features including, but not limited to mill sites, cemeteries, foundations, stone walls (see Map 2)
 - Site is a recorded archaeological site
3. Conserves, preserves or protects notable wildlife habitats and/or plant communities
 - Site includes species listed by State or Federal agencies as endangered, threatened or of special concern (see Map #11 for DEP Natural Diversity Data Base data)
 - Site contains or helps protect vernal pools, marshes, cedar swamps, grasslands, waterbodies or other notable plant or animal habitats
 - Site is within a designated large contiguous interior forest area (see Map #11)
 - Site includes a diversity of habitats
4. Conserves, preserves or protects important surface or groundwater resources
 - Site is located within or proximate to a State-designated wellfield aquifer area, potential stratified drift wellfield area or existing public water supply well
 - Site is proximate to the Willimantic Reservoir or tributary watercourses and waterbodies
 - Site contains or is adjacent to significant wetlands, watercourses or waterbodies and acquisition will significantly help to protect the water resource
 - Site contains a flood hazard area
5. Conserves, preserves or protects agricultural or forestry land
 - Site contains prime agricultural soils or agricultural soils of State-wide significance, (particularly important when in association with an existing agricultural use)

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- Site is located within an existing agricultural area such as the area in southwestern Mansfield along Mansfield City Road, Stearns Road, Browns Road, Crane Hill Road and Pleasant Valley Road
 - Site contains prime forestry soils (particularly important when located within a large contiguous interior forest area or within a site implementing a long-term forest management plan)
 - Site would provide a significant buffer for an existing agricultural use
6. Conserves, preserves or protects important scenic resources
- Site contains scenic overlooks, ridgelines, open fields, meadows, river valleys and other areas or features of particular scenic importance. (Information contained on Map 12 should be utilized in considering relative scenic importance.)
 - Site contains significant roadside features such as specimen trees and noteworthy stone walls
 - Site abuts a Town-designated Scenic Road
 - Site is visible from existing roadways, trails and/or readily accessible public spaces
 - Site contributes to the scenic quality of one of Mansfield's historic village areas
7. Creates or enhances connections
- Site is located along the Willimantic River, the Nipmuck Trail or other State-recognized greenway or a potential town-wide or multi-town greenway or trail system
 - Site would expand an existing park or preserved open space area and contribute to a continuous area of open space, protect a wildlife corridor, and/or provide a new trail access between open space properties or from existing roads or subdivisions to open space properties)
 - Site would provide a new linkage from an existing or proposed residential neighborhood to an open space/park area, school or commercial area
 - Site provides a buffer area for existing trails
8. Creates or enhances recreational opportunity
- Site is physically suitable for future ballfields and other active recreational use
 - Site abuts an existing school, playground or active recreational site
 - Site provides new boating or fishing access to the Willimantic River or other significant watercourses or waterbodies
 - Site abuts or is within the watershed of existing outdoor public swimming site, such as Bicentennial Pond in Schoolhouse Brook Park
 - Site is located within or proximate to existing areas of higher-density/residential development

Attachment B
Sample Lease for Agriculture Land

LEASE AGREEMENT

Made the day of 2005, between the Town of Mansfield, acting herein by Matthew W. Hart, its Town Manager, a municipal corporation located in the County of Tolland, State of Connecticut, hereinafter referred to as "Lessor," and [insert name of farmer], hereinafter referred to as "Lessee".

WITNESSETH

That the said Lessor, for and in consideration of the covenants hereinafter reserved and contained, and to be kept and fulfilled on the part of said Lessee, has let and by these presents does grant, demise and farm let unto said Lessee for an initial sixty (60) month term or five (5) planting seasons.

AND IT IS FURTHER AGREED that if Lessee is found to be in default of any of the covenants herein contained, Lessor shall cause written notice of said default to be sent, by Certified Mail, to Lessee. In the event Lessee takes no steps to cure said default within fifteen (15) days after mailing of said notice, then it shall be lawful for Lessor, without further notice to re-enter and take possession of said leased premises, and such re-entry and taking possession shall end and terminate this lease.

AND THE SAID LESSEE does hereby further agree to comply with and conform to all the laws of the State of Connecticut, and the by-laws, rules, and regulations of the Town of Mansfield within which the premises hereby leased are situated, relating to health, nuisance, fire, highways, and sidewalks, so far as the premises hereby leased are, or may be, concerned, and to save the Lessor harmless from all fines, penalties, and costs for violation of, or non-compliance with, the same.

THE LESSEE will maintain the fields in good agricultural condition and will mow the field at least once a year.

THE LESSEE will submit by November 30 of each year a form enclosed in Attachment B to:

The Mansfield Parks Coordinator
Parks and Recreation
10 South Eagleville Rd.
Storrs, CT 06268
860-429-3015x110
860-429-9773 (FAX)

Any restricted use pesticide must be applied by a licensed applicator. The plan will conform to agricultural practices recommended by the CT Cooperative Extension System or a comparable advisor.

The LESSEE agrees to refrain from the long-term storage of manure on the site. The temporary storage of hay is allowed until November 1 of each year.

THE LESSEE shall not cut, other than pruning, destroy or remove any trees without the consent of the Town of Mansfield, said consent to be in writing, and not unreasonably withheld; nor introduce farm or domestic animals; nor install any fencing.

At the end of the five (5) year period, beginning with the effective date of this lease, and at the end of any succeeding five (5) year term agreed to by the parties, the Lessor may review the terms and conditions of the lease to determine if it is in the best interests of the Town to continue the lease for additional five (5) year term and if so, whether any changes will be made in the lease at the discretion of the Lessor. The Lessee may terminate the lease with written notification prior to November 30 of any year. If the Lessee fails to meet the terms of the lease as contained herein, the Lessor may terminate the lease with a one-month written notice.

AND AT THE TERMINATION of lease as provided for above, the Lessee will quit and surrender the premises

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hereby demised in as good state and condition as reasonable use and wear thereof will permit, damages by the elements excepted, and the said Lessor shall have the right to enter said premises for the same purpose of showing the same to applicants for hiring the same, at any time subsequent to the November 30 date. The Lessee shall have the first option of renewing this lease under terms to be set forth by the Town.

COMMENCING WITH the growing season of a year to be determined, the Lessee agrees to compensate the Lessor in an amount to be determined payable on or before February 1 of each year. Said amount will be negotiated prior to each subsequent growing season.

THE LESSEE and the Lessee's family shall be relieved of any obligation within this lease should the Lessee become incapacitated or unable to maintain the responsibilities entailed in this agreement.

THE LESSEE will maintain Workmen's Compensation coverage in accordance with the laws of the State of Connecticut if employees are hired to work the land. The Lessee will provide liability insurance with limits of not less than \$100,000.00 per occurrence, naming Lessor as an additional insured, insuring against loss or injury caused by Lessee's activity on the demised premises.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
In the Presence Of

TOWN OF MANSFIELD

Attachment C
Sample Management Plan

Mansfield Preserve Management Plan

MANSFIELD LAND MANAGEMENT PLAN FOR PARK, RECREATION, OR OPEN SPACE PROPERTY

NAME OF PROPERTY: Mansfield Preserve.

LOCATION OF PROPERTY: Frontage on Gurley Road, Birch Drive and Main Street

MAP/BLOCK/LOT :

Smith Revocable Trust	10.43.35-1	28.76 acres	
Mansfield Heights Subdivision		10.43.12	1.6 acres
	<i>Total</i>		<i>30.36-acres</i>

PUBLIC ACCESS: Allowed, passive recreation only.

PROPERTY CLASSIFICATION: Open Space Preserve

PURCHASE INFORMATION:

Smith Revocable Trust: 28.76 acres for \$90,000 on 5/22/1996 from Open Space Fund.

Mansfield Heights Subdivision: 1.6 acres for \$1.00 on 9/27/1967

AGENCIES THAT HELPED PREPARE MANAGEMENT PLAN: Staff, Parks Advisory Committee, Open Space Preservation Committee

DATE MANAGEMENT PLAN WAS PREPARED: November 2007

REVISION DATES:

DATE OF TOWN COUNCIL APPROVAL:

COMMITTEE REVIEW DATE: PAC to review biannually

Last revised on: 3/19/2009

OVERVIEW

Mansfield Preserve is a 30-acre parcel with frontage on Gurley Road, Birch Drive, and Main Street. The property is primarily wooded and contains a portion of Bundy Brook and an approximately 4-acre agricultural field, currently in hay production and leased to a local farmer. There are remains of the former Bundy Homestead. The Chipmunk Trail runs through the eastern portion of the property connecting Joshua's Trust's Gurleyville Gristmill to UConn's Fenton River Forest Tract.

MANAGEMENT GOALS

A. Recreational

Maintain trail system in conjunction with Connecticut Forest and Parks Association.

B. Ecological

Maintain riparian buffer along Bundy Brook.

C. Agricultural

Encourage sustainable agricultural practices on the agricultural field.

D. Historical

Encourage interpretation of Bundy Homestead. Cooperate with Mansfield Historical Society and Joshua's Trust to preserve historical artifacts on the property.

INVENTORY

A. Notable Physical Characteristics

The northwestern portion of Mansfield Preserve contains a steeply sloping hemlock forest. The center of the property contains an approximately 4-acre agricultural field currently in hay production and leased to a local farmer. The eastern portion of the site contains a swampy area with an adjacent esker. Bundy Brook is located in the southern part of the forest. A mature stand of pines and other interesting vegetation is located along the Northern side of Bundy Brook.

B. Notable Special Features

Mansfield Preserve contains approximately 0.25 miles of the Chipmunk Trail, which connects Joshua's Trust's Gurleyville Gristmill to UConn's Fenton River Forest Tract. The main entrance to the property is off of Gurley Road, where there is adequate parking. The former Bundy Homestead site is located in the southwest corner of the site and contains foundations, a root cellar and stone walls.

C. Notable Concerns

Last revised on: 3/19/2009

Monitor the Bundy homestead area for debris. Obtain permanent easement for access to the field by farmer and for land management. The site contains steep slopes. Thus, trail should be planned to minimize erosion.

MANAGEMENT

A. Preparation

1. Develop, purchase and install appropriate preserve signage
2. Install boundary markers and signs as needed
3. Mark existing pedestrian trail leading out to Holly Drive (Torrey Trail).

B. Maintenance

1. Maintain trailheads and trails in conjunction with Connecticut Forest and Parks Association, which maintains the Chipmunk Trail.

C. Ecological Management

1. Prepare a natural resources inventory.
2. Based on the natural resource inventory, determine how to encourage native plant and animal communities and to control invasive plants.

D. Enhancements

1. Encourage public participation by recruiting and training a volunteer steward
2. Solicit educational and research use
3. Create an interpretive trail guide

E. Monitoring

1. Staff and/or volunteer annually monitor entrances, trails, and boundaries
2. Staff and/or volunteer annually update and review the management schedule

ATTACHMENTS

- Attachment 1 Aerial Photo
- Attachment 2 Trail Map
- Attachment 3 Bundy Preserve Abutters List
- Attachment 4 Fiscal Notes
- Attachment 5 Property Deeds

Last revised on: 3/19/2009

Appendix D
Non-Native Invasive Species Policy

Non-Native Invasive Species Policy- Adopted on the Staff level after briefing the Town Council at their 11/22/04 meeting.

To properly address non-native invasive species, use the resources available in the already established academic invasives community, and ultimately define the Town role, the Town enacted the following invasives policy:

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

- Include the development and implementation of an invasives control plan in Town properties' land management plans.
- Train staff and volunteers in control methods, and apply to selected sites.
- Educate residents about the invasives problem.
- Work with other groups concerned with invasives control.

Are you concerned about non-native invasive species such as Asiatic bittersweet, burning bush, multiflora rose, autumn olive, Russian olive and others? There are several excellent sources of information available through the Connecticut Invasive Plant Working Group (CIWPG), Invasive Plant Atlas of New England (IPANE), Natural Resources Conservation Service (NRCS).

Attachment E
Conservation Easement Abstract
Conservation Easement Monitoring/Inspection Form

Mansfield Conservation Easement Abstract

Location of Easement (address): _____

Name of Property: _____

Subdivision (if applicable): _____

Original Grantor: _____

Assessor's Map: _____ Block: _____ Lot: _____

Date Easement filed on Land Record: _____

Size of Easement: _____

Current owner(s) (attach listing of all owners address and phone): _____

Method of Identifying Easement area (iron pins, medallions): _____

General Description of Easement area (special features, existing structures, roads, etc.):

Nature of Easement restrictions (notation of unique or special conditions): _____

Attachments (check all the apply)

- _____ Copy of Conservation Easement document
- _____ Survey Plan/Subdivision map
- _____ Topographic map with Easement boundaries
- _____ Aerial Photo
- _____ Photos with associated map/sketch indicating location and direction of photos
- _____ Record of ownership/property transfers
- _____ Monitoring Inspection Reports
- _____ Other (please describe)

Mansfield Conservation Easement Monitoring/Inspection Report

Location (address): _____

Name of property/subdivision: _____

Local contact/resident (as appropriate): _____

Monitoring visit notification:

Date letter was sent to owner/local contact: _____

Date/time of follow-up phone call: _____

Description of current land use abutting easement area: _____

Easement boundaries/markers (are boundaries present and visible): _____

Descriptions of observed human or natural alterations or encroachments to the
conservation area _____

Observations/Comments (List any potential problems/general condition of easement):

To the best of your knowledge and observation, are the terms/conditions of the
Conservation Easement being complied with? (please describe) _____

Method/nature of inspection (personal visit, aerial, walked boundaries/spot-check interior, etc.): _____

Date and Time of Inspection): _____

List all persons attending inspection (owner and others): _____

Monitor's name: _____

Monitor's signature: _____

Owner's/local contact's name and signature (where possible):

Attached support data (please describe) (i.e. photos, aerial photos, maps/illustrations/sketches, other): _____

Open Space Preservation Actions: A Brief Summary, 1987 - 2010

1987-1991 Open Space Preservation Committee (OSPC) was established. Committee inventoried opportunities for open space projects and contributed to Town Plan update.

1992 OSPC letter to landowners on the inventory list requesting their consideration of land conservation. Responses to letters researched by OSPC, and followed by Council field trip. Developed brochure about conservation options for land owners.

1993 Council requested an open space project to protect watercourses. OSPC letter to riverside land owners.

1994 Responses researched by OSPC. Council field trip.

1995 Agriculture Committee established; met with farmland owners; began farmland inventory.

1996 OSPC developed stewardship brochure for riverside landowners.

2000-2003 OSPC and other committees updated criteria for open space preservation in the Town Plan and reviewed the entire Plan's draft.

2006-2007 Open Space Initiative. Summit with Town Council and committees.

Workshop for landowners about conservation options and workshop for forest owners about stewardship. Information to riverside landowners (with Joshua's Trust) about new greenways along Fenton and Natchaug Rivers. Agriculture Committee and Council met with Ct. Farmland Trust about farmland conservation. Information to farmland owners about conservation workshops and new federal tax exemptions.

Partnership projects

1998 Worked with UConn Forest officials on cooperative protection and management of UConn forest tracts and adjoining Town properties (Shelter Falls and Fifty-Foot).

1999-2009 Periodic meetings with Joshua's Trust concerning potential cooperative projects. Joint preservation projects at Coney Rock (Olsen, Mullane, Luce) and Wolf Rock (Ferguson).

1999 Farmland swap for Town ownership of development rights at Breezy Heights Farm.

1980-2009 Six matching grants from state for cost of acquisition

2007 Hosted a "Protecting Family Farms and Forests" workshop that Mansfield cosponsored with four neighboring towns.

Bonding

1990 Open space bond referendum (\$1 million), followed by budget appropriations in 1990's

2005 open space bond referendum (not enough voters).

2006 OS bond (\$1 million) referendum passed. Expired in 2009 before bond was sold.

2009 OS bond referendum (not enough voters).

Ongoing recommendations and acquisitions

100+ properties reviewed, 55 recommended for consideration, 30 purchased.

CAPITAL PROJECTS - OPEN SPACE
STATUS REPORT THROUGH FEBRUARY 28, 2010

Acreage	Total Budget	Expended Thru 6/30/2009	Current Year Expenditures	Estimated Unexpended Balance	Anticipated Grants
	\$3,256,855	130,790			
<i>Expenditures Prior to 92/93</i>					
UNALLOCATED COSTS:					
		17,766			
		8,975			
		10,710			
		6,475			
		8,213	1,940		
		3,000			
		2,927			
		3,852			
		103,604			
PROPERTY PURCHASES:					
	8.23	128,439			
	25.80	163,330			
	6.50	42,703			
	106.00	101,579			
	61.00	334,522	7,960		112,500
	32.00	35,161			
	8.60	162,236			
	1.19	31,492			
	7.40	7,636			
	35.33	291,780			
	18.60	62,576			
	11.70	24,202			
		81,871			
	2.10	8,804			
		1,500			
	15.00				
		4,310			
	134.50		100,000		
	5.90	12,500			
	17.00	10,000			
	59.75	104,133			
	6.70	135,466			
	23.70	69,527			
	102.00	283,322			
	50.57	90,734			
	29.00	64,423			
		1,500			
	29.50	91,792			
	3.00	31,732			
	68.41	257,996			
	6.80	24,638			
	23.50	92,456			
	699.78	\$3,256,855	\$3,048,672	\$109,900	\$98,283 \$112,500

Project Name		Breakdown of Expenditures of Prior to 92/93	
85105 - Local Funds 94/95	\$250,000	White Cedar Swamp - Purchase	\$50,000
85105 - Local Funds 90/91	227,855	Appraisal Fees	250
85105 - Local Funds 97/98	250,000	Financial Fees	5,457
85105 - Local Funds 98/99	250,000	Miscellaneous Costs	605
85105 - Local Funds 99/00	250,000	Unidentifiable (Prior 89/90)	74,478
85105 - Local Funds 00/01	250,000		
85105 - Local Support June 15, 2001	5,000		\$130,790
85105 - Local Funds 01/02	250,000		
85105 - Local Funds 02/03	75,000		
85105 - Local Funds 03/04	100,000		
85105 - State Support - Rich Property	60,000		
85105 - State Support - Hatch/Skinner Property	126,000		
85105 - State Support - Olsen Property	50,000		
85105 - State Support - Vernon Property	113,000		
85114 - Bonded Funds	1,000,000		
	\$3,256,855		

*The Merrow Meadow Park property was donated to us. Funds were expended to improve the property, supported partially by a State grant in the amount of \$63,600.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *Matt*
CC: Maria Capriola, Assistant to Town Manager; Gregory Padick, Director of Planning
Date: March 8, 2010
Re: Proposed Open Space Acquisition – Ossen Property, Birchwood Heights Road

Subject Matter/Background

During the Planning and Zoning Commission's (PZC) processing of the Fellows Estates Subdivision in 1995, Town staff contacted Mr. Jeffrey Ossen to explore the potential Town acquisition of the subject property, which would allow for a pedestrian linkage between Birchwood Heights Road and Monticello Road. At that time, the acquisition did not prove possible but the PZC, in conjunction with approval of the Fellows Estates subdivision, approved a conservation easement with trail rights on those portions of lots 1 and 2 that abut the subject property. Recently, Ms. Eileen Ossen, representing the estate of her husband, contacted the Town and offered to convey the subject .9-acre property to the Town for \$500. The property currently is assessed by the Town at \$5,390.

The Ossen property is undeveloped and is situated between existing homes at 41 and 55 Birchwood Heights Road (see attached maps). The subject property is zoned RAR-90, is wooded in nature and contains wetlands and moderate slopes. It is situated within the Schoolhouse Brook, Fenton River and Willimantic Reservoir drainage basins. The site is not within designated flood hazard or stratified drift aquifer areas.

In December, Mansfield's Director of Planning and Parks Coordinator walked the subject property and the adjacent easement area along Monticello Road and have confirmed that a trail connection can be readily accomplished. A trail segment on these properties would add a direct pedestrian connection between two adjacent neighborhoods and would enhance access to the recently acquired Moss Sanctuary for residents living on Monticello, Fellen and Davis Roads. Subsequently, Mansfield's Open Space Preservation Committee reviewed the proposed acquisition. The January 9th report from the Committee (see attachment #2) supports Town acquisition and the establishment of a trail link between Birchwood Heights and Monticello Roads.

The subject property is within a wetland open space preservation classification on Plan of Conservation and Development mapping. Town acquisition would be consistent with numerous generic objectives and recommendations contained in Mansfield's 2006 Plan

of Conservation and Development. Acquisition also would specifically address "Open Space Acquisition Priority Criteria". #7 "creates or enhances connections" - see Appendix K. of Mansfield's Plan of Conservation and Development. For these reasons, the Planning and Zoning Commission, in response to a referral pursuant to Connecticut General Statutes §8-24, communicated its support for the proposed acquisition (see attachment #1).

Financial Impact

If approved, this purchase would be funded from the existing balance (approximately \$98,000) in the Town's Open Space Acquisition Fund.

Recommendation

In conformance with the Town's open space acquisition procedures, staff recommends that the Town Council schedule a public hearing for 7:30 PM at its regular meeting on March 22, 2010, to solicit public comment regarding the proposed purchase.

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

Move, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on March 22, 2010, to solicit public comment regarding the proposed purchase of the Ossen property on Birchwood Heights Road.

Attachments

- 1) 8-24 referral report from the Planning and Zoning Commission
- 2) Open Space Preservation Committee Report
- 3) Maps depicting the subject property and adjacent property on Monticello Road
- 4) Property Card - Ossen



**PLANNING AND ZONING COMMISSION
TOWN OF MANSFIELD**

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CONNECTICUT 06268
(860) 429-3330

Tuesday, March 2, 2010

To: Town Council
From: Planning and Zoning Commission
Re: 8-24 Referral: Ossen/McCoy Property, Birchwood Heights Road

At a meeting held on 3/1/10, the Mansfield Planning and Zoning Commission unanimously adopted the following motion:

"that the PZC notify the Town Council that the proposed acquisition of the Ossen/McCoy property would promote Plan of Conservation and Development goals, objectives and recommendations and is supported by the Planning and Zoning Commission."

OPEN SPACE PRESERVATION COMMITTEE

January 19, 2010

To: Town Council

Re: Acquisition of the Ossen/McCoy property

At their January 19, 2010, meeting, the OSPC reviewed the Town's proposed acquisition of an approximately one-acre lot of record (Lot 40) on Birchwood Heights Road, which is owned by the estate of Jeffery Ossen and by James McCoy.

COMMENTS:

The Town is in the process of acquiring the 135-acre Moss Sanctuary, currently owned by the University of Connecticut. There is an entrance to the Sanctuary at the corner of Birchwood Heights Road and Route 195. The committee has reviewed ways to improve pedestrian access to the Sanctuary, which is a popular walking area for the neighborhood. Town ownership of the Ossen property would offer a way to provide pedestrian access for residents from south of the Sanctuary. This is a wooded lot with dry land appropriate for walking on the west side; the east side has wetlands and a drainage easement from Birchwood Heights Road.

The south edge of this lot abuts a conservation easement area on Lot 1 of the Fellows Estates subdivision on Monticello Road. This easement area extends from the Ossen/McCoy boundary to Monticello Road (see map). The easement agreement includes "the right to establish, construct and maintain a trail/path for walking and bicycling within the conservation easement area..." When the OSPC reviewed the proposed Fellows Estates subdivision in 2005, they recommended this easement, which could "provide access for the residents to the Moss Sanctuary entrance on Birchwood Heights Road," and they also recommended investigation of the "possibility of a link through adjacent (Ossen/McCoy) property."

Subsequently, on January 19, 2010, the committee reviewed possible Town acquisition of the Ossen/McCoy property with reference to the following items:

Town Plan's Open Space Acquisition Priority Criteria (Appendix K):

The property "creates or enhances connections," specifically it would

- 1) "provide a new linkage from an existing... residential neighborhood to an open space" property. The potential link through the Ossen/McCoy property would afford access to the Moss Sanctuary from Monticello Road and potentially from other neighborhoods.
- 2) "provide a new trail access between open space properties." The Ossen/McCoy property would create an opportunity for a connection between the Moss Sanctuary and the 17-acre Fellows Estates open space dedication on the south side of Monticello Road (directly across from Lot 1).

OSPC Comments: Acquisition of the Ossen/McCoy property, page 2

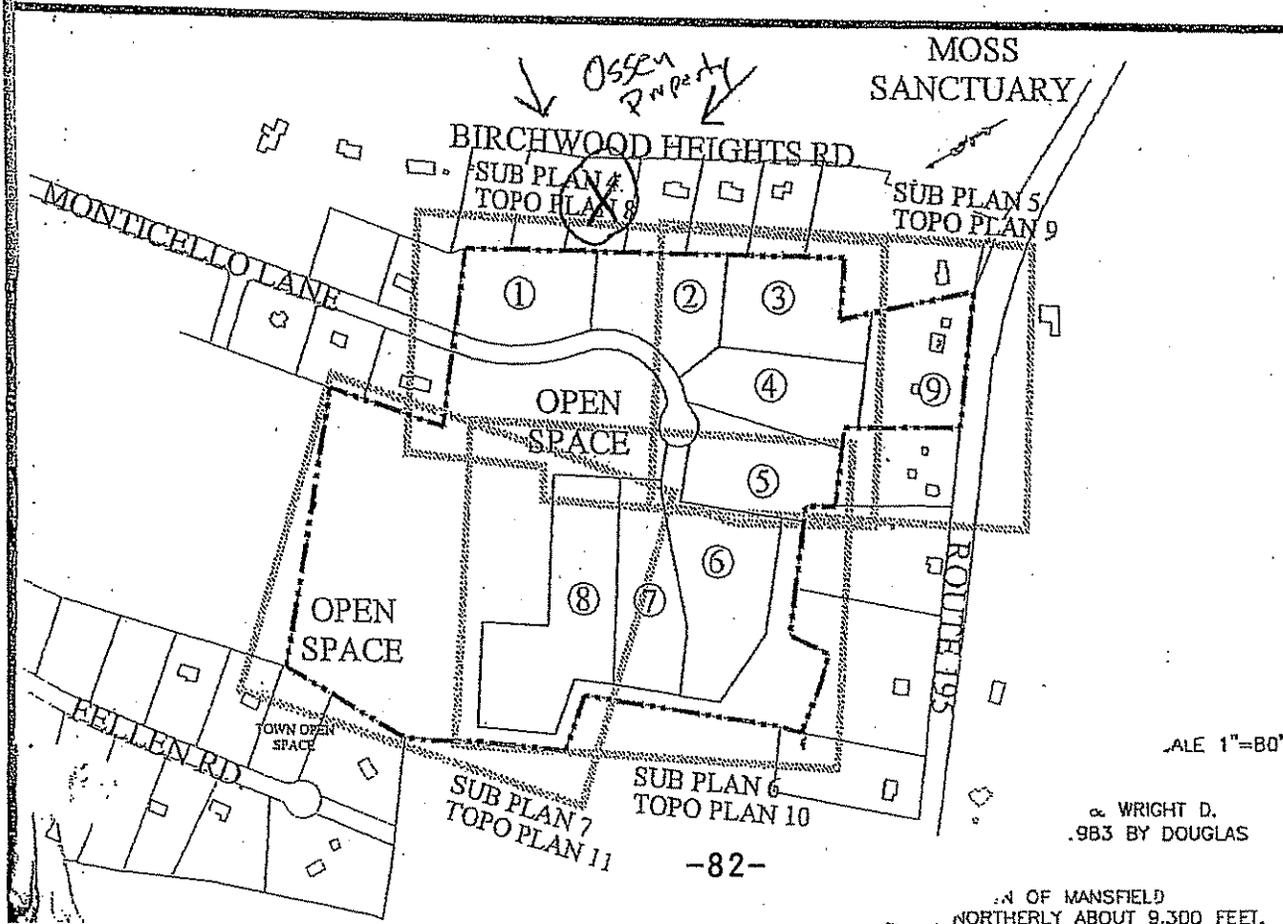
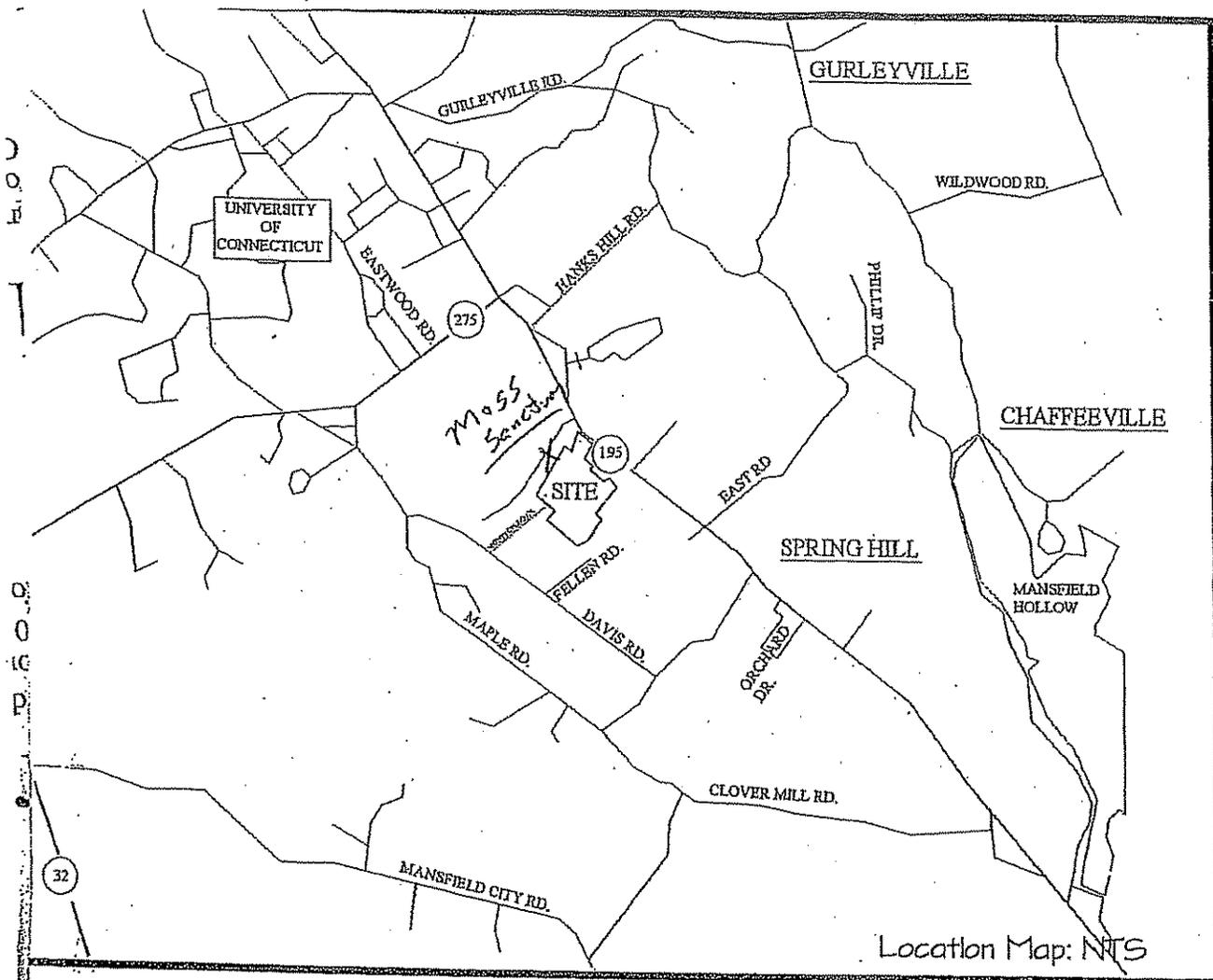
3) "protect a wildlife corridor." The Ossen/McCoy property is the only undeveloped land in this section of Birchwood Heights Road, and it affords a corridor for wildlife to travel between the Moss Sanctuary and the large undeveloped area south of Monticello Road.

Anticipated start-up or maintenance requirements

There is sufficient dry land to construct a footpath through this property and the adjoining conservation easement area. The committee noted that this trail would not require a special surface or any structures. It would need periodic clearing, and this work is usually done by Parks volunteers.

RECOMMENDATION:

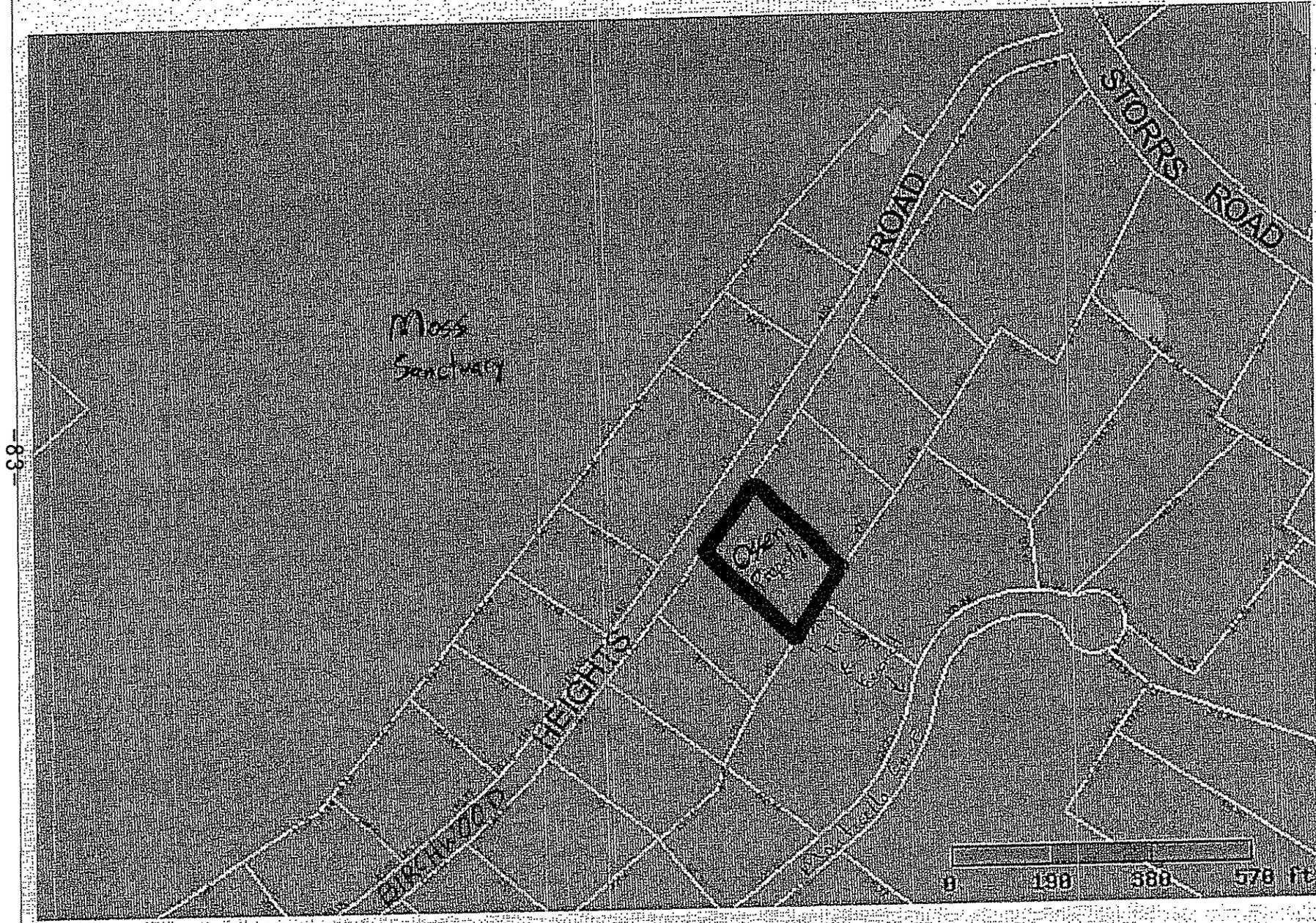
The Committee recommends that the Town purchase the Ossen/McCoy property for the reasons stated above.



Town of Mansfield, CT - Ossen property: Birchwood Heights Rd



- Dimension
- RoadName
- Streams
- Water
- Parcels
- Towns



11/20/2009
1 in = 273.47'

BIRCHWOOD HEIGHTS RD.

N/F
M. & DEBORAH A.
WOLF

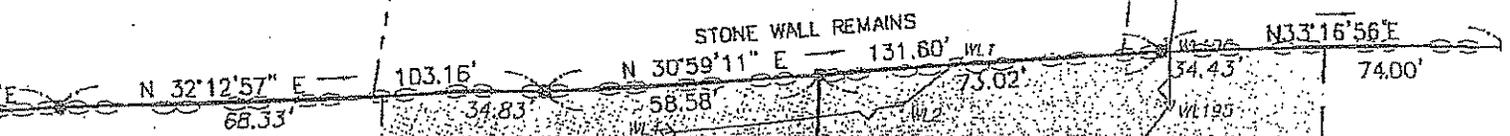
VOL.449 PGE.33

N/F
JEFFREY P. OSSEN & JAMES
W. McCOY

VOL.105 PGE.296

EXISTING
DRAINAGE
EASEMENT

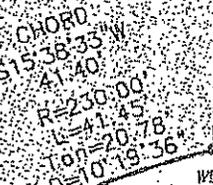
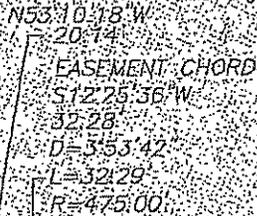
STONE WALL REMAINS



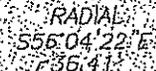
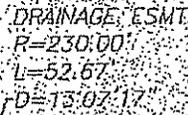
Easement
Rights for
Trail/path
for walking
and
bicycling
held by
Town

Lot 1

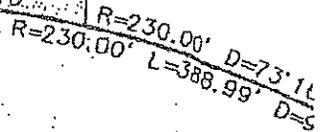
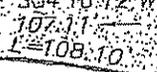
CONSERVATION
EASEMENT



CONSERVATION
EASEMENT



CONSERVATION
EASEMENT
CHORD



LANE MONTICELLO LANE

15' T=185.23'

TOWN

OPEN SPACE

Add Browse Delete Exit Go Help Modify Query Report Skip Tools

Parcel#() 022/0059 /0040 Year 2009 Card of

Override GIS Parcel #		GISPID 22.59.40				
Number	Unit	Street BIRCHWOOD HGHTS RD				
1			2			
Account No R03473			Tax Dist MANS TOWN OF MANSFIELD			
Volume 105 Page 296 Date 01/30/1968			Land Use R500 RESIDENTIAL VACANT LAND			
Owner OSSEN JEFFREY EST OF & MCCOY J			Census 8815 Elderly Credit			
Values			Exemptions			
Use	Quantity	Appraised	Assessed	Exemption Type Code	Year	Amount
VAC RES LA	.900	7700	5390			
Totals		7700	5390			

Mansfld/Covntry-

Tax Administration

- ACTIVE

MODIFY By Parcel#

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Lon Hultgren, Director of Public Works
Date: March 8, 2010
Re: ARRA, Stimulus Projects – Department of Transportation Construction Agreements

Subject Matter/Background

As you know Mansfield has received ARRA stimulus grants for two projects: 1) the completion of our Birch Road bikeway (between Hunting Lodge Road and Route 44); and 2) the overlay paving of the south end of Mansfield City Road (essentially from the Town line up to Meadowbrook Road). We have been working over the last several months to get the bid documents for both projects approved by the Connecticut Department of Transportation (ConnDOT), and we now need to execute the construction agreements.

Financial Impact

The ARRA program does not require a local match from the Town. However, the Town is responsible for bidding, inspecting and administering the contracts; most of this staff time will be charged against the grant funds.

Legal Review

Both agreements are standard DOT issue similar to what the Town has executed for all of our federally funded, highway-related projects.

Recommendation

As requested by the DOT, staff recommends that the Council authorize the Town Manager, by name, to execute the agreements. The two resolutions (in suggested DOT format) are as follows:

RESOLVED, that Matthew W. Hart, Town Manager, is hereby authorized to sign the agreement entitled: "Agreement between the State of Connecticut and the Town of Mansfield for the Construction, Inspection and Maintenance of Birch Road Bikeway Phase II utilizing Federal Funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5 (hereinafter "Act")."

RESOLVED, that Matthew W. Hart, Town Manager, is hereby authorized to

sign the agreement entitled: "Agreement between the State of Connecticut and the Town of Mansfield for the Construction, Inspection, and Maintenance of Mansfield City Road Pavement Preservation utilizing Federal Funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5 (hereinafter "Act")

Attachments

- 1) Excerpts from each agreement (7 pages each)

Exempts
From

AGREEMENT
BETWEEN THE STATE OF CONNECTICUT
AND
THE TOWN OF MANSFIELD
FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE
OF
BIRCH ROAD BIKEWAY PHASE II
UTILIZING FEDERAL FUNDS
UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 Public Law
111-5 (hereinafter "Act")

State Project No(s). 77-224

Federal-Aid Project No(s). PEDS(127)

THIS AGREEMENT, concluded at Newington, Connecticut, this _____ day of _____, 200___, by and between the State of Connecticut, Department of Transportation, Joseph F. Marie, Commissioner, acting herein by Thomas A. Harley, P.E., Bureau Chief, Bureau of Engineering and Construction, duly authorized, hereinafter referred to as the State, and the Town of Mansfield (hereinafter referred to as the "Municipality" or collectively referred to as the "Parties"), Audrey P. Beck Municipal Building, 4 South Eagleville Road, Mansfield, Connecticut 06268, acting herein by Matthew W. Hart, Town Manager, hereunto duly authorized.

WITNESSETH, THAT,

WHEREAS, the required contract plans, specifications and estimates have been prepared for the construction of multi-use bicycle/pedestrian facility in the Town of Mansfield from the existing trail terminus east at Middle Turnpike to the intersection of Hunting Lodge Road, and

WHEREAS, said construction include(s), but is (are) not limited to, the construction of approximately 2,300 feet of a multi-use bicycle/pedestrian trail with a bituminous surface and the installation of fencing, landscaping, signing and pavement markings, herein identified as State Project No(s). 77-224 and Federal-aid Project No(s). PEDS(127) (hereinafter referred to as the "Project(s)"), and

WHEREAS, the Municipality shall be responsible for the construction phase of the Project(s), which includes, but is not limited to, administration, inspection, and construction engineering services in conjunction therewith, and

WHEREAS, the Act has appropriated Three Hundred Two Million Dollars (\$302,000,000) to the State to provide funding for highways, bridges and other public safety projects, and

WHEREAS, the funding appropriated for each individual Project shall be the total amount of federal funds available for said Project(s) under the Act, and

WHEREAS, if additional funding is necessary to construct the Project(s), municipal funding would be required and may be supplemented if funds are available, and

WHEREAS, Section 13a-165 of the Connecticut General Statutes, as revised, provides that the Commissioner of Transportation is authorized...“(b) to apply for and to obtain moneys, grants or other benefits from the United States or any agency thereof in connection with roads, bridges or highways and (c) to approve all programs, conclude all agreements, accept all deeds, make all claims for payment, certify all matters and do any and all other acts and things necessary or desirable to meet the requirements of and obtain such moneys, grants or benefits from the United States or other agency thereof.”, and

WHEREAS, the Municipality has requested that federal funding be obligated so that Project-related construction activities can be authorized.

NOW, THEREFORE, FOR GOOD AND OTHER VALUABLE CONSIDERATION:
THE PARTIES HERETO AGREE AS FOLLOWS:

ARTICLE I. THE MUNICIPALITY SHALL:

(1) Designate an individual to act as liaison with the State to provide for the proper interchange of information during the construction phase of the Project(s) and all activities related thereto.

(2) In accordance with Section 13a-98f of the General Statutes of Connecticut, as revised, “issue an appropriate order to any utility to readjust or relocate in or remove its utility facility at its own expense from any such federal surface transportation urban program roadway or facility as is deemed necessary by the municipality, ...” provided the cost of readjusting, relocating or removing any municipally-owned utility facility shall be apportioned on the same basis as the cost of constructing such roadway or facility, ...” located within the municipal right-of-way and the Municipality shall take all necessary legal action provided under Section 7-148 of the Connecticut General Statutes, as revised, to enforce compliance with the issuance of such order.

Any delays resulting in charges or claims by the Municipality's contractor(s) which are the result of the failure of any utility to readjust or relocate in or remove its facilities within the area impacted by the Project(s) because of the failure of the Municipality to carry out its responsibility, as outlined in the first paragraph of this Article I, Paragraph (2), shall become the responsibility of the Municipality.

(3) Incorporate, if applicable the “Special Provisions, Disadvantaged Business Enterprises” requirements set forth in Exhibit A, Schedule 1 (attached herewith), dated February 26, 2009, as may be revised from time to time, as a material term of any contract(s) or agreement(s) the Municipality enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s). The Municipality shall also include the applicable contract goal(s) established by the State for each specific Project(s) in any contract(s) and/or agreement(s) it enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s).

(4) Incorporate, if applicable, the "Special Provisions, Small Business Participation Pilot Program" requirements set forth in Exhibit A, Schedule 2 (attached herewith), dated February 26, 2009, as may be revised from time to time, as a material term of any contract(s) or agreement(s) the Municipality enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s). The Municipality shall also include the applicable contract goal(s) established by the State for each specific Project(s) in any contract(s) and/or agreement(s) it enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s).

(5) Advertise, receive bids, award a contract or contracts, make payments to a contractor or contractors, and administer construction activities associated with the Project(s), upon written approvals by the State, separate from this Agreement.

(6) Obtain bids for all Project(s) items to be supplied or constructed by the Municipality's contractor(s) utilizing a bidding procedure, which must be in compliance with Federal requirements (Title 23, Chapter I, Part 635) and must be reviewed and approved by the State prior to advertisement of the Project(s). The Municipality shall comply with and include the following documents as a part of its Project(s) bid documents and its contract(s) for each Project:

- (a) The "State of Connecticut, Department of Transportation, Standard Specifications for Roads, Bridges, and Incidental Construction Form 816" ("Form 816"), as may be amended from time to time;
- (b) Any Supplemental Specification(s) to Form 816;
- (c) Required Contract Provisions (Form PR-1273), as may be revised from time to time; and
- (d) Connecticut Required Contract Provisions, State of Connecticut and attachments thereto, as may be amended from time to time.

(7) Obtain the Bid, Performance and Payment Bonds in accordance with Form 816. The Municipality shall analyze all bids, submit a bid summary, including the non-collusion affidavit(s) that the Municipality has received, and any other applicable bid submission requirements pursuant to the Specifications, and request in writing the State's approval to award the Project(s) to the lowest responsible bidder(s). The Municipality shall receive in writing, and review to ensure that the following pre-award documents are acceptable prior to the award of the contract(s) to the lowest responsible bidder(s):

- (a) Disadvantaged Business Enterprises and/or Small Business Participation Pilot Program documentation is in order;
- (b) A schedule of progress or time chart for the Project(s) has been developed by the Contractor(s) and submitted in writing to the Municipality; and

- (d) With respect to the operations that the Municipality performs or engages an Inspection Consultant to perform, and also those that are performed by subconsultants thereof, in conjunction with the Project(s), the Municipality shall carry, and/or shall require its Inspection Consultant (i) to carry and (ii) to impose on its subconsultants, respectively, the requirement to carry, for the duration of the Project(s), a Valuable Papers Insurance Policy until the work has been completed and accepted by the State. Said policy will assure the State that all records, papers, maps, statistics, survey notes and other data shall be reestablished, recreated, or restored if made unavailable by fire, theft, flood, or other cause. This policy shall provide coverage in the amount of Fifty Thousand Dollars (\$50,000) regardless of the physical location of the insured items.
- (e) Said coverages must be provided by an insurance company or companies satisfactory to the State, except that, with respect to work performed directly and exclusively by the Municipality, the Municipality may request that the State accept coverage provided under a municipal self insurance program. If requested by the State, the Second Party must provide evidence of its status as a self-insured entity and describe its financial condition, the self-insured funding mechanism and the specific process on how to file a claim against the self insurance program. If such self-insurance coverage with respect to any insurance required herein is acceptable to the State, in its sole discretion, then the Second Party shall assume any and all claims as a self-insured entity, and the respective insurance requirements stated herein will not be applicable.
- (f) Produce, within five (5) business days, a copy or copies of all applicable insurance policies when requested by the State. In providing said policies, the Municipality may redact provisions of the policy that are deemed by the insurer to be proprietary. This provision shall survive the suspension, expiration or termination of this Agreement. The Municipality shall insert this required provision into its contracts or agreements with its Prime Contractor and/or Inspection Consultant, if applicable, and shall require its Prime Contractor and/or Inspection Consultant to insert this required provision into its (their) contracts or agreements with its (their) subcontractors and/or subconsultants.

(30) Comply with all the State and Federal Statutory and Administrative requirements incorporated herein by reference and set forth in Exhibit A attached hereto, and all Schedules attached hereto which are also hereby made a part of this Agreement.

ARTICLE II. THE STATE SHALL:

(31) Use apportionments made available to the State under the Act in order to reimburse the Municipality, said apportionments being the Federal share (one hundred percent (100%)) of the participating individual Project costs up to the maximum funding level, which shall be

- (a) the figure listed in Article III, Paragraph (46)(J) of this Agreement, or

(b) the amount of the accepted low bid, plus 10% of same (as a contingency fund), plus the amount listed for Incidentals to Construction-Municipal Services in Article III, Paragraph (46)(B) of this Agreement,

whichever is lower.

(32) Provide oversight services which may include, but not be limited to, material testing, administrative oversight, and liaison with other governmental agencies to ensure satisfactory adherence to State and Federal requirements.

(33) Assume maintenance responsibility for those State facilities constructed as part of this (these) Project(s) upon "Acceptance" of the work by the State.

(34) Reserve the right to inspect all construction activities for the Project(s).

(35) Reimburse the Municipality for approved advertising, participating contract items and contingencies, inspection and administrative costs in accordance with the percentages depicted in Article II, Paragraph (31) and Article III, Paragraph (46) of this Agreement. Reimbursement will be made in the following manner:

(a) The Municipality, on a monthly basis, during active construction periods, shall submit to the State on an appropriate State voucher form with supporting data, the cost of services rendered and expenses incurred for the billing period. Municipal costs shall be limited to the actual payroll for the Project(s), fringe benefits associated with payroll and approved direct cost charges for the Project(s).

(b) Upon review and approval of the voucher by the State, payment of the reimbursement portion of said costs and expenses will be made to the Municipality.

(36) Upon written notice, the State in its sole discretion may, suspend, postpone, or terminate this Agreement, and such action shall in no event be deemed a breach of contract. Any such action may be taken by the State for its own convenience. Any such suspension, postponement or termination shall be effected by delivery to the Municipality of a written notice specifying the extent to which performance of work under the Agreement is being suspended, postponed or terminated, and the date upon which such action shall be effective.

If the State terminates this Agreement, the State shall reimburse the Municipality at the contract unit prices for the actual number of units or items of work completed prior to the effective date of termination, or as may be agreed by the parties for items of work partially completed. No claim for loss of overhead or anticipated profits shall be allowed.

When the volume of work completed, as of the termination date, is not sufficient to reimburse the Municipality under contract unit prices for its related expenses, the State may consider reimbursing the Municipality for such expenses.

ESTIMATED CONSTRUCTION COSTS

State Project No. 77-224

Federal Project No. PEDS(127)

A.	Contract Items and Contingencies.....	\$ 234,900
B.	Incidentals to Construction-Municipal Services.....	\$ 36,500
C.	Total Municipal Cost (A+B).....	\$ 271,400
D.	Incidentals to Construction- State Materials Testing.....	\$ 7,400
E.	Incidentals to Construction- State Administrative Oversight.....	\$ 17,200
F.	Incidentals to Construction- State Audits and Record Examiners	\$ 4,000
G.	Total Incidentals to Construction-State (D+E+F).....	\$ 28,600
H.	Total Construction Cost (C+G)	\$ 300,000
I.	Federal Share of the Total Construction Cost (100% of H).....	\$ 300,000
J.	Maximum Amount of Reimbursement to the Municipality (100% of C).....	\$ 271,400
K.	Demand deposit required from the Municipality for depreciation reserve credit in accordance with Article I., Paragraph (15) of this Agreement.....	\$ 0

(47) That this Agreement is not an authorization for the Municipality to provide goods or begin performance in any way. The Municipality may provide goods or begin performance only after it has received a duly issued Purchase Order against the Agreement. A Municipality providing goods or commencing performance without a duly issued Purchase Order in accordance with this Article III., Paragraph (47) does so at the Municipality's own risk.

The State shall issue a Purchase Order against the Agreement directly to the Municipality and to no other party.

(48) That the sole and exclusive means for the presentation of any claim against the State arising from or in connection with this Agreement shall be in accordance with Chapter 53 of the Connecticut General Statutes (Claims against the State) and the Municipality further agrees not to initiate legal proceedings in any State or Federal Court in addition to, or in lieu of, said Chapter 53 proceedings.

(49) That this Agreement shall be governed, interpreted and construed under and in accordance with the laws of the State of Connecticut, whether or not its conflict of laws principles would dictate otherwise. This Agreement shall be deemed to have been made in Newington, Connecticut.

Agreement No.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year indicated.

WITNESSES:

STATE OF CONNECTICUT
Department of Transportation
Joseph F. Marie, Commissioner

Name:

By _____ (Seal)

Thomas A. Harley, P.E.
Bureau Chief
Bureau of Engineering and
Construction

Name:

Date: _____

TOWN OF MANSFIELD

Name:

By _____ (Seal)

Matthew W. Hart
Town Manager

Name:

Date: _____

Agreement No.
CORE ID No.

Exempts
from

AGREEMENT
BETWEEN THE STATE OF CONNECTICUT
AND
THE TOWN OF MANSFIELD
FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE
OF
MANSFIELD CITY ROAD PAVEMENT PRESERVATION
UTILIZING FEDERAL FUNDS
UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 Public Law
111-5 (hereinafter "Act")

State Project No(s). 77-225

Federal-Aid Project No(s). 1077(107)

THIS AGREEMENT, concluded at Newington, Connecticut, this _____ day of _____, 200___, by and between the State of Connecticut, Department of Transportation, Joseph F. Marie, Commissioner, acting herein by Thomas A. Harley, P.E., Bureau Chief, Bureau of Engineering and Construction, duly authorized, hereinafter referred to as the State, and the Town of Mansfield (hereinafter referred to as the "Municipality" or collectively referred to as the "Parties"), Audrey P. Beck Municipal Building, 4 South Eagleville Road, Mansfield, Connecticut 06268, acting herein by Matthew W. Hart, Town Manager, hereunto duly authorized.

WITNESSETH, THAT,

WHEREAS, the required contract plans, specifications and estimates have been prepared for pavement preservation improvements on Mansfield City Road from the Windham town line to the vicinity of Meadowbrook Lane for a length of approximately 1,785 feet, and

WHEREAS, said construction include(s), but is (are) not limited to, pavement milling and overlay and the replacement of pavement markings, herein identified as State Project No(s). 77-225 and Federal-aid Project No(s). 1077(107) (hereinafter referred to as the "Project(s)"), and

WHEREAS, the Municipality shall be responsible for the construction phase of the Project(s), which includes, but is not limited to, administration, inspection, and construction engineering services in conjunction therewith, and

WHEREAS, the Act has appropriated Three Hundred Two Million Dollars (\$302,000,000) to the State to provide funding for highways, bridges and other public safety projects, and

WHEREAS, the funding appropriated for each individual Project shall be the total amount of federal funds available for said Project(s) under the Act, and

WHEREAS, if additional funding is necessary to construct the Project(s), municipal funding would be required and may be supplemented if funds are available, and

WHEREAS, Section 13a-165 of the Connecticut General Statutes, as revised, provides that the Commissioner of Transportation is authorized...“(b) to apply for and to obtain moneys, grants or other benefits from the United States or any agency thereof in connection with roads, bridges or highways and (c) to approve all programs, conclude all agreements, accept all deeds, make all claims for payment, certify all matters and do any and all other acts and things necessary or desirable to meet the requirements of and obtain such moneys, grants or benefits from the United States or other agency thereof.”, and

WHEREAS, the Municipality has requested that federal funding be obligated so that Project-related construction activities can be authorized.

NOW, THEREFORE, FOR GOOD AND OTHER VALUABLE CONSIDERATION:
THE PARTIES HERETO AGREE AS FOLLOWS:

ARTICLE I. THE MUNICIPALITY SHALL:

(1) Designate an individual to act as liaison with the State to provide for the proper interchange of information during the construction phase of the Project(s) and all activities related thereto.

(2) In accordance with Section 13a-98f of the General Statutes of Connecticut, as revised, “issue an appropriate order to any utility to readjust or relocate in or remove its utility facility at its own expense from any such federal surface transportation urban program roadway or facility as is deemed necessary by the municipality,”...“provided the cost of readjusting, relocating or removing any municipally-owned utility facility shall be apportioned on the same basis as the cost of constructing such roadway or facility,...” located within the municipal right-of-way and the Municipality shall take all necessary legal action provided under Section 7-148 of the Connecticut General Statutes, as revised, to enforce compliance with the issuance of such order.

Any delays resulting in charges or claims by the Municipality's contractor(s) which are the result of the failure of any utility to readjust or relocate in or remove its facilities within the area impacted by the Project(s) because of the failure of the Municipality to carry out its responsibility, as outlined in the first paragraph of this Article I, Paragraph (2), shall become the responsibility of the Municipality.

(3) Incorporate, if applicable the “Special Provisions, Disadvantaged Business Enterprises” requirements set forth in Exhibit A, Schedule 1 (attached herewith), dated February 26, 2009, as may be revised from time to time, as a material term of any contract(s) or agreement(s) the Municipality enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s). The Municipality shall also include the applicable contract goal(s) established by the State for each specific Project(s) in any contract(s) and/or agreement(s) it enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s).

(4) Incorporate, if applicable, the "Special Provisions, Small Business Participation Pilot Program" requirements set forth in Exhibit A, Schedule 2 (attached herewith), dated February 26, 2009, as may be revised from time to time, as a material term of any contract(s) or agreement(s) the Municipality enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s). The Municipality shall also include the applicable contract goal(s) established by the State for each specific Project(s) in any contract(s) and/or agreement(s) it enters into with its Prime Contractor(s), and if applicable, its Inspection Consultant(s).

(5) Advertise, receive bids, award a contract or contracts, make payments to a contractor or contractors, and administer construction activities associated with the Project(s), upon written approvals by the State, separate from this Agreement.

(6) Obtain bids for all Project(s) items to be supplied or constructed by the Municipality's contractor(s) utilizing a bidding procedure, which must be in compliance with Federal requirements (Title 23, Chapter I, Part 635) and must be reviewed and approved by the State prior to advertisement of the Project(s). The Municipality shall comply with and include the following documents as a part of its Project(s) bid documents and its contract(s) for each Project:

- (a) The "State of Connecticut, Department of Transportation, Standard Specifications for Roads, Bridges, and Incidental Construction Form 816" ("Form 816"), as may be amended from time to time;
- (b) Any Supplemental Specification(s) to Form 816;
- (c) Required Contract Provisions (Form PR-1273), as may be revised from time to time; and
- (d) Connecticut Required Contract Provisions, State of Connecticut and attachments thereto, as may be amended from time to time.

(7) Obtain the Bid, Performance and Payment Bonds in accordance with Form 816. The Municipality shall analyze all bids, submit a bid summary, including the non-collusion affidavit(s) that the Municipality has received, and any other applicable bid submission requirements pursuant to the Specifications, and request in writing the State's approval to award the Project(s) to the lowest responsible bidder(s). The Municipality shall receive in writing, and review to ensure that the following pre-award documents are acceptable prior to the award of the contract(s) to the lowest responsible bidder(s):

- (a) Disadvantaged Business Enterprises and/or Small Business Participation Pilot Program documentation is in order;
- (b) A schedule of progress or time chart for the Project(s) has been developed by the Contractor(s) and submitted in writing to the Municipality; and

- (d) With respect to the operations that the Municipality performs or engages an Inspection Consultant to perform, and also those that are performed by subconsultants thereof, in conjunction with the Project(s), the Municipality shall carry, and/or shall require its Inspection Consultant (i) to carry and (ii) to impose on its subconsultants, respectively, the requirement to carry, for the duration of the Project(s), a Valuable Papers Insurance Policy until the work has been completed and accepted by the State. Said policy will assure the State that all records, papers, maps, statistics, survey notes and other data shall be reestablished, recreated, or restored if made unavailable by fire, theft, flood, or other cause. This policy shall provide coverage in the amount of Fifty Thousand Dollars (\$50,000) regardless of the physical location of the insured items.
- (e) Said coverages must be provided by an insurance company or companies satisfactory to the State, except that, with respect to work performed directly and exclusively by the Municipality, the Municipality may request that the State accept coverage provided under a municipal self insurance program. If requested by the State, the Second Party must provide evidence of its status as a self-insured entity and describe its financial condition, the self-insured funding mechanism and the specific process on how to file a claim against the self insurance program. If such self-insurance coverage with respect to any insurance required herein is acceptable to the State, in its sole discretion, then the Second Party shall assume any and all claims as a self-insured entity, and the respective insurance requirements stated herein will not be applicable.
- (f) Produce, within five (5) business days, a copy or copies of all applicable insurance policies when requested by the State. In providing said policies, the Municipality may redact provisions of the policy that are deemed by the insurer to be proprietary. This provision shall survive the suspension, expiration or termination of this Agreement. The Municipality shall insert this required provision into its contracts or agreements with its Prime Contractor and/or Inspection Consultant, if applicable, and shall require its Prime Contractor and/or Inspection Consultant to insert this required provision into its (their) contracts or agreements with its (their) subcontractors and/or subconsultants.

(30) Comply with all the State and Federal Statutory and Administrative requirements incorporated herein by reference and set forth in Exhibit A attached hereto, and all Schedules attached hereto which are also hereby made a part of this Agreement.

ARTICLE II. THE STATE SHALL:

(31) Use apportionments made available to the State under the Act in order to reimburse the Municipality, said apportionments being the Federal share (one hundred percent (100%)) of the participating individual Project costs up to the maximum funding level, which shall be

- (a) the figure listed in Article III, Paragraph (46)(J) of this Agreement, or

(b) the amount of the accepted low bid, plus 10% of same (as a contingency fund), plus the amount listed for Incidentals to Construction-Municipal Services in Article III, Paragraph (46)(B) of this Agreement,

whichever is lower.

(32) Provide oversight services which may include, but not be limited to, material testing, administrative oversight, and liaison with other governmental agencies to ensure satisfactory adherence to State and Federal requirements.

(33) Assume maintenance responsibility for those State facilities constructed as part of this (these) Project(s) upon "Acceptance" of the work by the State.

(34) Reserve the right to inspect all construction activities for the Project(s).

(35) Reimburse the Municipality for approved advertising, participating contract items and contingencies, inspection and administrative costs in accordance with the percentages depicted in Article II, Paragraph (31) and Article III, Paragraph (46) of this Agreement. Reimbursement will be made in the following manner:

(a) The Municipality, on a monthly basis, during active construction periods, shall submit to the State on an appropriate State voucher form with supporting data, the cost of services rendered and expenses incurred for the billing period. Municipal costs shall be limited to the actual payroll for the Project(s), fringe benefits associated with payroll and approved direct cost charges for the Project(s).

(b) Upon review and approval of the voucher by the State, payment of the reimbursement portion of said costs and expenses will be made to the Municipality.

(36) Upon written notice, the State in its sole discretion may, suspend, postpone, or terminate this Agreement, and such action shall in no event be deemed a breach of contract. Any such action may be taken by the State for its own convenience. Any such suspension, postponement or termination shall be effected by delivery to the Municipality of a written notice specifying the extent to which performance of work under the Agreement is being suspended, postponed or terminated, and the date upon which such action shall be effective.

If the State terminates this Agreement, the State shall reimburse the Municipality at the contract unit prices for the actual number of units or items of work completed prior to the effective date of termination, or as may be agreed by the parties for items of work partially completed. No claim for loss of overhead or anticipated profits shall be allowed.

When the volume of work completed, as of the termination date, is not sufficient to reimburse the Municipality under contract unit prices for its related expenses, the State may consider reimbursing the Municipality for such expenses.

ESTIMATED CONSTRUCTION COSTS

State Project No. 77-225

Federal Project No. 1077(107)

A.	Contract Items and Contingencies.....	\$ 229,300
B.	Incidentals to Construction-Municipal Services.....	\$ 22,335
C.	Total Municipal Cost (A+B).....	\$ 251,635
D.	Incidentals to Construction- State Materials Testing.....	\$ 6,800
E.	Incidentals to Construction- State Administrative Oversight.....	\$ 16,000
F.	Incidentals to Construction- State Audits and Record Examiners	\$ 4,000
G.	Total Incidentals to Construction-State (D+E+F).....	\$ 26,800
H.	Total Construction Cost (C+G)	\$ 278,435
I.	Federal Share of the Total Construction Cost (100% of H).....	\$ 278,435
J.	Maximum Amount of Reimbursement to the Municipality (100% of C).....	\$ 251,635
K.	Demand deposit required from the Municipality for depreciation reserve credit in accordance with Article I., Paragraph (15) of this Agreement.....	\$ 0

(47) That this Agreement is not an authorization for the Municipality to provide goods or begin performance in any way. The Municipality may provide goods or begin performance only after it has received a duly issued Purchase Order against the Agreement. A Municipality providing goods or commencing performance without a duly issued Purchase Order in accordance with this Article III., Paragraph (47) does so at the Municipality's own risk.

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Agreement No.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year indicated.

WITNESSES:

STATE OF CONNECTICUT
Department of Transportation
Joseph F. Marie, Commissioner

Name:

By _____ (Seal)

Thomas A. Harley, P.E.
Bureau Chief
Bureau of Engineering and
Construction

Name:

Date: _____

TOWN OF MANSFIELD

Name:

By _____ (Seal)

Matthew W. Hart
Town Manager

Name:

Date: _____



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *Matt*
CC: Maria Capriola, Assistant to Town Manager; Cherie Trahan, Director of Finance
Date: March 8, 2010
Re: Comprehensive Annual Financial Report for Fiscal Year 2008-09

Subject Matter/Background

The Finance Committee will meet on March 8, 2010 in advance of the regular Council meeting to review the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2007-08.

A hard copy of the report was given to each Council member at the February 22, 2010 regular Council meeting. The public may view a copy of the CAFR in the Town Clerk's Office or online at www.mansfieldct.org.

Recommendation

If the Finance Committee recommends the acceptance of the CAFR, the following motion is in order:

Move, effective March 8, 2010, to accept the Comprehensive Annual Financial Report for Fiscal Year 2008-09, as endorsed by the Finance Committee.

PAGE
BREAK

**MANSFIELD DOWNTOWN PARTNERSHIP
ADVERTISING AND PROMOTION COMMITTEE
Festival on the Green Subcommittee
Monday, August 3, 2009
Partnership Offices
1244 Storrs Road (Storrs Commons)
(860) 429-2740
5:00 p.m.
Minutes**

Present: Betsy Paterson (Chair), Tom Birkenholz, Michelle Childs, Jim Hintz, Bruce John, and Steve Rhodes

Staff: Cynthia van Zelm and Kathleen Paterson

Guest: N. M. Lerman

1. Call to order

Betsy Paterson called the meeting to order at 5:05 pm.

2. Public comment

There was no public comment.

3. Approval of Minutes from July 20, 2009

Steve Rhodes motioned to approve the minutes as distributed.

Bruce John seconded the motion.

The minutes were approved.

4. Review Task List

Advertising: Michelle Childs distributed drafts of the Celebrate Mansfield Weekend brochure.

Cynthia van Zelm reminded the committee of the deadlines and distribution dates for the flyers and brochures.

Kathleen Paterson will let Ms. Childs know if the Whetten Woods walk should be included on the schedule [Done]. Ms. K. Paterson reported that the table tent ads drafted by Ms. Childs had been submitted to UConn Dining Services.

Jim Hintz requested electronic copies of both the flyer and the brochure for distribution.

Ms. Paterson reported that she and Ms. K. Paterson appeared on John Murphy's show "On The Homefront" to discuss the Festival and that Mr. Murphy offered to host them again closer to the date of the event.

Art: Ms. K. Paterson reported that over twenty-five artists had submitted over ninety-five pieces for consideration. **She said that she, Kim Bova, and Kristin Schwab will meet soon to review the**

submissions and make the selections [Done]. They and Dean Woods are continuing to work on finding display panels for the tent [Done].

Children's: Ms. K. Paterson reviewed the progress on finding carnival-style games and the information she found on the dunk tank; it will cost a minimum of \$250 and use 500 gallons of water.

Ms. van Zelm added that she had contacted the insurance agency to see if a dunk tank would be covered by the Partnership's insurance, and she contacted Dave Dagon to see if he could fill the tank.

Food: Ms. K. Paterson said that Asian Bistro and Domino's were confirmed and that the deadline to sign up is August 10.

Music: Mr. John reported that the contracts from James Montgomery Band and Shaboo Productions (sound) have been received. He said that the spots for the Local Talent Showcase have all been filled.

Ms. K. Paterson and Mr. John will meet to discuss the staging and timing of the Local Talent Showcase.

Mr. John will schedule a meeting with Ms. van Zelm and the sound person from Shaboo to review set-up and do a walk through.

Parade: Tom Birkenholz reviewed the list of potential Parade participants, which he and Mr. Schreier will begin to finalize.

Mr. Rhodes confirmed that UConn President Mike Hogan will march in the Parade.

Ms. Paterson said that she and the Grand Marshal, Isabelle Atwood, would prefer to ride in a vehicle.

Mr. John confirmed that Mansfield Academy of Dance will perform in the Parade.

Mr. Hintz confirmed that the UConn Fuel Cell Center will participate in the Parade.

Set-up: Ms. van Zelm reported that **Ms. K. Paterson will attend the Town Traffic Authority meeting on August 4 to request approval to close Storrs Road and part of Dog Lane for the Parade [Done].**

Mr. Hintz and Ms. K. Paterson will meet to discuss UConn's set-up needs [Done].

Ms. van Zelm will contact Charter to confirm whether they will run cables to the sound booth and to their remote cameras.

Vendors: Ms. K. Paterson reviewed the list of confirmed vendors and noted that the deadline to sign up for a booth is August 7.

Volunteers: Ms. K. Paterson reported that volunteers are still needed. She reviewed the outreach efforts to date and noted that many people may not commit until closer to the event or after school starts. She added that Dee Goodrich and Lyn Stoddard had volunteered to assist in the office and that June Krisch and Chris Kennedy had volunteered to be Area Captains.

Ms. K. Paterson will fill out and submit the forms for volunteers from the Office of Community Outreach at UConn [Done].

Ms. K. Paterson will contact John Bell from the Ballard to discuss volunteer needs for the puppets in the Parade [Done].

Ms. Paterson suggested that each committee member could contact other committees on which they serve to recruit volunteers. **Ms. K. Paterson will draft an email for Festival committee members to share regarding volunteer needs.**

5. Celebrate Mansfield Weekend

Ms. K. Paterson reported that the invitations to the kick-off event were mailed to Partnership members and that **she will request that IT post it on the Festival website [Done]. Ms. K. Paterson will also email the invitation to committee members.**

Mr. John reiterated his position that food vendors at Picnicpalooza! will enhance the event.

Ms. K. Paterson noted that the Lions Club may be interested and that the event overlaps with the Farmers Market.

Mr. Birkenholz suggested that if food vendors will be at the picnic, then the brochure should promote the availability of food.

6. Adjourn

Mr. John made a motion to adjourn.

Mr. Hintz seconded the motion.

The meeting adjourned at 6:00 pm.

Minutes prepared by Cynthia van Zelm and Kathleen M. Paterson

**MANSFIELD DOWNTOWN PARTNERSHIP
ADVERTISING AND PROMOTION COMMITTEE
Festival on the Green Subcommittee
Monday, August 17, 2009
Partnership Offices
1244 Storrs Road (Storrs Commons)
(860) 429-2740
5:00 p.m.
Minutes**

Present: Betsy Paterson (Chair), Kim Bova, Michelle Childs, Bruce John, Jim Hintz, Barry Schreier, Kristin Schwab

Staff: Cynthia van Zelm and Kathleen Paterson

Guest: N. M. Lerman

1. Call to order

Betsy Paterson called the meeting to order at 5:04 pm.

2. Public comment

There was no public comment.

3. Approval of Minutes from August 3, 2009

The minutes were approved by consensus.

4. Review Task List

Advertising: Michelle Childs said that the flyers and brochures are ready to go and the signs arrived. She said all that she has left to do are the newspaper advertisements, which are drafted.

Cynthia van Zelm reported that Kathleen Paterson will send the final press release after August 31 and that the brochure and flyer will be emailed to the Partnership's email lists.

Ms. Paterson said that she and Ms. van Zelm are scheduled to appear on Mark Paquette's and Wayne Norman's shows.

Art: Kim Bova said that she and Ms. K. Paterson had reviewed the art submissions and that the artists would be notified soon.

Children's: Ms. van Zelm said that she spoke with Dave Dagon, who indicated that he could fill the dunk tank, but that the water would be cold (around fifty degrees).

The committee considered who would want to get dunked in the dunk tank. **Ms. van Zelm will check to see what the insurance covers [Done].**

Ms. K. Paterson commented that there are still open spaces in the Children's area.

Bruce John suggested checking a place like iParty for rental games. He also suggested having some sort of small prize or penny candy for children to receive at the game.

Ms. Schwab suggested talking to the high school or middle school shop teachers about having their students work on building games for next year's Festival; it could be a year-long project or could be worked into their curriculum.

N. M. Lerman suggested asking UConn's Child Development program to participate in planning the Children's Area next year.

Food: Ms. K. Paterson reported that the following food vendors are confirmed: Asian Bistro; Domino's; Jao Praya; Wing Express; Mansfield Lions Club; UConn Catering Services; Starbucks; Sara's Pockets; Storrs Congregational Church.

Music: Mr. John said that all of the groups are confirmed and that they will perform in the following order: Miss Kelly's Dance and Drama; Spencer Hamlin and Chuck Eaton; Pete Haddad; Husky Bhangra.

Parade: Barry Schreier reported that there are 36 entries in the Parade. He said **he and Tom Birkenholz will send a letter to all participants with the day of details [Done].**

Recycling: Ms. K. Paterson relayed Ginny Walton's update in her absence. She said that Ms. Walton had worked with the Dairy Bar regarding their serving cups and spoons and that she confirmed with Willimantic Waste that the dumpsters will be moved from the Festival site.

Set-up: Ms. Schwab said **she will meet with Ms. van Zelm and Ms. K. Paterson to determine space assignments [Done].** She reported that, unfortunately, Nick Petit from UConn cannot provide mums this year. She said that groundhogs had gotten to the mums while Mr. Petit was away and that they did not look good.

Ms. van Zelm will contact Hockanum to see if they can donate some mums.

Ms. Schwab thought that the FFA might lend some of their mums as they will be there that day.

Ms. Schwab said that she had left messages with Susan Magoon about the balloon arch but had not yet heard back from her.

Ms. K. Paterson said that Dennis Pierce offered the use of their giant, inflatable chefs with the understanding that they need to have sufficient clearance from trees, wires, or buildings.

Sponsors: Ms. van Zelm said that the response from sponsors has been very good. She has received commitments from about twenty businesses and organizations. Ms. van Zelm has also been trying to find someone to donate pumpkins for the pumpkin decorating/carving contest. She reported that Pumpkin Paul's had originally agreed to donate again, but his pumpkins will not be ready in time for the Festival.

Vendors: Ms. K. Paterson distributed the list of confirmed vendors for the committee's review. She said that most of the booths are full, with the exception of the Children's area as previously noted.

Volunteers: Ms. K. Paterson reported that she requested students from the Office of Community Outreach to help with laying sod on Saturday as it is one of their Community Service Days. She had also contacted the Graduate Student Senate and planned to start contacting other student groups. She noted that she sent the committee an email that they could send to other groups in which they participate inviting people to volunteer.

5. Review Master Schedule

The committee reviewed the draft Master Schedule for the Festival.

7. Review Master Event List

The committee reviewed the draft Master Event List.

Ms. Paterson said that **she will send an email to Board members requesting volunteers to staff the Partnership table.**

8. Update on Celebrate Mansfield Weekend

Ms. van Zelm reported that 37 people had responded to the Wine Tasting to date.

Ms. K. Paterson said that Sara-Ann Chainé had confirmed that the Lions Club will grill hotdogs and hamburgers at the picnic.

9. Other

Ms. van Zelm commented that the branches on one of the trees from which the event banner will hang are very low.

Steve Rhodes will look into trimming the branches back.

Ms. van Zelm said that she will decide by Saturday at 5:00 pm whether to move the Festival if there is rain forecasted for the event day. If the Festival will be moved inside, it will be announced at Picnicpalooza! in addition to the normal outreach efforts.

10. Adjourn

The meeting adjourned at 6:45 pm.

Minutes prepared by Kathleen M. Paterson

**MANSFIELD DOWNTOWN PARTNERSHIP
ADVERTISING AND PROMOTION COMMITTEE
Festival on the Green Subcommittee
Monday, August 24, 2009
Partnership Offices
1244 Storrs Road (Storrs Commons)
(860) 429-2740
5:00 p.m.
Minutes**

Present: Tom Birkenholz, Kim Bova, Betsy Paterson, Steve Rhodes, and Barry Schreier

Staff: Cynthia van Zelm and Kathleen Paterson

Guest: N. M. Lerman

1. Call to order

Cynthia van Zelm called the meeting to order at 5:09 pm.

2. Public comment

There was no public comment.

3. Review Task List

Advertising – Ms van Zelm reported that the flyers and brochures had been distributed. She also reported that Michelle Childs is finishing up the t-shirts.

Kathleen Paterson said **she will work on the final press release and on contacting someone about the former Advance publication [Done].**

Parade – Tom Birkenholz and Barry Schreier reported that over forty individuals and groups have expressed interest in participating in the Parade. **They will follow-up with all of the potential participants to confirm the groups and decide the Parade order [Done].**

Mr. Birkenholz noted that three volunteers are needed for the Parade to wear the vegetable costumes from UConn Dining Services.

Children's – Ms. van Zelm reported that the dunk tank is reserved and would cost \$225. She said that she confirmed that CT Inflatables will need to add the Partnership as an additional insured.

Kim Bova said that her son volunteered to sit in the tank and could probably get a few friends to do so, too.

The Committee discussed whether or not to proceed with the dunk tank and decided to order it.

Music – Ms. van Zelm said that **Sandy from Shaboo will meet with her on Wednesday to review the sound set-up [Done].**

Set-up – Ms. van Zelm said that Hockanum will donate 12 mums to the Festival.

Betsy Paterson suggested purchasing eight more mums, if needed.

Vendors – Ms. K. Paterson said that there are two spots remaining in the Arts area, 10 in the Children's area, and none in either the Community or Sponsors/Food areas.

4. Other

Ms. van Zelm asked the committee to plan to stay after the meeting on Tuesday, September 8 to help hang the event banner.

5. Adjourn

Ms. Bova moved to adjourn.

Steve Rhodes seconded the motion.

The meeting adjourned at 6:06 pm.

Minutes prepared by Kathleen M. Paterson.

**MANSFIELD DOWNTOWN PARTNERSHIP
ADVERTISING AND PROMOTION COMMITTEE
Festival on the Green Subcommittee
Monday, August 31, 2009
Partnership Offices
1244 Storrs Road (Storrs Commons)
(860) 429-2740
5:00 p.m.
Minutes**

Present: Betsy Paterson, Kim Bova, Jim Hintz, Bruce John, and Steve Rhodes

Staff: Cynthia van Zelm and Kathleen Paterson

Guest: Dee Goodrich, Curt Hirsch, Chris Kennedy, Chris Kueffner, N. M. Lerman, and Lynn Stoddard

1. Call to order

Betsy Paterson called the meeting to order at 5:11 pm. Ms. Paterson asked the guests to introduce themselves to the committee and note their planned involvement with the Festival.

2. Public comment

There was no public comment.

3. Review Task List

Advertising: Ms. van Zelm reported that the t-shirts had arrived and invited the Committee members to take one before leaving. She said that the remaining advertising efforts are the newspaper ads.

Art: Kathleen Paterson told the committee that the artists would be dropping off their work that week and that the jury, consisting of Judith Thorpe, head of Art and Art History at UConn, and Shaun Rock, an art teacher at Mansfield Middle School, will meet to review the work and award prizes the following week.

Children's: Ms. K. Paterson reported that all but one booth space was filled. She said that the games that Kim Bova had volunteered to make would either be used near the small green or as a substitute should any vendor not show up.

Ms. Bova reported on her progress on making the games and mentioned that she is having trouble finding someone with the correct saw.

Chris Kueffner volunteered to help Ms. Bova construct the games.

Betsy Paterson reported that she had made some calls regarding pumpkins but had not been successful in finding anyone who would have pumpkins ready before the day of the Festival. **She will continue to look for pumpkins [Done].**

Ms. K. Paterson suggested having a coloring station with pictures of pumpkins that children could decorate as an alternate. The committee decided that, should there not be pumpkins available, the alternate would work but only as an activity, not as a competition.

Ms. K. Paterson asked the committee for any suggestions on who should sit in the dunk tank.

Lynn Stoddard suggested a principal or teacher from the local schools.

Steve Rhodes suggested making masks of "known" figures for high school students to wear while in the tank.

Ms. Stoddard suggested asking the high school sports teams to participate.

Ms. K. Paterson suggested charging a small amount for throws and allowing the sports teams to use it as a fundraiser.

Ms. Paterson commented that no one should be in the tank for more than 15 or 20 minutes due to the temperature of the water.

The committee decided to charge \$1 for 2 throws and to allow interested sports teams to keep any money raised.

Mr. Rhodes and Jim Hintz will make masks of celebrities and local public figures [Done].

Ms. K. Paterson will contact local sports teams [Done].

Parade: Ms. K. Paterson reviewed the update provided by Tom Birkenholz and Barry Schreier. She added that eleven students from E.O. Smith's Drama Club had volunteered to march with the puppets from the Ballard.

Set-up: The Committee reviewed the site plan.

Bruce John said that he will find out what time James Montgomery's van will arrive. He noted that it will not be as large as the All-Stars' bus.

Mr. Hintz said he would need some direction regarding where the Fuel Cell Center's go-kart and larger car will go after the Parade.

Ms. K. Paterson said that it should not be a problem for the go-kart to enter the Festival site with the Parade and that the car will need to pull off with the other vehicles. **She will check with Mr. Birkenholz and Mr. Schreier about plans for the Parade vehicles [Done].**

Sponsors: Ms. Paterson said that it will be important to recognize all of the sponsors to let them know that the community appreciates their support of the event. She will recognize them at the Picnic as well as at the Festival.

Dee Goodrich noted that, as an Area Captain in 2008, she made sure to thank all of the sponsors in her area. She suggested offering sponsors a Festival t-shirt if there are extras after the volunteers have received theirs (check after 4:00 pm).

Recycling: Ms. K. Paterson reported on behalf of Ginny Walton that all of the volunteers for the stations are set. Ms. Walton determined that there are enough plates, bowls, etc on hand that she does not need to order any for this year (but noted that next year, there will need to be an order for everything).

Vendors: Ms. K. Paterson said that all of the vendors are confirmed with the exception of USG and The Nail Loft; **Ms. K. Paterson will follow-up with those two vendors [Done].**

Mr. Hintz suggested asking Kevin Fahey for assistance if USG is difficult to reach.

Ms. Paterson reported that there will be over eighty booths at the Festival.

Volunteers: Ms. K. Paterson said that she sent emails to all of the fraternities and to the multicultural sororities at UConn. Because their Bid Day is the day of the Festival, Ms. K. Paterson did not contact the Pan-Hellenic sororities. Ms. K. Paterson said she also sent information to Mr. Fahey and as a request to have it posted on the faculty and staff website. Ms. K. Paterson added that the volunteer press release had been sent through the Town's Q-Notify system. In all of the correspondence and press regarding volunteers, Ms. K. Paterson said that she had been stressing set-up, Parade traffic control, and clean-up.

4. Master Event List

The Committee reviewed the Master Event List.

Ms. K. Paterson commented that she needs to confirm whether there is sufficient space for the giant wiggly chefs to be displayed near the Dining Services booth.

5. Celebrate Mansfield Weekend

Ms. K. Paterson said that she had been contact by the Chordials about performing at the Festival. She asked the Committee if they would like to have the group perform at the wine-tasting.

Ms. van Zelm will contact Gail Parks and Corine Norgaard to discuss the possibility [Done].

Ms. K. Paterson reported that the Town Committee on Committees will be doing something to recognize volunteers at Picnicpalooza!

Ms. Paterson said she thought the plan was to have table set-up with ribbons for the volunteers.

Ms. K. Paterson said that the Farmers Market will have music and ready-to-eat items for picnic-goers to purchase. She added that the Weekend had been mentioned in the weekly email to customers already.

Ms. Paterson suggested promoting the Farmers Market more.

Ms. van Zelm said that a note in the email blast will highlight the Market with the rest of the events.

Ms. K. Paterson added that Sara-Ann Chainé confirmed that the Lions Club will grill hamburgers, hotdogs, and chicken at the picnic.

6. Other

Ms. K. Paterson said that the gift baskets are shaping up. She said there would be a "Wine and Dine" basket featuring Sharpe Hill Vineyard wines and a gift certificate to the Nathan Hale's restaurant (she will contact Coyote Flaco as a back-up); two sets of Jorgensen tickets; and a UConn-themed basket donated by the Division of Athletics.

7. Adjourn

The meeting adjourned at 6:20 pm.

**MANSFIELD DOWNTOWN PARTNERSHIP
ADVERTISING AND PROMOTION COMMITTEE
Festival on the Green Subcommittee
Tuesday, September 8, 2009
Partnership Offices
1244 Storrs Road (Storrs Commons)
(860) 429-2740
5:00 p.m.
Minutes**

Present: Tom Birkenholz; Kim Bova; Barry Schreier, Kristin Schwab, and Ginny Walton

Staff: Cynthia van Zelm and Kathleen Paterson

Guest: Dee Goodrich, June Krisch, N. M. Lerman, and Lynn Stoddard

1. Call to order

Cynthia van Zelm called the meeting to order at 5:05 pm.

2. Public comment

There was no public comment.

3. Review Task List

Advertising: Ms. van Zelm reported that the newspaper ads have run in The Daily Campus, the Chronicle, and ReminderNews. She noted that she will be attending the Mansfield Business and Professional Association meeting and local schools' Open Houses this week at which she will announce the Festival on the Green.

Dee Goodrich commented that she saw one of the A-frame signs out in front of the Student Union.

Kathleen Paterson said that one will be set-up at the entrance of the Farmers Market.

Art: Ms. K. Paterson reported that the jury came to review the pieces and make their selections.

Kim Bova reported that members of the Town's Arts Advisory Committee volunteered to assist with the set-up and take-down of the show.

Ms. K. Paterson added that **she, Ms. Bova, and Kristin Schwab will meet to plan the lay-out of the show [Done].**

Children's: Ms. van Zelm confirmed that the dunk tank had been ordered.

Ms. K. Paterson said she recruited sports teams/clubs from UConn and from E.O. Smith to staff the booth and received commitments from UConn Wrestling Club, UConn Paintball Team, UConn Women's Rugby Team, EO Smith Crew Team, and EO Smith Football Team. She noted that the plan is to have each group staff the booth for one hour during which they can raise money for their team.

Ms. Goodrich recommended having a sign-off sheet so that each team can sign that they agree with the Partnership representative on the amount raised and due each group.

Ms. K. Paterson will email the groups with the expectations and recommendations of what to bring [Done].

Food: Ginny Walton reported that she has all of the supplies ready. She noted that, for the most part, the response from the food vendors to the low-waste initiatives was positive.

Parade: Tom Birkenholz reported that the order of the Parade was sent to all of the participants along with a letter regarding details for that day. He said there will be five "wranglers" to assist Barry Schreier and him.

Ms. K. Paterson reviewed the plan for traffic control for the Parade with the committee.

Recycling: Ms. Walton said that there will be six waste stations around the Festival site, all staffed by local groups. She said that the dumpsters will be moved from behind the Store 24 building to behind the former Publications building. She asked everyone to remind the vendors that the waste stations are for the visitors and that the vendors are expected to take their trash away from the site. She added that the Department of Public Works will haul away the recycling and compost at the end of the day.

Set-up: Kristin Schwab said that **she planned to chalk out the space on Saturday [Done]. She will also confirm the arrival time of the sod [Done].**

Ms. Schwab suggested, should the Festival move indoors, there should be an Area Captain for each indoor space, rather than ask the four captains to cover multiple locations inside the High School.

Ms. Walton suggested blocking off non-Festival areas of the high schools with tables or caution tape.

Vendors: Ms. K. Paterson reported that USG and The Nail Loft had declined to participate. But, she said that the Mansfield Historical Society and Travelplanners would both like booths. She said they would be placed in the Arts Area. **She will contact Carolyn Stearns to see if she would like a booth [Done].**

Volunteers: Ms. K. Paterson said that she sent out the email with day-of information to all of the confirmed volunteers earlier in the day. She said that she is still receiving calls from people who would like to volunteer and anticipates that some people will show up that day without prior notice.

Ms. Walton asked that the volunteers be told about the low-waste efforts and asked to help with sorting their trash properly in the waste station outside of the Partnership office.

4. Adjourn

The meeting adjourned at 6:00 pm.

**TOWN OF MANSFIELD
PERSONNEL COMMITTEE**

**Monday, January 25, 2010
Mansfield Community Center Conference Room
Minutes**

Members Present: Deputy Mayor Gregg Haddad (Chair), Chris Paulhus, Peter Kochenburger

Other Council Members Present: Denise Keane, Meredith Lindsey, Bill Ryan

Staff Present: Maria Capriola, Assistant to Town Manager, Matthew Hart, Town Manager, Kevin Grunwald, Human Svcs. Director

The meeting was called to order at 6:10 p.m.

1. APPROVAL OF MINUTES

The meeting minutes of 12/28/09 and 1/7/10 were moved by Mr. Paulhus and adopted as presented (with no objections) by all members present.

2. RULES OF PROCEDURE

Mr. Haddad presented and reviewed a draft revision to the Rules of Procedure. The Committee made a number of minor changes via consensus. Mr. Paulhus made the motion, seconded by Mr. Kochenburger to "accept the Rules of Procedure as revised." The motion passed unanimously. The Rules as revised and accepted by the Personnel Committee are attached to these minutes. The Committee will forward this version of the Rules to Council as a whole for review and discussion. Two items were flagged by the Committee for further discussion by the Council:

- Is Rule 9C consistent with the Charter, ordinance, or Council resolution?
- Should Council have one or two public comment opportunities during their regular meetings?

3. SENIOR SERVICES RECRUITMENTS

Mr. Grunwald and Mr. Hart provided an update on the recruitments for Senior Services Social Worker and Senior Center Coordinator. Current interim staffing arrangements were discussed as well as future staffing model options.

4. ETHICS CODE

The Committee discussed next steps for the review of draft revisions to the Ethics Ordinance. The Committee plans to have the Council as a whole discuss and comment on the recommended revisions, then send the comments back to Personnel Committee for further review. The Committee will also have the Town Attorney conduct a review of the Ethics Board's work. After Council review, the Committee will refer the draft to advisory boards and committees. The Ethics Code was identified as a future agenda item for the Committee.

5. OPEN AND TRANSPARENT GOVERNMENT POLICY

The Committee decided to refer the draft open and transparent government policy to the Planning and Zoning Commission, Mansfield Board of Education, and the Communications Advisory Committee for review and comment. The Committee is requesting to receive that feedback by its February meeting.

The meeting adjourned at 7:24 p.m.

Respectfully Submitted,
Maria E. Capriola, M.P.A.
Assistant to Town Manager

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD
REGULAR MEETING MINUTES
Housing Authority Office
January 26, 2010
8:00 a.m.

Attendance: Mr. Long, Chairperson; Mr. Simonsen, Vice President; Mr. Eddy; Secretary and Treasurer; Ms Hall, Assistant Treasurer; Ms Christison-Lagay Commissioner; and Ms Fields, Executive Director.

The meeting was called to order at 8:12 a.m. by the Chairperson.

MINUTES

The Chairperson declared the acceptance of the minutes of the December 17, 2009 Regular Meeting without objection.

COMMENTS FROM THE PUBLIC

COMMUNICATIONS

Ms Fields received a letter from Gina Devivo Brassaw at the University of Connecticut Office of Community Outreach asking if the Wrights Village residents would like to have student volunteers help out with a one day project. Ms Fields suggested that Mr. Eddy or some other representative from the Resident Advisory Committee be responsible for providing direction and supervision for a project on a day the students are available. Mr. Eddy will contact Ms Devivo Brassaw and set up the specific date.

REPORTS OF THE DIRECTOR

Bills

A motion was made by Mr. Eddy and seconded by Mr. Simonsen to accept the December 2009 Bills. Motion approved unanimously.

Financial Reports -A (General)

A motion was made by Mr. Eddy and seconded by Mr. Simonsen to accept the November 2009 Financial Reports. Motion approved unanimously.

Financial Report-B (Section 8 Statistical Report)

A motion was made by Ms Christison-Lagay and seconded by Ms Hall to accept the November 2009 Section 8 Statistical Report. Motion approved unanimously.

REPORT FROM TENANT REPRESENTATIVE

Resident Advisory Committee

Mr. Eddy was not able to set a meeting up for January. He will set up a steering committee meeting in February.

COMMITTEE REPORTS

Finance Committee

Committee members discussed with the Board the proposed draft of the accounting of the Reserves separately from the Statement of Revenues and

Expenses. Until the new Life Cycle report is received showing the required reserves needed for capital replacements accurate numbers cannot be shown. It is expected that the Life Cycle report will be completed within the next month.

UNFINISHED BUSINESS

Storage at Holinko Estates

Storage issues were discussed at Holinko. It was decided that some board members will conduct a walk thru of the storage area with the fire marshal to discuss the specific issues and possible solutions. Ms Fields will contact the fire marshal's office and set up a meeting date.

NEW BUSINESS

Liberty Wire Transfer Agreement and Money Market Accounts

The Board requested that Ms Fields set up money market accounts with the ability to transfer money between accounts. A motion was made by Ms Christison-Lagay and seconded by Mr. Simonsen to approve and execute the attached resolution. Motion approved unanimously.

Section 8 Administrative Plan

A motion was made by Mr. Simonsen and seconded by Ms Christison-Lagay to accept the Section 8 Administrative Plan as updated by Nan McKay, effective October 2009, with all required federal regulations and revisions to clarify Chapter 4, Local Preferences. Motion approved unanimously.

Reschedule February Board Meeting

The February Regular Board Meeting is rescheduled from February 18, 2010 to February 19, 2010 at 11:00 am. Ms Fields will post the required notice.

Reserved Parking Spaces

Ms Rychling requested a reserved parking space no more than 60 feet from her door. Due to time constraints, this business item has been continued to next month's meeting.

OTHER BUSINESS

ADJOURNMENT

The Chairperson declared the meeting adjourned at 10:15 a.m.

Dexter Eddy, Secretary

Approved:

Richard Long, Chairperson



**TOWN OF MANSFIELD/MANSFIELD PUBLIC SCHOOLS
SCHOOL BUILDING COMMITTEE**

**January 13, 2010
Mansfield Town Hall
Council Chambers**

MINUTES

Present: Fred Baruzzi, Matt Hart, Mark LaPlaca, Betsy Paterson, Anne Willenborg, and Mark Boyer

Staff: Bill Hammon, Cherie Trahan, Jaime Russell, Allen Corson

Guest: Rick Lawrence of Lawrence Associates

Public: Mary Feathers

1. Call to Order/Roll Call

Meeting called to order at 5:04p.m.

2. Meeting Minutes

The minutes of November 10, 2009 and December 9, 2009 were approved unanimously.

3. Opportunity for the public to address the Committee

No Comment

4. MMS Fuel Conversion Project

Mr. Hammon reported by the end of February the entire school will be using natural gas. The construction continues to be on schedule.

5. Debrief combined Council/Board meetings

Brief discussion about the presentations that were made at the Council/Board meetings

6. Next Steps

Mr. Baruzzi presented the memo that would be going home with students, stating there will be 4 information sessions to update the community about the findings of the school building committee and the families of options. These sessions will be held prior to the budget information sessions planned within the next month.

Discussion took place on the draft timeline for the upcoming meetings. It was agreed that after the four informational sessions are completed, the committee will make a ranking of the options and take that ranking to a public meeting at the Mansfield Middle School. After that public meeting, the committee will meet again to make their final ranking and make their recommendation to the Board.

Mr. Lawrence will revise the timeline and send out to the committee.

Discussion took place in regards to what needs to be completed before the informational sessions and public meeting:

A chronology of the project;

A simple calculation of mil rate increase per tax payer;

Mr. Lawrence will update the slide presentation that was presented to the Council and the Board and will review with Mr. Baruzzi to verify the information;

Mr. Hammon will provide the value of all school buildings;

Mr. Baruzzi will provide a summary of the research of the "big school vs. little school" and have it put on the website for the public to review;

Getting information out to the public through as many sources as possible.

7. Other

Next meeting will be held on February 24, 2010 at 5 p.m.

8. Adjournment

The meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Alicia Ducharme

**MANSFIELD DOWNTOWN PARTNERSHIP
FINANCE AND ADMINISTRATION COMMITTEE**

THURSDAY, JANUARY 28, 2010

MINUTES

Present: Tom Callahan (Chair), Phil Barry, Harry Birkenruth, Mark Hammond, Matt Hart, and Phil Spak

Staff: Cynthia van Zelm

1. Call to Order

Chair Tom Callahan called the meeting to order at 3:03 pm.

2. Approval of Minutes from December 17, 2009

Phil Barry made a motion to approve the December 17, 2009 minutes. Harry Birkenruth seconded the motion. The motion was approved unanimously.

3. Update on Grants

Cynthia van Zelm said she was working to finalize grants to the Federal Transportation Administration Livability Grant program for the intermodal hub and transit pathway (Village Street) for Storrs Center as well as federal appropriations requests for hardware and software components related to parking, and a new, larger sewer line down part of Route 195/Storrs Road.

4. Update on Four Corners Sewer and Water Advisory Committee

Ms. van Zelm said the Four Corners Sewer and Water Advisory Committee had met and heard a presentation from Jeanine Gouin at Milone & MacBroom about the possible sources of water, costs, timing and approval process.

5. AJ Pappanikou Volunteer of the Year Award

The Committee agreed to work to solicit potential volunteer(s) of the year by April. Mr. Callahan suggested that the Committee continue to think of additional ways to recognize Mr. Pappanikou.

6. Review and Approval of Budget

The Committee reviewed the proposed FY2010-2011 budget. Matt Hart said the Town had not made any recommendations on salary at this point. He said that the union contracts that were negotiated last year with no salary increase were for one year. Exempt employees also saw no increase. Partnership employees saw no salary increase last year. The Committee agreed to reevaluate any salary increase in the coming months.

The Committee also reviewed health care expenses and it was noted that there may be some additional health care costs which could come out of contingency. This will need to be monitored as well.

Mr. Birkenruth made a motion to recommend the FY2010-2011 budget as presented to the Board of Directors for approval. Mr. Barry seconded the motion. The motion was approved unanimously.

Mr. Callahan asked that the proposed budget, year to date current expenditures, current budget, and last year's actuals be presented to the Board of Directors at its next meeting.

7. Review of December 31, 2009 Financials

The Committee reviewed the December 31, 2009 financials.

8. Storrs Center – Next Steps

Mr. Callahan said that LeylandAlliance is continuing its discussions with potential equity and debt partners for Phase 1A. The driver continues to be rental housing in the first phase of the project.

Mr. Callahan said the voters in Madison approved funding the purchase of the Madison Landing project from LeylandAlliance.

Mr. Hart said he is continuing to work on a draft term sheet with LeylandAlliance.

The Committee agreed that everything needs to be done to move expeditiously on all fronts.

9. Adjourn

The meeting adjourned at 4:30 pm.

Minutes taken by Cynthia van Zelm

Mansfield Board of Education Meeting
February 4, 2010
Minutes

Attendees: Mark LaPlaca, Chair, Shamim Patwa, Vice Chair, Chris Kueffner, Secretary, Martha Kelly, Holly Matthews, Min Lin, Katherine Paulhus, Carrie Silver-Bernstein, Randy Walikonis, Superintendent Fred Baruzzi, Director of Finance, Cherie Trahan, Board Clerk, Celeste Griffin

The meeting was called to order at 7:33pm by Mr. LaPlaca.

PRESENTATION FOUR SCHOOL BUILDING PROJECT: Mr. Rick Lawrence, Lawrence Associates, discussed the Four Options the school building committee is researching for school renovations or building a new school. Following the presentation was a time for comments, questions, and answers.

HEARING FOR VISITORS: None

COMMUNICATIONS: Two letters from the Mansfield Educators Association and an article of interest from Mrs. Kelly.

COMMITTEE REPORTS: None.

Vinton PTA: Sarah Delia, Co-President, discussed the many fundraising activities and support provided to the school by this parent group.

REPORT OF THE SUPERINTENDENT:

- 2010-2011 Proposed Budget – Mr. Baruzzi, Mrs. Trahan and Dr. Leclerc reviewed the District Management, Support Services, and Special Education Programs.

Mrs. Paulhus left at 10:06pm

- Proposed 2010-2011 School Calendar – Mr. Baruzzi reported that the Region 19 sending schools and the EASTCONN regional superintendents met regarding the proposed calendar and asked the Board to review the calendar for adoption at the February 11th meeting.

NEW BUSINESS: None

CONSENT AGENDA: **MOTION** by Mr. Kueffner, seconded Mr. Walikonis that the following item for the Board of Education meeting of February 4, 2010 be approved or received for the record: **VOTE:** Unanimous in favor That the Mansfield Public Schools Board of Education approves the minutes of the January 28, 2010 Board meeting.

HEARING FOR VISITORS: None

SUGGESTIONS FOR FUTURE AGENDA: Mr. LaPlaca asked to have the Four Schools Building Project Process be discussed. He also suggested celebrating student accomplishments at each meeting.

MOTION by Ms. Matthews to adjourn at 11:00pm. **VOTE:** Unanimous in favor.

Respectfully submitted,

Celeste N. Griffin, Board Clerk

**MANSFIELD DOWNTOWN PARTNERSHIP
FINANCE AND ADMINISTRATION COMMITTEE**

THURSDAY, DECEMBER 17, 2009

MINUTES

Present: Tom Callahan (Chair), Phil Barry, Harry Birkenruth, Matt Hart, and Frank Vasington

Staff: Cynthia van Zelm, Lee Cole-Chu

Guests: Howard Kaufman and Steve Maun from LeylandAlliance, and Jim Poole from NorthMarq

1. Call to Order

Chair Tom Callahan called the meeting to order at 3:05 pm.

2. Approval of Minutes from November 19, 2009

The minutes were approved by consensus.

Matt Hart made a motion to go into executive session to review and discuss commercial and financial information provided in confidence by Storrs Center Alliance – CGS 1-200 (6), 1-210(b)(5)(B).

Phil Barry seconded the motion.

The motion was approved unanimously.

3. Executive Session – Review and discussion of commercial and financial information provided in confidence by Storrs Center Alliance

Present: Committee members Mr. Barry, Mr. Birkenruth, Mr. Callahan, Mr. Hart, and Mr. Vasington.

Also Present: Mr. Cole-Chu, Mr. Kaufman, Mr. Maun, Mr. Poole, and Ms. van Zelm

4. Preliminary Review of Budget

The Committee agreed to conduct business with now four Committee members (Mr. Hart left the meeting).

The Committee reviewed the draft Partnership budget for FY2010-2011. Ms. van Zelm said she must submit the budget in the Town financial system by January 6. She said the Partnership could make some changes after that and that she would like to bring the budget to the Partnership Board in February if possible.

Mr. Callahan suggested that salary be monitored over the next month to see how it tracks with what the Town administration is recommending for its employees.

Mr. Birkenruth made a motion to submit the proposed budget to the Town. Mr. Barry seconded the motion. The motion was approved unanimously.

5. Adjourn

The meeting adjourned at 4:50 pm.

Minutes taken by Cynthia van Zelm



COMMITTEE ON COMMITTEES
January 19, 2010 @ 7:00 p.m.
Room C, Audrey P Beck Building

Present: Antonia Moran (Chair), Meredith Lindsey, Bill Ryan
Also Attending: Council member Denise Keane, Ethic Board members Lena Barry, Nancy Cox, Saul Nesselroth, Mike Sikoski, Nora Stevens and Assistant to the Town Manager Maria Capriola as staff to the Board, Town Manager Matt Hart
Chair Antonia Moran called the meeting to order at 7:00 p.m.

OPPORTUNITY FOR PUBLIC COMMENT

Richard Long, Chair of the Housing Authority, asked the Committee to reappoint William Simenson as a Commissioner to the Housing Authority noting his excellent work and value as a member. Mr. Long spoke in support of the Committee's stated efforts to expand the volunteer base and work with the chairs to provide timely appointments.

APPROVAL OF MINUTES

Ms. Lindsey moved and Mr. Ryan seconded to approve the minutes of the December 21, 2009 meeting as presented. Motion passed.

NEW BUSINESS

Chair Moran welcomed members of the Ethics Board and opened the floor for discussion on the proposed vetting process for Ethics Board members. Nancy Cox, Chair of the Ethics Board, stated the Board is not committed to the proposed process but the majority of members concur that some vetting procedure would be advantageous. Committee and Board members discussed the current appointment process and the value and usefulness of a formalized vetting process. Ethic Board members spoke to the role of a professional staff person assisting them with the administrative aspects of Board's work and the Town Attorney's assistance with legal matters. Those present also discussed the role of ethics training for present and future members. Committee on Committee members discussed the Committee's role with regards to staffing issues.

Committee members discussed appropriate bottom line requirements for volunteers who wish to be appointed to a committee including asking them why they would like to serve and asking them to attend a couple of meetings. After the committee review process is completed the Committee will undertake these questions as part of the establishment of bylaws for the Committee on Committees.

The following recommendations for committee appointments will be presented at the January 25th Town Council meeting:

Richard Long and William Simonsen

Housing Authority

Mary Feathers

School Building Committee

Paul Aho

Windham Regional Transit District

Michael Collins and Cristina Colon-Semenza Advisory Committee on Persons with Disabilities

Scott Lehman Arts Advisory Committee

Alan Cyr, Charles Galgowski William Palmer,
Kathleen Paterson, Carolyn Stearns Larry Lombard Agricultural Committee

Stephen Lowry, James Morrow, Vicky Wetherell
Kenneth Feathers, Michael Allison Open Space Committee

Audrey Barberet, George Cole, Richard Pellegrine,
Wunderley Stauder, Susanna Thomas Public Safety Committee

The following recommendations will be made if Committee members verify with the volunteer that they are willing to serve and a vacancy exist:

Meg Reich Four Corners Sewer and Water Advisory Committee
(water)

Jason Andrew Mc Carey Historic District Commission (full member)

Jane Reinhardt Cemetery Committee

Bruce Clouette, Nancy Silander Town/University Relations

Denise Houman, John DeWolf Advisory Committee on Persons with Disabilities

Members agreed to contact various committee chairs and volunteers to establish openings, review possible appointments and to clarify current appointments.

By consensus the Committee agreed to interpret the "Ordinarily ten year limit" as a way to refresh the committees without a strict interpretation of the limits where it would be harmful to the committees or in cases where specific representation or expertise is beneficial to said committees. The Committee also agreed to distribute a listing of the openings to current committee members via e-mail, contact other volunteer organizations with a list of openings and to advertise 5 -7 openings using various available media.

By consensus the Committee agreed to work collaboratively with committee chairs in the appointment of members.

Members discussed the concept of reestablishing the Social Services Advisory Committee to serve as the umbrella committee with sub committees representing seniors, persons with disabilities and young people. Also discussed was the combining of the Arts Advisory Committee and the Beautification Committee. Both of these items will be future agenda items.

FUTURE AGENDA ITEMS

The following items will be on the agenda of the February 16, 2010 meeting:

Review of Committees Follow Up

Committee Appointments

Discussion of the Evaluation of Advisory Committee Structure including possible changes to the Social Service Advisory Committee and Arts Advisory/Beautification Committee

Strategies to Announce and Advertise Vacancies

Board of Ethics Vetting Procedure

Ric Hossack, Middle Turnpike, spoke to his concerns regarding the proposed vetting process.

Mr. Ryan moved to adjourn the meeting. Seconded by Ms. Lindsey the motion passed.

Mary Stanton, Town Clerk



**TOWN OF MANSFIELD/MANSFIELD PUBLIC SCHOOLS
SCHOOL BUILDING COMMITTEE**

**February 24, 2010
Mansfield Town Hall
Council Chambers**

MINUTES

Present: Fred Baruzzi, Matt Hart, Mark LaPlaca, Anne Willenborg, and Mark Boyer
Staff: Bill Hammon, Cherie Trahan (6pm), Allen Corson
Guest: Rick Lawrence of Lawrence Associates, Tom Dimauro of Newfield Construction

1. Call to Order/Roll Call

Meeting called to order at 5:05p.m.

2. Meeting Minutes

The minutes of January 13, 2010 were approved unanimously.

3. Opportunity for the public to address the Committee

No Comment

4. MMS Fuel Conversion Project

Mr. Hammon reported the entire school is running on natural gas. They are working on a punch list of items and believe they will be completed by mid March except for the landscaping which will be done at a later time.

5. Debrief informational session held at the four schools

Discussed the presentations made at the four schools.

Mr. Baruzzi presented a viewing schedule of the Southeast School presentation that will be available on the local access channel.

Mr. Baruzzi handed out a summary of the questions that were asked at the sessions and on the website. Responses will be clarified and will be available on line for viewing.

6. Rank Options

The decision was made to have an additional meeting to do the final ranking of options.

7. Next Steps

At the next meeting, Final ranking of options and preparation for the informational meeting on March 15, 2010.

8. Other

Next meeting will be held on March 3, 2010.

9. Adjournment

The meeting was adjourned at 6:15 p.m.

Respectfully submitted,

Alicia Ducharme

MANSFIELD AGRICULTURE COMMITTEE

Minutes of February 2, 2010 meeting

Audrey P. Beck Municipal Building

Conference Room B, 7:30 p.m.

1. Chairman Al Cyr, called the meeting to order at 7:35.

PRESENT: Al Cyr, Charlie Galgowski, Bill Palmer, Kathleen Paterson, Carol Stearns, Ed Wazer, Vicky Wetherell, Jennifer Kaufman (staff). Also attending: Wes Bell, Chris Dittrich, John Dittrich, Meredith Poehlitz.

2. Minutes of the January 5, 2010, meeting were approved.

New Business

3. New members

Welcome and introductions to Wes, Chris, John and Meredith who are considering becoming members of the committees.

4. Agriculture Committee Charge

The committee reviewed Al's draft of an updated committee charge, which has not been changed since the committee was formed in 1995. Suggestions for revisions to this draft will be included in a second draft for review at a future meeting. The committee's recommendations for an updated charge will be forwarded to the Town Council for approval.

5. Mansfield Country brochure

The committee discussed the annual mailing to the agriculture community about the 2010 edition of Mansfield Country. The letter would also offer an opportunity to sign up for email notices about workshops, grants, etc. relevant to agriculture.

6. AGvocate program

Jennifer advised the committee that applications for Mansfield to join the AGvocate program will be available next week, and the deadline is April 1. The committee will discuss this application at their March 2 meeting.

7. Presentation to the Town Council

Vicky informed the committee that a general open space presentation will be on March 8. Each committee, including the Agriculture Committee, will make a brief comment about their participation in the open space preservation process. The Agriculture Committee will also make a separate presentation at a later date.

Old Business**8. Agriculture Zoning Regulations**

Joan Nichols (Ct. Farm Bureau) has offered to meet with the committee and others in Mansfield about proposed regulations. Jennifer advised the committee that Joan is currently working with East Windsor, and Joyce Meader (Extension) is developing some farm animal standards. The committee decided to invite Joan to a meeting after these projects are completed, so they can provide guidance to Mansfield.

9. March Agenda

The committee will review the revised charge, agricultural leases, the Town Council presentation and the AGvocate application at the March meeting.

10. Meeting adjourned at 9:15.

**TOWN OF MANSFIELD
TOWN COUNCIL
Ad hoc Committee on Regionalism
Monday, September 28, 2009
Audrey P. Beck Municipal Building
Conference Room B
2:00 pm**

MINUTES

1. Call to Order/Roll Call

Members present: B. Clouette, M. Hart, G. Nesbitt
Guest(s): M. Lindsey

2. Approval of June 15, 2009 Minutes

By consensus, the committee approved the minutes from June 15, 2009.

3. Police Services Study

Mr. Hart distributed a draft request for qualifications (RFQ) to recruit and retain a consultant to conduct an evaluation of present and future police services in Mansfield. The committee members discussed the pros and cons of operating a municipal police department, as well as other options that might be available to the community. The committee cited the importance of issues such as cost and overhead, employee turnover, community policing, and command and control. The members authorized Mr. Hart to issue the RFQ with a response date of October 30, 2009.

4. WINCOG Regional Economic Development Plan

Mr. Hart reported that the WINCOG board had recently received a draft report of the regional economic development plan prepared by AKRF. The draft report sets out a series of recommendations, in particular, the establishment of an economic development organization (EDO) for the region. The WINCOG board will be reviewing the draft over the next month in an effort to produce a final version. The committee agreed that Mr. Hart would forward a copy of the draft plan to the committee members to solicit their input. In addition, Mr. Hart will ask WINCOG to consider inviting other area towns, such as Tolland, to participate in the formation of an EDO.

5. Ad hoc Regionalization Study Committee

Mr. Hart reported that the Ad hoc Regionalization Study Committee established to look at regional opportunities for preK-8th grade will be meeting again on Thursday, October 13, 2009. Mark Paquette, the committee's facilitator, has been meeting over the summer with area superintendents of schools and finance directors/school business managers to prepare information regarding cost and other resources necessary to provide various services, such as transportation and food service. Mr. Hart and Mayor Paterson serve as Mansfield representatives to the committee.

6. Governor's Council for Local Public Health Regionalization

Mr. Hart reported that he has been appointed as CCM's representative to the Governor's Council for Local Public Health Regionalization. This group has been tasked with evaluating the local public health structure in Connecticut and providing recommendations regarding a model public health system, including regional components. The Governor's council will meet again on October 2, 2009; Mr. Hart will keep the committee informed of the council's progress.

7. Other Opportunities for Regional and Shared Services

Mr. Hart reported that he and Maria Capriola had met informally with colleagues in Coventry and Tolland to discuss opportunities for shared services. The group briefly reviewed municipal services in general and identified opportunities in the areas of equipment sharing, contracting for professional services, GIS and other software, property assessment and community services such as parks and recreation, library services and human services. Mr. Hart has agreed to convene the group on a regular basis for a more detailed discussion. Mr. Hart will keep the committee informed of his progress.

The members suggested that Mr. Hart look at the services provided by county government in New York State, as these counties may be similar in size to the Coventry/Mansfield/Tolland area. Also, the Northeast Council of Governments is looking at a 12-town cooperative to provide assessment services; this may be of interest to our region. In addition, committee members suggested that Mr. Hart look at the feasibility of creating a regional health insurance pool.

The committee agreed to provide the Town Council with an update at one of the October council meetings.

Mr. Hart reported that his office will be receiving the services of a work study student who happens to be in his second year in UConn's master of public administration program; the student will be able to assist the committee with research and related assignments. Mr. Hart will convene the next meeting for October 2009.

8. Adjournment

The members adjourned the meeting at 3:45 PM.

Respectfully submitted,

Matthew W. Hart
Town Manager

February 22, 2010

Dear Council Members,

This morning my three year old son asked about the Library's children's program Toddler Time. It is a program we regularly attended until the Council that programs at the library be cut. We still miss it and hope that the library might be allowed to continue the program in the future.

My son would also like to contribute to this letter.

Thank you

Diane Dorfer

87 Bassetts Bridge Rd
Mansfield Center CT
06250

I like The songs at Toddler Time. I like "The wheels on the Bus Go Round and Round and Round." I like some of the toys and I like sitting in a circle with stories. I think Cordelia (his baby sister) should go.

William Connolly - 3 years old
87 Bassetts Br. Rd

**PAGE
BREAK**



University of Connecticut
Office of the President

Item #9

Michael J. Hogan
President February 15, 2010

David Morse
64 Birchwood Heights
Storrs CT 06268

Dear Mr. Morse:

I received the copy you sent me of your February 8 letter to the Mansfield Town Council, supporting recent proposals forwarded to the Council by the Quality of Life Committee and also sharing your observations on relationships among the Town, its residential neighborhoods, and the University over the years.

I'm always eager to promote better understanding and fruitful partnerships in Storrs, and in fact all over Connecticut where the University affects the lives of our citizens in many areas – business, government, public health, the environment – not to mention our primary missions as the State's public research university to provide education opportunities, to conduct research into the issues that confront us, and to serve our many constituents by giving back knowledge, expertise, and volunteered time and resources when appropriate.

I do want to provide some numbers in response to your statement that the University's Storrs campus is "growing quite beyond its earlier declared optimum size, and is consequently outgrowing its housing." Our undergraduate enrollment at Storrs has increased by six percent over the past five years, or by approximately 1,000 students. We intend to hold the Storrs enrollment at this level, without further increases.

Our enrollment goals for the next five years are to maintain the number of new undergraduate students admitted to the Storrs campus at approximately 3,200 first-years plus 750 transfers per year. This number of admissions will keep the total undergraduate number in Storrs at about 16,400. For the current academic year, our Storrs undergraduate number is 16,690, down 380 from last year.

More significant to your point is the total number of students housed in our Storrs residence facilities. In 1999-2000, we housed 7,818 undergraduate students in the Storrs dorms. This year the number is 11,802, an increase of 50 percent. We've been able to do this by building new residence halls and reconfiguring existing ones. The University wishes to maximize the living and learning experience on the Storrs campus.

An Equal Opportunity Employer

352 Mansfield Road Unit 2048
Storrs, Connecticut 06269-2048

Telephone: (860) 486-2337
Facsimile: (860) 486-2627
e-mail: Mike.Hogan@uconn.edu

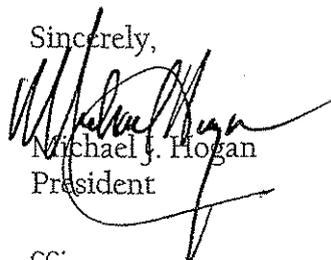
David Morse
February 15, 2010

It is not the University's intention to house all of our students in University facilities. We are a public institution, and we remain sensitive to the desires of students who prefer not to live in residence halls. Students who seek off-campus housing have many motivations, but one of the most telling is economic. Some of our students can live less expensively off campus, some choose to live at home, and some find it essential that they be able to seek out living arrangements at lower cost.

With that said, we house 75 percent of our Storrs undergraduate student population on campus. This is a higher percentage than any other public university in the United States. The public institution that comes closest to this number, the College of William and Mary in Virginia, has a total enrollment of only 5,700 undergraduates.

I remain sincere in my willingness to continue to work in partnership with local government and citizens to find solutions to the specific problems that beset our Mansfield community. The situation you describe in Mansfield's residential neighborhoods would of course be different if the University were not located here, but I think it is unfair to attribute these changes to the University's enrollment history alone. I continue to instruct my staff and their direct reports to listen to the concerns of townspeople and to work with them in finding solutions to these long-standing problems.

Sincerely,



Michael J. Hogan
President

cc:

✓ Town Council, Town of Mansfield
Matthew Hart, Town Manager
John Saddlemire, Vice President, Division of Student Affairs
Lee Melvin, Interim Vice President for Enrollment Management

TOWN OF MANSFIELD
OFFICE OF THE TOWN COUNCIL



ELIZABETH C. PATERSON, Mayor

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

February 17, 2010

The Honorable Joseph Courtney
215 Cannon House Office Building
Washington, D.C. 20510

via e-mail to CT02Appropriations@mail.house.gov

Re: Town of Mansfield FY 2011 Appropriations Request - "Four Corners" Water and Sewer Project

Dear Congressman Courtney:

On behalf of the Town of Mansfield, I am writing to support the Town's application for the "Four Corners" Water and Sewer Project. The Town Council approved submittal of this project at its February 8, 2010 Council meeting.

From an environmental and economic development standpoint, the Four Corners water and sewer initiative is one of the Town's most important projects. The Four Corners is a commercial and residential area in the vicinity of the intersection of routes 195 and 44 in Mansfield, which has suffered from long-standing water pollution problems because of its poor soils and high water table. The problem is so severe that the regional health district has issued use restrictions for several of the properties and the Connecticut Department of Environmental Protection has asked the Town to address the area's long-term wastewater disposal needs. The Town recently completed a sewer study/facilities plan and this project is designed to implement that plan by installing sewers with a connection to the University of Connecticut's sewage treatment plant. (During the last legislative session, State Representative Merrill successfully sponsored a bill to permit the university to receive sewage from the Four Corners area.)

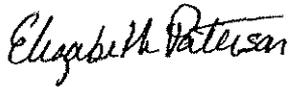
This project also encompasses water supply and bringing potable water to this area to facilitate the redevelopment of various vacant and blighted properties. Several wells in the area have been contaminated by hydrocarbons and continue to be problematic. While some of the wells that were previously monitored now meet drinking water standards, several do not and potable water

remains a serious need for this area.

The Town plans to fund this project through a combination of water and sewer assessments on the benefited properties as well as grants which we will match with general obligation bonds. I can assure you that the Town is committed to funding and constructing this project as soon as possible.

On behalf of the Town of Mansfield, I appreciate your consideration of this appropriations request. Please contact me with any questions or concerns.

Sincerely,



Elizabeth C. Paterson
Mayor

cc: Mansfield Town Council
Matthew Hart, Town Manager
Four Corners Water and Sewer Advisory Committee
Lon Hultgren, Director of Public Works
Cynthia van Zelm, Mansfield Downtown Partnership

Four School Building Project
Questions and Answers

1. Does the cost of renovating to new the three elementary schools include operating costs?
The Project Costs and Cost to Mansfield indicated in the Family of Options matrix do not include operating costs. However, the anticipated operating costs are included in the Average Yearly Cost/Household under the column titled Financial Impact.

2. Has the committee considered implications of a larger school?
Yes, a group consisting of Mansfield Public Schools' teaching & administrative staff and parents visited 4 elementary schools of similar size.

3. What are the projected class sizes?
The Mansfield Board of Education established class size guidelines in 1999. These guidelines will continue to be followed regardless of the selected option and are as follows:

K-3	14-18
4-5	16-20
6-8	21-23

4. How will the location impact traffic?
The subject project will have some impact on vehicular and pedestrian traffic along Warrenville Road (Route 89) and along local and state roads leading to Warrenville Road. In association with required applications to the Connecticut Department of Transportation and Mansfield Planning and Zoning Commission, existing and anticipated traffic volumes will have to be specifically studied and all anticipated impacts would have to be appropriately addressed to meet applicable approval criteria. Both vehicular and pedestrian traffic will need to be considered. Based on a preliminary analysis, all anticipated traffic impacts would be able to be addressed.

Traffic associated with a consolidated elementary school is expected to be similar to cumulative traffic now associated with the three existing elementary schools and to the traffic associated with the Middle School, which has approximately the number of students that are planned for the consolidated school. Based on a preliminary review by Mansfield's Traffic Authority, Warrenville Road and affected intersections with nearby state and local roads are expected to have capacity to accommodate a consolidated school at this site, The primary traffic issue is anticipated to be the management of on-site traffic associated with school busses and parent pickups. Onsite traffic management will need to be specifically addressed in any site design submitted for PZC approval.

5. Will the cost of busing increase?
There should be no increase in cost due to the change in location from 3 to either two schools (Option C) or one school (Option D).

6. Will it impact students' time on the bus?
We will continue to follow State of Connecticut law which limits the amount of time a child is on a bus to one hour. Buses will be scheduled to leave the Mansfield Middle School at approximately 8:00am and arrive at the elementary location(s) at 8:45am.

7. What will happen to the SE athletic fields?
The athletic fields will remain as is.

8. Will acoustics in the gym be considered?
Yes. Options to maximize space and acoustics will be reviewed with the teaching staff.
9. How is the feel at the larger elementary schools the committee visited?
The schools we visited had a warm open feeling.
10. For the 3 new schools option (Option B), what does the cafeteria do compared to state reimbursement options?
All of the schools exceed the maximum square footage allowed for reimbursement based on projected student enrollment so the cafeteria will increase the total building's square footage and will not be eligible for reimbursement.
11. If the 3 new schools option (Option B) was chosen, does Southeast need the extra classrooms and what is the cost of those if changed back to old district lines before the last re-districting?
If Option B were chosen, each of the three schools would have comparable capacity which would be permanent in nature rather than relocatables, using our current district boundaries. This is not to say that district lines could not be redrawn at some point in the future.
12. Why not decouple the Middle School from the options?
The four schools were reviewed together so that the town could plan for needed additions and/or renovations as a complete group.
13. What are the predictions for energy savings?
A new school will be LEED certified, which should save approximately \$200,000 per year.
14. How will one school solution effect the ratio of special education staff vs. special needs students?
The Mansfield Public Schools will continue to support special needs students in accordance with their IEP.
15. Has there been a cost comparison?
Yes, details are on the School Building Committee website at www.mansfieldct.org.
16. How would the neighborhood school feeling be attained?
The school administration would work with staff and parents to create a warm, friendly environment.
17. What happens if referendum fails?
The Mansfield Town Council in collaboration with the Mansfield Board of Education would analyze the referendum results and develop a plan of action.
18. Over how long a period of time is the financing package?
Twenty years
19. What are the enrollment projections for the one school option?
An enrollment projection study is posted on the School Building Committee website.
20. How do larger schools handle moving children up, ie. friends with friends?

In a similar way our schools do now. Administrators review class placement with teachers and make decision based on feedback.

21. If there is one new school, would it be air conditioned?

Yes, the current plan for option D included air conditioning.

22. How many classrooms at per grade level are there now?

Currently we have K-7, Gr. 1-7, Gr. 2-8, Gr. 3-8, and Gr. 4-8.

23. Why is the cost difference so large between Options C & D?

The cost difference is large because in Option C the renovations and additions total approximately 114,000 square feet between the two schools as compared to constructing a new 100,000 square foot school (Option D). Also, the anticipated state reimbursement is much less for Option C because the proposed square footage exceeds the State maximum eligible for reimbursement by 35% - 40% as compared to approximately 10% for Option D. Thus the reimbursement "penalty" for Option C is estimated at \$14.3 million versus \$2.5 million for Option D.

This is why the net cost for Opt. D (\$37mil) is approximately 43% of Opt. C (\$16mil). This amounts to an annual difference of approx. \$2.2mil in debt service payments. That combined with a reduction in maintenance costs of approx. \$405,000 and a small reduction in school staffing costs of \$70,000 means a difference of \$2,680,000 annually or the equivalent of 2.89 mills.

24. If the State approves the plan, will we get the money they have committed?

Project and funding approval process is as follows:

School District submits the project to the Governor and General Assembly for consideration during the subsequent regularly scheduled session by June 30, 2011

State Dept of Education will notify the School District of the assigned Priority Category by Oct. 1, 2011.

State Dept of Education submits the Priority List to the Governor and Education Committee by Dec. 15, 2011.

Education Committee submits approved or modified Priority List to Governor and General Assembly by Feb. 1, 2012 of the following year with a request for authorization to enter into grant commitments.

Grant commitments become effective only after such projects have been approved by the General Assembly and the bill has been signed by the Governor.

25. Has there been any consideration of the effect on the community well on Pinewoods Lane?

The Pinewoods Lane community well was considered in association with a septic suitability analysis conducted in 2009 by Anchor Engineering Services, Inc. This preliminary analysis concluded that ground water flows were not toward the community well. Accordingly, the Pinewoods Lane well is not expected to be impacted by a septic system for the new school. The State Department of Environmental Protection Agency permit process for the new septic system is very detailed and this potential impact issue will be studied further.

The new school will need to have an additional well and all Connecticut Department of Public Health permit requirements will have to be addressed. The site is within a designated stratified drift aquifer area and preliminary analysis indicated that the needed volume of potable water could be obtained without affecting the yield of the Pinewoods Lane community well.

26. If one school is built, would the Board consider adding preschool classes and a family resource center in the current Southeast Building?
If one school is built, any plans for the future use of the current Southeast building would be determined after study by the Town Council.
27. How will one school continue to offer the after school programs that are offered at the three elementary schools?
Programs on a variety of topics would continue to be offered by both certified and non-certified staff, as well as outside presenters to all students at a particular grade level(s) as determined by available funding.
28. What if there was an unexpected population boom?
We will continue to monitor birth rates in town, obtain enrollment projection studies, and plan for an increase/decrease in enrollment.
29. Was adding a library media center, cafeteria and gym to Option A considered?
Because the square footage of our elementary schools is already over the State reimbursement maximum, adding to each school would be non-reimbursable.
30. Did the committee do a cost comparison to building 3 brand new schools?
To get State reimbursement, the three new schools would have to be smaller than the existing schools which would not be recommended and the cost to Mansfield would be considerably higher than a single school (Option D).
31. Has the committee considered impact on Southeast students while new school is being built?
The contractors would do everything possible to have as little impact as possible but in all of the options there will be some impact.
32. Have you considered parent pick-up at a larger school?
We have discussed with larger schools how parent/student drop-off and pick-up are handled and would incorporate it into the planning.



TOWN OF MANSFIELD
TOWN COUNCIL RULES OF PROCEDURE
As adopted by Council 2/22/10

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."

Rule 1 – Organizational Meeting

Each newly elected Council shall meet for organization at the next regular meeting of the Town Council following the municipal election. During this Organizational Meeting the Town Council shall elect, by a majority vote of all Council members, one of their number to serve as Mayor, who shall preside at Council meetings, and one of their number to serve as Deputy Mayor, who shall serve in the Mayor's temporary absence. If both are absent, the Council may designate from its membership a temporary presiding officer. At this Organizational Meeting, the Council shall also fix by Resolution the time and place of its regular meetings for the following two-year period, which meetings shall be held at least once a month as required by the Charter.

The appointment of a Town Attorney may also take place at this meeting, but said appointment shall take place no later than one month after the election of the Council.

Rule 2 – Meetings

- a) All meetings shall be held in compliance with the Connecticut Freedom of Information Act, Connecticut General Statutes sections 1-200, et seq.
- b) The presence of five members of the Council is necessary for a quorum. Each Council member is asked to notify the Mayor or the Town Manager as soon as possible if the member expects to be absent
- c) 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, time and business to

be transacted at any such Special Meeting. The Town Clerk shall post a notice in the Office of the Town Clerk indicating the time, place and business to be transacted, and copies of this notice shall be served by mail or personally upon each Council member and the Town Manager or left at their usual place of abode at least twenty-four (24) hours prior thereto. The notice shall be placed on the Town's website at least 24 hours prior to the meeting.

- d) 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).
- e) Work Sessions are by definition of the Freedom of Information Act, Special Meetings of the Council. In order to preserve the informal and relaxed atmosphere that encourages exchange between members of the Town Council, town government and invited participants, Work Sessions will generally be held prior to the Regular Meeting. Work Sessions may be scheduled by the Mayor or by majority of vote of the Council. All requirements of the Freedom of Information Act that pertain to Special Meetings shall be observed for Work Sessions. Work Sessions will be held to discuss, review, research or explore topics for possible later action. No formal votes may be taken, except for a vote to go into Executive Session.
- f) Joint meetings and hearings may be held with the governing bodies of other governmental entities or agencies and such joint regular or special meetings may be held in the jurisdiction of either body.
- g) The Town Clerk is the Clerk of the Council and shall, in accordance with the Connecticut Freedom of Information Act, keep for public inspection minutes of all its proceedings, including all roll call votes and indicating deliberations, discussions and actions which shall be the official record of Council proceedings. The journal shall be authenticated for each meeting by the signature of the Mayor or Deputy Mayor in the absence of the Mayor. Notes from the meeting indicating all actions shall be available to the public within 48 hours after the meeting and the minutes shall be available and posted on the website within 7 days of the meeting.

Rule 3- Agenda of Council Meetings

- a) The Town Manager, in consultation with the Mayor, shall prepare the agenda
- b) Unless altered by a two-thirds vote of the Council, the regular order of business shall be as follows:

1. Call to Order
 2. Roll Call
 3. Approval of Minutes
 4. Public Hearing (if scheduled)
 5. Opportunity For Public to Address the Council
 6. Report of the Town Manager
 7. Reports and Comments of Council Members
 8. Old Business
 9. New Business
 10. Quarterly Reports
 11. Departmental and Committee Reports
 12. Reports of Council Committees
 13. Petitions, Request and Communications
 14. Opportunity for Public to Address the Council
 15. Future Agendas
 16. Executive Session (if scheduled)
 17. Adjournment
- c) Ceremonial presentations to individuals or groups that include refreshments, may be scheduled prior to the Regular Meeting time in accordance with the requirements of the Freedom of Information Act. A notice that the presentation will take place prior to the Regular Meeting will be included on the agenda for that meeting.
- d) Prior to or during the discussion on each item on the agenda the Mayor may call upon the Town Manager, designated staff or other appropriate person for the purpose of background presentation of business to be discussed. Council members may address questions to these individuals.
- e) Unless extenuating circumstances occur, the agenda and all supporting material shall be delivered to the Council not later than the Friday preceding each regular meeting of the Council.
- f) Every effort will be made to ensure that copies of the agenda, minutes and related material distributed with the packet will be made available on the Town's website no later than noon on the Friday preceding each regular meeting of the Council.
- g) Recurring Old Business items shall have an end date to be determined by the Council.

Rule 4 – Public Participation

- a) Regular Meetings
 The Town Council welcomes comments from the public. On the agenda of each meeting of the Town Council, a period shall be set aside and designated as an opportunity for the public to address the Council on any issue of importance to the Town. Citizen comments may be presented orally or in writing. Each speaker will be allowed one opportunity to

speaking for a maximum of five minutes. Any citizen so speaking shall identify him/herself by name and address, and if the speaker is speaking for a group or organization, she/he may so state. Citizen comments will be accepted as presented. Written statements presented by speakers during the public comment section shall be included in the minutes of the meeting.

Council members are free to ask questions to clarify the intent of the citizens commenting. Citizens should not attempt to engage Council members, the Town Manager or Town staff in debate or line of questioning. Council Members and the Town Manager may offer responses to questions or concerns raised by citizens during the portions of the agenda reserved for their reports and comments, but are not obligated to provide answers to *impromptu* questions.

Written statements from the public received prior to the completion of the Town Council packet will be included as a communication. Communications received after the packet has been completed will be distributed to members prior to the meeting and be included as a communication in the next packet.

b) Public Hearings

Public hearings are an opportunity for citizens to address the Town Council on a specific issue. Citizen comments may be presented orally or in writing. Written statements received by the Town Clerk prior to the public hearing will be noted on the record and distributed to Council members either in the packet or that evening. Both these letters and written statements presented by speakers during the public hearing shall become part of the minutes. All citizens so speaking shall identify him/herself by name and address, and if the speaker is speaking for a group or organization, she/he may so state.

c) Work Sessions

Work Sessions are an opportunity for the Council, Town Government and invited participants to discuss issues. An opportunity for public comment, other than invited participants, may be set-aside at the beginning of the Work Session to hear from citizens who have comments pertaining to the issue at hand.

Rule 5 – Decorum

All meeting participants including Councilors, citizens and staff should confine their remarks to the substance of the issue at hand. Participants should avoid discussing personalities and not impugn the motive, character or integrity of any individual. The Town Council supports the right of a resident to criticize its local government, but this should be done appropriately and responsibly, with civility and discretion. All participants should address their remarks to the Mayor and maintain a civil tone. These rules of conduct shall also apply to all written correspondence.

Disorderly and disruptive conduct will be handled in accordance with Freedom of Information Act, C.G.S. Section 1-232.

Rule 6- Introduction and Public Hearing of Ordinances

- a) Section C307 of the Charter of the Town of Mansfield provides that "All ordinances introduced by a member of the Council shall be in written form and shall be limited to one subject, which shall be clearly stated in the title." A copy of the ordinance shall be filed with the Town Clerk who shall follow the procedures for copying, distribution and notice of the proposed ordinance set forth in Town Charter section C307.
- b) Section C308 of the Town Charter requires that the Town Council shall hold at least one public hearing before any ordinance shall be passed. The Council may also hold more than one public hearing on a proposed ordinance prior to taking final action.
- c) Prior to the Town Council scheduling a public hearing regarding a proposed ordinance, the Town Manager shall present a written fiscal impact analysis to the Council.
- d) The Town Council may discuss a proposed ordinance but may not amend, adopt or reject it on the day the first public hearing is convened in accordance with Section 308 of the Town Charter. This provision may be suspended by a majority vote.

Rule 7- Motions

- a) When a motion is made and seconded it shall be stated by the Mayor or the Town Clerk, if requested. If the motion is made in writing, it shall be read aloud prior to being debated. The motion so made and seconded will be in possession of the Council and subject to amendments or withdrawal.
- b) Motions shall be reduced to writing when requested by the Mayor or by a majority of the whole Council.
- c) When a motion is under debate, no further motion shall be received except to adjourn, to recess, to table, for the previous question, to limit or extend debate, to postpone to time certain, to refer to committee, to amend or to postpone indefinitely, which motions shall have precedence in the order indicated.
- d) Motions to adjourn, to lay upon the table and for the previous question shall be decided without debate.
- e) Motions to postpone to a definite time and to close debate at a specific time shall be decided without debate, except with respect to the time fixed, which shall be subject to amendment altering the time.
- f) Motions to refer, to postpone indefinitely or to amend shall be debatable, but only with respect to such a referral, postponement or amendment, and not with respect to the subject matter of the main motion.

- g) Any amendment must be germane to the motion.
- h) Motions to table, to postpone to time certain or to postpone indefinitely, once having been decided, shall not be reconsidered at the same meeting, whereas a motion to refer a matter to a committee can be reconsidered only at the meeting of the vote. Any other motion can be reconsidered only at the same or next succeeding meeting of the Council.
- i) Any motion to reconsider shall be in order only upon motion by a member participating in the prevailing vote of the original motion, and there shall be no reconsideration of the vote upon motion to adjourn, for the previous question or to reconsider.
- j) Any motion under debate, which consists of two or more independent propositions, may be divided by a majority vote of the whole Council.

Rule 8 - Debate

- a) During discussion or debate, no Councilor shall speak unless recognized by the Mayor.
- b) Councilors shall confine their remarks in debate to the pending question.
- c) Any Councilor who knows in advance of a meeting that he /she wishes to obtain certain data or have a question answered, or wishes specific figures or expenditures, or the like, should, insofar as possible, inform the Town Manager in writing of the nature and details of the inquiry, so that the Town Manager will have the opportunity to have the answer available at such meeting.
- d) Any member who realizes or anticipates that he/she has or will have a conflict of interest with respect to a matter before the Council for consideration should announce his or her intention to abstain from voting on the matter as soon as the conflict becomes apparent, and should thereafter refrain from further discussion of or involvement in the matter.

Rule 9 – Standing Committees

- a) There shall be the following *standing committees of the Council*
 - Committee on Committees
 - Finance Committee
 - Personnel Committee
- b) The Council may create or dissolve committees of the Council by resolution.
- c) The Mayor shall appoint members of the Council to such committees and shall designate the chair of each. The Mayor may announce any adjustments in membership or chairmanship at a regular Council meeting with such changes to be effective at the next regular committee meeting.

- d) All Councilors shall be ex-officio members of the committees to which they are not assigned, but do not have the authority to make motions or to vote.

Rule 10 – Council Office Hours

One half hour prior to the second Council meeting of the month Council members will be available to hear from the public on any issue. Councilors should participate in the office hours on a rotating basis.

Rule 11 – Executive Session

Executive Sessions will be limited to those subjects allowed pursuant to the Freedom of Information Act. The reasons for such a session and persons to attend shall be publicly stated. A two-thirds vote of the members of the Council present and voting shall be necessary in order to go into Executive Session.

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Matthew W. Hart

Item #13

From: Hubbard, Jesse [Jesse.Hubbard@cga.ct.gov]
Sent: Wednesday, March 03, 2010 2:06 PM
To: Hubbard, Jesse
Cc: Demicco, Michael; Neal, Kenneth; O'Reilly, Maureen; Gaffney, Christopher
Subject: MORE Finding and Recommendations
Follow Up Flag: Follow up
Flag Status: Blue
Attachments: More3_3_10.ppt; MORE Phase I Findings (4).doc

To All:

Attached you will find the findings and recommendations of the MORE Commission. Speaker of the House, Christopher Donovan, Chairman Rep. Brendan Sharkey and Vice-Chairwoman Rep. Betty Boukus would like to thank all sub-committee members for their hard work. If you have any questions or concerns, please feel free to contact me.

Jesse Hubbard

Policy Analyst to:

Speaker of the House

Christopher Donovan

860-240-8372

jesse.hubbard@cga.ct.gov

Phase I

Key Findings – The Four “R’s”

Regionalism is Common Sense

- Towns and Boards already get it – and they’re already doing it
- Best Practices for regionalizing services are already developing
- One-Size-Fits-All solutions are not the norm
- State government needs to promote innovation financially, and otherwise get out of the way

Revenue Streams are Essential

- The greatest obstacle to initiating regionalized services is the up-front expense
- State government must empower existing regional entities to carry out initiatives
- The State must also provide revenue streams for regional entities
- Permanent revenue streams for towns must be developed

Relief From Unfunded State Mandates Will Assist our Towns and Boards

- Where policies and statutes cost towns money, the State needs to reevaluate, modify and/or rescind
- Data is critical to evaluating costs and policies

Restructuring State and Local Government is Key to Solving Budget Crisis

- State grants to towns and boards need to incent efficiencies
- Economic Development must occur at the regional level
- Existing regional entities are central to creating efficiencies, and
- Consolidation of some regional entities must be evaluated
- Barriers to health care and purchasing cooperatives must be removed



RECD MAR 01



Item #14

State of Connecticut
Department of Economic and
Community Development

Office of Housing Development and Finance

All Municipalities

Notice 10-02

Distribution Date: February 1, 2010

Effective: Immediately

SUBJECT: AFFORDABLE HOUSING LAND USE APPEALS LIST

Under Chapter 126a of the Connecticut General Statutes (CGS), the Department is required to annually promulgate a list of municipalities which satisfy the criteria contained in this subsection 8-30g (k). Attached is the 2009 Affordable Housing Land Use Appeals List that identifies exempt municipalities.

Exempt municipalities are municipalities in which at least ten per cent of all dwelling units in the municipality are: (1) assisted housing; and/or (2) currently financed by Connecticut Housing Finance Authority mortgages; and/or (3) subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income; and/or (4) mobile manufactured homes located in mobile manufactured home parks or legally-approved accessory apartments, which homes or apartments are subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income.

Changes in the number of units counted toward the ten per cent threshold are caused by several factors: (1) the relocation of households using Section 8 or RAP certificates; (2) the expiration of deed restrictions or refinancing of mortgages; (3) the demolition of buildings; and/or (4) the addition of units completed or under construction during the 2008-2009 program year.

The data for the list comes from a variety of different sources on the federal, state, and local level. Local administrative review of and input on the street addresses of units and projects and information on deed-restricted units are of particular importance to data accuracy. The response to the Department for the list varies widely from community to community. If you have any questions or wish to discuss this information, please contact Jeri Fazzalano, Planning Specialist at 860-270-8164.

Attachment

2009 Affordable Housing Appeals List

2009 Affordable Housing Appeals List - Exempt Municipalities							
	Town	2000 Census Housing Units	Governmentally Assisted Units ¹	CHFA Mortgages	Deed Restricted Units	Total Assisted Units	Percent
1	Ansonia	7,937	889	106	9	1,004	12.65%
2	Bloomfield	8,195	686	265	0	951	11.60%
3	Bridgeport	54,367	8,803	908	11	9,722	17.88%
4	Bristol	26,125	2,521	1,039	0	3,560	13.63%
5	Brooklyn	2,708	226	63	0	289	10.67%
6	Danbury	28,519	2,495	274	223	2,992	10.49%
7	Derby	5,568	906	60	0	966	17.35%
8	East Hartford	21,273	2,567	862	0	3,429	16.12%
9	East Windsor	4,356	602	96	14	712	16.35%
10	Enfield	17,043	1,590	526	7	2,123	12.46%
11	Groton	16,817	3,310	323	9	3,642	21.66%
12	Hartford	50,644	16,363	1,422	0	17,785	35.12%
13	Killingly	6,909	685	229	0	914	13.23%
14	Manchester	24,256	2,780	907	38	3,725	15.36%
15	Mansfield	5,481	557	85	0	642	11.71%
16	Meriden	24,631	2,569	1,050	4	3,623	14.71%
17	Middletown	19,697	2,920	615	0	3,535	17.95%
18	New Britain	31,164	4,458	1,149	3	5,610	18.00%
19	New Haven	52,941	12,991	1,105	455	14,551	27.49%
20	New London	11,560	1,985	413	42	2,440	21.11%
21	Norwalk	33,753	3,055	229	556	3,840	11.38%
22	Norwich	16,600	2,912	501	0	3,413	20.56%
23	Plainfield	5,676	579	251	0	830	14.62%
24	Putnam	3,955	455	102	0	557	14.08%
25	Stamford	47,317	5,350	294	1,215	6,859	14.50%
26	Torrington	16,147	1,149	644	17	1,810	11.21%
27	Vernon	12,867	1,679	378	0	2,057	15.99%
28	Waterbury	46,827	6,855	2,459	418	9,732	20.78%
29	West Haven	22,336	2,358	424	0	2,782	12.46%
30	Winchester	4,922	471	125	0	596	12.11%
31	Windham	8,926	2,148	439	0	2,587	28.98%
Total Exempt Municipalities		639,517	96,914	17,343	3,021	117,278	

Source: DECD, OHDF

2009 Affordable Housing Appeals List - Non-Exempt Municipalities						
Town	2000 Census Housing Units	Governmentally Assisted Units	CHFA Mortgages	Deed Restricted Units	Total Assisted Units	Percent
Andover	1,198	26	21	0	47	3.92%
Ashford	1,699	38	37	0	75	4.41%
Avon	6,480	142	25	0	167	2.58%
Barkhamsted	1,436	3	11	0	14	0.97%
Beacon Falls	2,104	3	28	0	31	1.47%
Berlin	6,955	408	82	6	496	7.13%
Bethany	1,792	1	2	0	3	0.17%
Bethel	6,653	222	54	63	339	5.10%
Bethlehem	1,388	24	0	0	24	1.73%
Bolton	1,969	0	15	0	15	0.76%
Bozrah	917	6	13	0	19	2.07%
Branford	13,342	275	176	0	451	3.38%
Bridgewater	779	0	2	0	2	0.26%
Brookfield	5,781	42	34	24	100	1.73%
Burlington	2,901	27	24	0	51	1.76%
Canaan	610	0	10	1	11	1.80%
Canterbury	1,762	77	23	0	100	5.68%
Canton	3,616	230	52	32	314	8.68%
Chaplin	897	1	24	0	25	2.79%
Cheshire	9,588	237	80	17	334	3.48%
Chester	1,613	26	8	0	34	2.11%
Clinton	5,757	87	37	0	124	2.15%
Colchester	5,409	390	84	0	474	8.76%
Colebrook	656	0	6	0	6	0.91%
Columbia	1,988	28	35	0	63	3.17%
Cornwall	873	19	0	0	19	2.18%
Coventry	4,486	107	122	20	249	5.55%
Cromwell	5,365	214	223	0	437	8.15%
Darien	6,792	90	1	85	176	2.59%
Deep River	1,910	31	23	0	54	2.83%
Durham	2,349	34	11	0	45	1.92%
East Granby	1,903	74	31	0	105	5.52%
East Haddam	4,015	73	22	1	96	2.39%
East Hampton	4,412	73	73	19	165	3.74%
East Haven	11,698	544	318	0	862	7.37%
East Lyme	7,459	294	88	10	392	5.26%
Eastford	705	0	14	0	14	1.99%
Easton	2,511	0	0	10	10	0.40%
Ellington	5,417	266	81	0	347	6.41%
Essex	2,977	41	5	0	46	1.55%

2009 Affordable Housing Appeals List - Non-Exempt Municipalities

Town	2000 Census Housing Units	Governmentally Assisted Units	CHFA Mortgages	Deed Restricted Units	Total Assisted Units	Percent
Fairfield	21,029	320	30	115	465	2.21%
Farmington	9,854	564	122	149	835	8.47%
Franklin	711	1	15	0	16	2.25%
Glastonbury	12,614	615	132	0	747	5.92%
Goshen	1,482	1	5	0	6	0.40%
Granby	3,887	88	34	5	127	3.27%
Greenwich	24,511	1,174	3	54	1,231	5.02%
Griswold	4,530	182	145	0	327	7.22%
Guilford	8,724	171	31	0	202	2.32%
Haddam	2,822	22	14	0	36	1.28%
Hamden	23,464	1,292	447	4	1,743	7.43%
Hampton	695	0	17	0	17	2.45%
Hartland	759	3	3	0	6	0.79%
Harwinton	2,022	24	21	0	45	2.23%
Hebron	3,110	59	28	0	87	2.80%
Kent	1,463	25	4	24	53	3.62%
Killingworth	2,283	0	4	5	9	0.39%
Lebanon	2,820	30	42	0	72	2.55%
Ledyard	5,486	33	146	4	183	3.34%
Lisbon	1,563	1	34	0	35	2.24%
Litchfield	3,629	144	14	29	187	5.15%
Lyme	989	1	0	6	7	0.71%
Madison	7,386	91	5	29	125	1.69%
Marlborough	2,057	24	14	0	38	1.85%
Middlebury	2,494	79	9	8	96	3.85%
Middlefield	1,740	30	14	0	44	2.53%
Milford	21,962	1,025	226	107	1,358	6.18%
Monroe	6,601	32	20	1	53	0.80%
Montville	6,805	109	169	0	278	4.10%
Morris	1,181	22	0	0	22	1.86%
Naugatuck	12,341	751	316	0	1,067	8.65%
New Canaan	7,141	147	2	31	180	2.52%
New Fairfield	5,148	0	23	13	36	0.70%
New Hartford	2,369	28	37	15	80	3.38%
New Milford	10,710	144	95	0	239	2.23%
Newington	12,264	488	394	36	918	7.49%
Newtown	8,601	139	16	15	170	1.98%
Norfolk	871	12	4	0	16	1.84%
North Branford	5,246	65	59	0	124	2.36%
North Canaan	1,444	109	7	0	116	8.03%

2009 Affordable Housing Appeals List - Non-Exempt Municipalities						
Town	2000 Census Housing Units	Governmentally Assisted Units	CHFA Mortgages	Deed Restricted Units	Total Assisted Units	Percent
North Haven	8,773	366	77	1	444	5.06%
North Stonington	2,052	1	12	0	13	0.63%
Old Lyme	4,570	63	6	3	72	1.58%
Old Saybrook	5,357	51	15	0	66	1.23%
Orange	4,870	46	9	0	55	1.13%
Oxford	3,420	36	11	0	47	1.37%
Plainville	7,707	244	310	53	607	7.88%
Plymouth	4,646	184	147	0	331	7.12%
Pomfret	1,503	107	14	0	121	8.05%
Portland	3,528	272	39	0	311	8.82%
Preston	1,901	42	31	0	73	3.84%
Prospect	3,094	2	19	0	21	0.68%
Redding	3,086	0	0	0	0	0.00%
Ridgefield	8,877	168	8	5	181	2.04%
Rocky Hill	7,962	248	192	0	440	5.53%
Roxbury	1,018	19	1	0	20	1.96%
Salem	1,655	1	24	0	25	1.51%
Salisbury	2,410	16	3	8	27	1.12%
Scotland	577	0	8	0	8	1.39%
Seymour	6,356	354	80	0	434	6.83%
Sharon	1,617	23	4	0	27	1.67%
Shelton	14,707	355	82	82	519	3.53%
Sherman	1,606	0	2	0	2	0.12%
Simsbury	8,739	249	62	0	311	3.56%
Somers	3,012	58	15	0	73	2.42%
South Windsor	9,071	381	252	0	633	6.98%
Southbury	7,799	89	14	0	103	1.32%
Southington	15,557	648	287	51	986	6.34%
Sprague	1,164	30	26	0	56	4.81%
Stafford	4,616	195	136	0	331	7.17%
Sterling	1,193	3	24	0	27	2.26%
Stonington	8,591	315	50	0	365	4.25%
Stratford	20,596	828	258	33	1,119	5.43%
Suffield	4,853	215	45	15	275	5.67%
Thomaston	3,014	95	96	0	191	6.34%
Thompson	3,710	155	43	0	198	5.34%
Tolland	4,665	94	73	3	170	3.64%
Trumbull	12,160	311	34	281	626	5.15%
Union	332	1	4	0	5	1.51%
Voluntown	1,091	21	24	0	45	4.12%

2009 Affordable Housing Appeals List: Non-Exempt Municipalities						
Town	2000 Census Housing Units	Governmentally Assisted Units	CHFA Mortgages	Deed Restricted Units	Total Assisted Units	Percent
Wallingford	17,306	609	326	35	970	5.60%
Warren	650	0	3	0	3	0.46%
Washington	1,764	18	0	23	41	2.32%
Waterford	7,986	130	190	0	320	4.01%
Watertown	8,298	215	138	0	353	4.25%
West Hartford	25,332	1,223	330	247	1,800	7.11%
Westbrook	3,460	147	10	24	181	5.23%
Weston	3,532	1	0	0	1	0.03%
Westport	10,065	217	3	12	232	2.31%
Wethersfield	11,454	746	225	0	971	8.48%
Willington	2,429	163	33	0	196	8.07%
Wilton	6,113	89	5	69	163	2.67%
Windsor	10,900	404	352	0	756	6.94%
Windsor Locks	5,101	277	180	0	457	8.96%
Wolcott	5,544	311	133	0	444	8.01%
Woodbridge	3,189	34	5	0	39	1.22%
Woodbury	3,869	62	18	0	80	2.07%
Woodstock	3,044	27	36	0	63	2.07%
Total Non-Exempt Municipalities	746,461	23,157	9,120	1,883	34,160	

Source: DECD, OHDF

2009 Affordable Housing Appeals List: Summary					
Municipalities	2000 Census Housing Units	Governmentally Assisted Units ¹	CHFA Mortgages	Deed Restricted Units	Total Assisted Units
Exempt	639,517	96,914	17,343	3,021	117,278
Non-Exempt	746,461	23,157	9,120	1,883	34,160
Total	1,385,978	120,071	26,463	4,904	151,438

Source: DECD, OHDF

¹ Includes both federal and state funded units.



Item #15

February 23, 2010

TO: Honorable Elizabeth Paterson, Mayor, Town of Mansfield
FROM: Jim Finley, CCM Executive Director and CEO
RE: **Thank you**

CCM understands the fiscal stress faced by our member municipalities during these difficult economic times.

I want to personally thank you for your continued support of CCM.

Your loyalty to CCM strengthens the most valuable collective resource in our state for Connecticut town and city governments. **CCM services – from our effective advocacy and valuable research and information services, to free training, energy saving, our new cost saving reverse auction, responsive risk management and insurance services, and much more -- ensure a return on your investment that far and away exceeds your member dues. You have my word on that.**

As reported to you in January, there is no increase in your CCM dues – a zero percent dues increase – for the second year in a row.

Let me know if you would like me or another senior member of the CCM staff to meet with you, your board of selectmen, your council, or your board of finance, to reinforce the value of CCM's services as you move through your budget process for 2010-11.

Thank you again for your continued membership in CCM. CCM exists because of you and our exclusive mission is to serve our member towns and cities.

Please contact me at (203) 804-6895 or jfinley@ccm-ct.org at any time with questions, suggestions or concerns.

cc: Town Manager Matthew Hart

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Community Bike Drive

Item #16



Please Consider Donating
Used or New Bicycles
April 10th

Bicycle Drive April 10, 9:00 a.m. – 1:00 p.m.
At the Mansfield Community Center

The Mansfield Community Center will host a bike drive for the Little Angels Bicycle Program of Willimantic. Bicycles that are received are evaluated and then repaired if necessary by Little Angels staff and distributed (for free) after the date of this event to children and adults in need. Mansfield residents in need of bikes should contact either Jay O'Keefe 860-429-3015, 104 or Little Angels directly at freebicycles@littleangelsbicycles.com (860-423-4290). The ability to fill bike orders for those in need is dependant on inventory and demand.

As a "thank you" the Mansfield Community Center will offer donors who are currently Community Center Members (2) free guests passes for each bike and/or helmet donated. Non-Community Center members are eligible to receive (1) free day pass for each bike or helmet and waiving of our enrollment fee on a community center membership.

Children's Bikes
Adult Bikes
Tricycles
Helmets

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2/16

Rep. Merrill makes her bid official

Will run for secretary of the state

By **CAITLIN M. DINEEN**
Chronicle Staff Writer

MANSFIELD — State House Majority Leader Denise Merrill, D-Mansfield, officially announced Monday she is running for the soon-to-be-vacant secretary of the state post.

Merrill, 61, announced her decision to a roomful of family, friends, local and state politicians at the Mansfield Community Center. "I am not exploring," said Merrill. "I am running."

Contenders against Merrill include Democrat financier Gerry Garcia of New Haven, Republican and former head of the Registrar of Voters Association of Connecticut Richard Abbate of Glastonbury, Republican Corey Brinson, an attorney out of Hartford, and Republican Jerry Farrell Jr., the state's consumer protection commissioner.

State Sen. Jonathan Harris, D-West Hartford, and state Rep. James Spallone, D-Essex, are both exploring a run for the post as well.

Despite so many challengers, Merrill said she felt "pretty good" about her bid for the position due to her current role and support in Hartford government.

Merrill said she decided to announce her candidacy in the "Quiet Corner" — the nickname for this part of the state — because she was "very proud" to have represented its residents for 17 years.

Merrill has represented Mansfield/

(Merrill, Page 4)

Merrill makes her bid official

(Continued from Page 1)

Storrs in the 54th state House District since 1993. Eventually, her district expanded to include Chaplin and she has been the house majority leader for the past three years.

Her current term will end in February 2011.

In addition to the strategic planning of the location of her announcement, Merrill said she thought it was important to announce her bid for the position on Presidents Day.

"Today, when people reach new levels of cynicism, it's important to remember the great leaders of our time," she said.

She recalled the nation's previ-

ous leaders and said it was important to remember that Franklin D. Roosevelt — the 32nd president — always said "government is ourselves and not an alien power over us."

It was her desire to continue providing a fair and equal government that Merrill chose to seek the new office.

"After 17 years representing this town and area I'm moving on and moving up to a job I've always wanted," she said.

The secretary of the state position — which is currently filled by Democrat Susan Bysiewicz, who is seeking the state attorney general position — oversees all elections in the state and other

duties in Hartford.

She said it was necessary for the secretary of the state to keep a close watch over all elections and she was the ideal candidate for the position.

"We've had remarkably clean elections and we need to preserve that record," she said. "Every vote must be counted appropriately."

Merrill said there is "no more important role" than to encourage voters.

"I've always been passionate of the idea of civil education and engagement," she said, adding it is necessary to "actively engage the citizens" of Connecticut.

In addition to overseeing the state's elections, Merrill said

the position is the "gatekeeper" for business in the state and she would be able to promote small business in the new role.

"We must create jobs for the future of this state," she said.

Merrill's announcement was greeted enthusiastically by on-lookers, who sporadically broke into applause and cheering throughout the morning.

Mansfield Mayor Elizabeth "Betsy" Paterson said she could not think of a better candidate for the position.

"She has served each of these (towns) well," said Paterson when she introduced Merrill Monday. "She never shied away from taking on difficult challenges."

Mansfield council forms ordinance subcommittee

By CAITLIN M. DINEEN

Chronicle Staff Writer 2/17

MANSFIELD — Town council members have voted in favor of forming another council subcommittee, this one to oversee proposed ordinances before they go to a public hearing.

The ad hoc committee — called the Ordinance Development and Review Committee — consists of three town council members.

The subcommittee will meet on an as-needed basis.

According to a memo from Town Manager Matthew Hart and Deputy Mayor Gregory Haddad, the committee would be respon-

sible for reviewing ordinances before they get to councilors for potential action.

“We can see many advantages to establishing this proposed ad hoc committee,” said Hart and Haddad in the memo.

Currently, councilors are given information regarding proposed ordinances during council meetings and then they review the ordinance on their own.

Typically, councilors draft a list of their own questions about the ordinance and bring them back to the council during the next scheduled meeting.

However, councilors do not re-

view the ordinance as a group before going to a public hearing.

With the formation of this committee, councilors said they would be more prepared to make an informed decision.

“The committee would provide the council with an opportunity to more fully develop and vet proposed legislation before submission to a public hearing,” said Hart and Haddad via memorandum.

Councilors agreed during a recent meeting that something should be done to ensure they are better informed of proposed ordinances before action is taken.

However, some said they were concerned councilors were stretching themselves “too thin” by forming another committee.

Democratic Councilor Peter Kochenburger said council members only have so much time to sit

on various committees.

There are four subcommittees of the council, but there are 38 additional committees and boards in town — many of which require councilors as members.

The formation of the committee came on the heels of a difficult public hearing for a proposed off-street parking ordinance that residents voiced opposition to in January.

“The recent experience with the proposed Ordinance regarding Off Street Parking on Residential Rental Property is indicative of some of the weaknesses inherent to our existing ordinance development and adoption procedure,” said Hart and Haddad in their memo.

This ordinance will be the first document reviewed by the committee.

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CT Water ^{2/18} purchases water system in Mansfield

By MARC SILVESTRINI
Republican-American

Connecticut Water Co. said Tuesday it has acquired the water systems of two 55-and-over housing communities in Killingworth and Mansfield, adding about 1,000 new clients to its customer base.

The company also said it had signed an agreement to acquire a water company in Old Lyme, pending the approval of the state Department of Public Utility Control.

The two housing community water systems were purchased from Jensen Communities of Southington for a total price of \$297,400, the company said.

Jensen builds and manages 28 retirement communities in seven states, stretching from New Hampshire to Georgia.

Under terms of the agreement, about 1,000 residents of the two communities will become Connecticut Water customers, and Connecticut Water will own, operate and maintain the water system infrastructure that serves the two communities.

The water systems serve the Jensen Beechwood Community in Killingworth, which has 300 homes, and the Rolling Hills community in Mansfield, which has 200 homes.

Connecticut Water said it plans to address water quality issues that have affected the system in the Killingworth community.

The water has exceeded the standard or maximum contaminant level for uranium, which can naturally occur in some water supplies, the company said.

The company said it will evaluate treatment options, obtain regulatory approval and invest in the technology necessary to bring the system into compliance.

"We look forward to serving the residents of both communities and providing them with high-quality water and service," said Connecticut Water President and Chief Executive Officer Eric W. Thornburg. "We are committed to addressing any water quality issues now and in the future."

Connecticut Water said it has also reached an agreement to acquire the customers and assets of Hawk's Nest Beach Water Co. in Old Lyme, for \$300,000.

In addition to serving 105 homes, or about 350 people, Hawk's Nest has water-supply resources that Connecticut Water can use to supplement its supply for existing customers in Old Lyme, the company said.

A decision by the DPUC on the purchase is expected later this year.

Connecticut Water Co. is a wholly owned subsidiary of Clinton-based Connecticut Water Service Inc.

It serves about 300,000 customers in 55 Connecticut towns.

The company has more than 225 employees.

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Monday, February 22, 2010 3

Council to meet legislators tonight

By **CAITLIN M. DINEEN**
Chronicle Staff Writer

MANSFIELD — Town councilors will learn what's going on in Hartford, financially and legislatively speaking, when they meet with legislators tonight.

Councilors are scheduled to meet with State House Majority Leader Dennis Merrill, D-Mansfield, and State Senate President Pro Tempore Donald Williams Jr., D-Brooklyn, at 6:30 p.m. in the Audrey P. Beck Municipal Building.

Tonight's meeting is a "work session" for councilors and does not include any opportunity for public comment. The meeting is open to the public.

According to Mansfield Deputy Mayor Gregory Haddad, the meeting with Merrill and Williams happens annually to give "insight" to councilors as to what is happening in the capital.

"It's for us to share with them what some of our hopes and aspirations are for the legislation," he said this morning.

He said Merrill and Williams will update councilors on changes that may have an "impact on towns in terms of funding and mandates" and to "learn (what's happening) early on in the process."

Haddad said the meeting is important so Mansfield officials have an understanding how the state's budget is shaping up before the town's budget goes to voters for approval. "This really puts us in the driver's seat," he said. "It allows us to be proactive rather than reactive."

This financial information is extremely important to Mansfield officials because the town is "heavily dependent" on state funding, said Haddad.

He said as the state looks at a budget deficit this fiscal year, municipal leaders have an added level of uncertainty as they craft local budgets for 2010-11.

"We are trying to anticipate the feeling at the state level," he said.

Although tonight's meeting will talk about the early process of the upcoming legislative session, Haddad said he anticipates the state's projected deficit and other financial woes to be a key topic. "I think municipal aid from the state is one of the top concerns," he said.

Almost 40 percent of Mansfield's budget is comprised of intergovernmental revenue from the state, such as state Payment in Lieu of Taxes (PILOT), slot machine revenues and education grants.

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Three nabbed as police break up Mansfield pot den

By **CAITLIN M. DINEEN**
Chronicle Staff Writer 2/20

MANSFIELD — Three men were arrested Friday at a home in Mansfield by members of the Connecticut State Police Statewide Narcotics Task Force for operating a marijuana farm.

The East Field office of the task force and the Hartford Drug Enforcement Agency conducted a joint investigation into a large-scale marijuana cultivation operation.

Numerous marijuana plants, \$1,510 cash, a 2004 Infinity, a Berretta 9mm handgun, a Berretta

25mm handgun and pot cultivation equipment were seized during Friday's search.

The following were arrested:

- Rodney Kincaid, 28, of 30 New Hampshire Drive, New Britain, was charged with possession of marijuana, possession of marijuana with intent to sell, cultivation of marijuana, operating a drug factory, criminal possession of a firearm by a convicted felon, altering the serial number on a firearm, possession of a stolen firearm and two counts of risk of injury to a minor.

Kincaid is a convicted felon and

his bond was set at \$250,000.

He was due in Rockville Superior Court today.

- Jonathan Morales, 23, 183 Dean Drive, New Britain, was charged with possession of marijuana, possession of marijuana with intent to sell, cultivation of marijuana and operating a drug factory.

His bond was set at \$150,000.

He was due in Rockville Superior Court today.

- Anthony Perzan, 24, of 3 Hotchkiss St., Kensington, was charged with conspiracy to commit/cultivate marijuana and conspiracy to commit/operate a drug factory.

He is due in Rockville Superior Court March 5. He was released

on \$50,000 bond.

Although none of the men is a local resident, the site where the factory was operated was in a rented home at 286 Woodland Road in Mansfield.

According to police, the three men "rented the property and converted it into a sophisticated marijuana grow operation."

Each room in the property was the site for the various stages of the marijuana growing process.

State police from Troop C in Tolland and the Mansfield Resident Troopers Office also assisted with the execution of the search warrant Friday.

Results from today's scheduled court appearances were not available late this morning.

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Council puts off stand on pol sign rules

By CAITLIN M. DINEEN ^{2/23}
Chronicle Staff Writer

MANSFIELD — Councilors Monday opted against voting on what advice to give planning officials regarding the governance of political signs in town.

During their regular meeting, councilors said they will wait until a planning and zoning commission public hearing in either April or May before deciding on their stance on proposed regulation changes.

In December, the state's chapter of the American Civil Liberties Union sent town officials a letter saying the town's existing regulations are unconstitutional, prompting the current review.

The decision to delay any response about proposed revisions regarding the placement of political signs on personal property came under fire by local residents.

Councilors do not have any final say on the regulations. The item was on Monday's agenda allowing councilors to discuss proposed changes and take a stance on the subject.

Members of the town's planning and zoning commission will be the governing body to make final changes to the regulations.

"Political signs on private property should never be regulated by the Town of Mansfield," said Mansfield resident Carol Pellegrine. "We need to remove it from our regulations."

According to Mansfield regulations, signs can only be posted if they "pertain to the election of candidates to a public office (or) to the passage or defeat of a measure for which a specific voting date has been established."

Under the same regulations, signs can be posted within 30 days of an election and must be removed within five days of the end of an election.

Existing regulations, however, prohibit political statements such as "abortion is murder."

Proposed changes would allow both political statements and election signs to be posted on private property, but prohibit signs on public property.

While they would not restrict political signs on private property,

the town would offer non-binding suggestions so as to preserve the town's aesthetics without limiting free speech.

"To help reduce neighborhood impact and to help preserve Mansfield's scenic character, it is recommended that political signs be limited in size and number, be non-illuminated and be displayed for a limited period of time," reads proposed revisions drafted by the PZC.

Pellegrine said she thought it was important town property was especially protected from becoming the site of political signs because residents have different opinions.

She said town buildings and town-owned properties are owned by all residents and should not be decorated with signs.

"It cannot represent all of us so it should not," Pellegrine said.

Residents attending Monday's meeting said they hoped town officials would act quickly to revise the town's policy — or remove it completely.

"I feel that a political sign is one of the basic rights I get in this country," said Mansfield resident Betty Wassmundt.

Residents said adding stipulations to a regulation that already infringes on their First Amendment rights detracts from freedom of speech.

"You're trying to place limits on my freedom and my right of expression," said Wassmundt, adding she could have a 10-foot-by-10-foot illuminated sign on her property if she really wanted to.

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Mansfield council ducks request to recite Pledge

By **CAITLIN M. DINEEN** ^{2/23}
Chronicle Staff Writer

MANSFIELD — Councilors may not be pledging allegiance to the flag anytime soon after a request to say the Pledge of Allegiance before every council meeting was referred to the personnel committee.

During Monday's regular meeting, Republican Councilor Christopher Paulhus requested to add the pledge to the council's standard meeting agenda, but the idea was not greeted warmly by other town council members.

"I don't think anybody can doubt our commitment to the public and to the system," said Democratic Councilor Toni Moran. "I don't see how adding a pro forma allegiance is appropriate."

Moran said she was opposed to the idea of saying the pledge because she grew up in a world where African-Americans and Caucasians weren't treated equally.

With the spirit of the pledge

being about a unified United States, Moran said she could not repeat a pledge that might not be true to the country now — or to the way the country was when she was younger.

"Maybe it's partly because I'm older, but I have a mistrust of this pro forma resuscitation," she said. "I really object to the resuscitation to something that may or may not be true."

Paulhus made his request when councilors were already looking at ways to update the council's rules of procedure.

"This is because I am a veteran," said Paulhus. "I would like the Pledge of Allegiance as an item on the agenda."

Moran said she understood patriotism, saying her father is a World War II veteran, but she thought the flag was only "one element" of being patriotic.

"My father is a veteran of World
(Mansfield council, Page 4)

Mansfield council ducks Pledge request

(Continued from Page 1)

War II, if anything he would pledge his allegiance to the Constitution," she said.

Democratic Councilor Carl Schaefer agreed with Moran and said councilors have already physically committed themselves to the country and Mansfield residents by being a part of the council.

"The fact that we are here as a council that does far more than saying a pledge," said Schaefer, "far more than a pledge we may

or not may not mean."

Since the proposal was referred to the personnel committee, it will be brought back to the council in a future meeting for action.

Other changes proposed included eliminating the second opportunity for citizens to address the council and controlling citizen conduct as they address the council — focusing on courtesy and civil behavior.

These changes were presented to the council Monday by members of the council's personnel

committee for council discussion and approval.

Councilors voted 5-3 against eliminating the second citizen comment, because it was important for residents to be able to address the council at the end of the meeting.

Councilor Meredith Lindsey said, despite the length of council meetings, people may have new items to bring to the council's attention at the end of meetings.

"If they are committed enough

to stay the whole meeting they should be given the time to speak to us," she said.

Councilor Peter Kochenburger said he thought the second citizen comment should be eliminated because there are various ways to contact councilors outside of meetings.

"There are quite a few ways to contact us," he said. "I don't think we do the town any favors with sessions going until 10:30 p.m. or 11 p.m."

Buckman seeks Merrill's seat

By CAITLIN M. DINEEN
Chronicle Staff Writer 2/25

MANSFIELD — It's been a little more than a week since state Rep. Denise Merrill, D-Mansfield, officially announced her run for secretary of the state.

Now, several area residents are already seeking to fill her soon-to-be vacant position.

University of Connecticut sophomore Brien Buckman told members of the town's Democratic town committee he wants to be their endorsed candidate.

He plans to attend tonight's

committee meeting at 7:30 p.m. in the Audrey P. Beck Municipal Building.

Buckman, 20, originally of South Windsor, said he may be young, but he thinks he is an ideal candidate for the position.

He said a lot of issues — including continuous cuts to state higher education funding — have pressed him to seek the vacant seat at such a young age.

"Seeing the state shift the financial burden from the state to towns, which increases taxes for local residents, and a lot of other

issues have driven me to seek support," he said this morning.

Merrill is stepping down from representing the 54th District — which includes Mansfield and Chaplin — to run for the secretary of state position expected to be left vacant by Democrat Susan Bysiewicz.

Bysiewicz is seeking to run for the state's attorney general position.

While some might hesitate to support the young contender, Buckman said his age and inex-

(Buckman, Page 4)

Buckman seeks to run for Merrill's seat

(Continued from Page 1)

perience will be beneficial for his campaign run.

"I think one of the most unique things about my campaign is that I've not been part of the current system," he said. "I am someone new."

He said the legislative branch in Hartford seems "stagnant" without "new ideas" or "new innovations."

"The legislative branch really doesn't seem to have any new driving force behind the Democrats," he said. "I'm really hoping to bring fresh blood to the legislative branch."

As a full-time student and chairman of the Undergraduate Student Government's funding board at UConn, Buckman said he is a busy man who will balance a campaign and schoolwork.

"It'll be difficult no doubt," he said. "There is no doubt it'll be a balancing act."

Other area residents may also be campaigning for the vacant post.

Reportedly, current Mansfield Democratic Town Committee Chairman and Mansfield Deputy Mayor Gregory Haddad and Mansfield Mayor Elizabeth "Betsy" Paterson may seek the seat.

Neither Haddad nor Paterson could be reached for comment this morning.

Democratic Vice Chairman Mark LaPlaca said there have been several people to express interest in the vacant seat in town.

"There are several serious candidates considering it," he said this morning. "Haddad, Paterson. It should be a very interesting race."

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Haddad also to seek seat in 54th District

(Continued from Page 1)

seat this year.

During his late-night announcement, Haddad told committee members his understanding of Mansfield's values, record of advocacy and ability to handle upcoming challenges make him an ideal candidate for the post.

"I've done a lot of soul searching and this really is the time to run for the

General Assembly," he said.

Prior to his official announcement Thursday, it had been rumored Haddad and Mansfield Mayor Elizabeth "Betsy" Paterson both sought the seat.

However, Paterson dismissed that rumor and said she was supporting Haddad "100 percent."

According to Paterson, she said she would only run if Haddad did not, but

since Haddad now seeks the seat, she is no longer interested in the post.

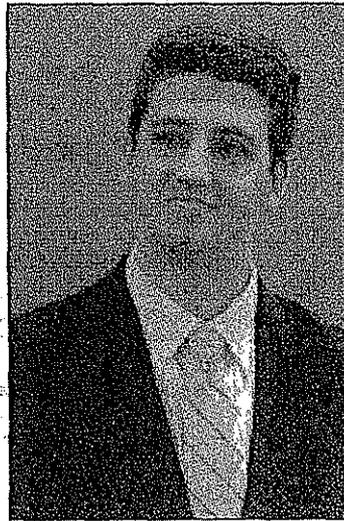
"I think he has all the attributes needed," she said. "I am not a candidate."

Haddad told committee members he had "real insight" into what it takes for legislators to be successful in Hartford and it was important committee members support someone who could make difficult decisions.

"It's going to take some real thought and someone we really trust to go to Hartford and make the difficult decisions," he said.

Legislators elected this November will join Connecticut government with an entirely new executive board overseeing the state.

A new governor, attorney general and secretary of the state will be elected this year.



Al Malpa photos

Gregory Haddad, left, and Brien Buckman, right, announce their intentions to run for the 54th House District seat currently held by Denise Merrill during a meeting of the Mansfield Democratic Town Committee at the Audrey P. Beck Municipal Building on Thursday. 2/26

Haddad also to seek seat in 54th District

By CAITLIN M. DINEEN
Chronicle Staff Writer

MANSFIELD — Mansfield Deputy Mayor and current chairman of the Democratic town committee Gregory Haddad will run for the state representative seat for the 54th District.

Haddad announced his campaign during the regular Democratic town committee meeting Thursday.

"Frankly, I didn't really anticipate an opportunity like this," said Haddad to more than 30 people attending Thursday's meeting.

Haddad said he first started considering running for the office a few months ago after current state Rep. Denise Merrill, D-Mansfield, decided to run for secretary of the state.

The 54th District includes Mansfield and Chaplin.

Since he plans to run for the soon-to-be-vacant seat, Haddad told committee members he would not seek re-election as the committee's chairman this year.

Haddad, who is employed as the assistant chief of staff and director of legislative services for state Senate Democrats, said he has "given a lot of thought" to a potential bid.

"I do that with a great amount of excitement," he said.

His announcement came on the heels of a 20-year-old University of Connecticut student announcing he would like the backing of the Democratic town committee for the seat.

Brien Buckman, a sophomore political science major at UConn, also told committee members Thursday he plans to run for the

(Haddad, Page 4)

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It's cold outside ... and chili inside

Annual cook-off a gastrointestinal fiesta in Mansfield

By CAITLIN M. DINEEN
Chronicle Staff Writer

MANSFIELD — It looked more like a Mexican fiesta than lunch hour at the Audrey P. Beck Municipal Building Thursday afternoon.

With sombreros, streamers, a blow-up cactus and 10 pans of chili lined up, what else would one think?

Approximately 40 Mansfield employees put their taste buds to the test and attended the 27th annual Chili Cook-Off in the council chambers at noon.

"I don't really have a strategy," said assistant to the town manager Maria Capriola as she dove, spoon first, into one of 10 small cups of chili in front of her. "They all put unique spins on them. Some are sweet, some are spicy."

The cook-off — which featured different chili recipes from 10 town employees — offered a chance for Mansfield staffers to show-off their cooking abilities and compete for the coveted chili sash and Brioschi trophy.

Brioschi is an antacid for acid indigestion and heartburn — two symptoms commonly associated with a delicious meal of spicy chili.

During the hour-long program, participants ranked the chili in order of their favorite and then waited to hear who the winner was.

Prizes were given for best overall, second place and for the most unique chili.

While most staffers in attendance enjoyed their Dixie Cup-size samples of chili and went back for seconds on their favorite ones, others took the event a little more seriously.

Eric Ohlund, Mansfield clerk of the works, had a strategy for tasting every recipe and judging its quality.

"I write down everything," he said. "If it's smoky, chunky, meaty."

He said he starts with a little bite of each chili — to get the "initial impression" — takes notes and then cleanses his palate to start again.

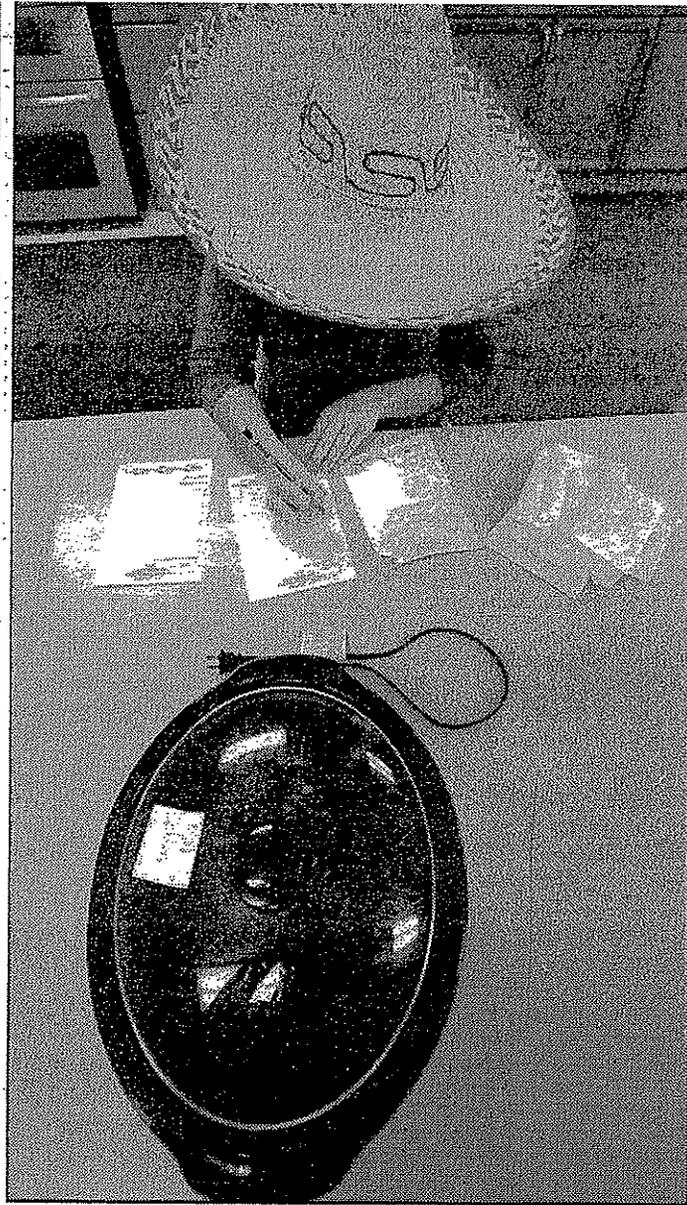
Ohlund, who has tasted chili for the past six years, said this year's competition was more unique because there were some unusual ingredients featured, including

(Annual cook-off, Page 4)



Roxanne Pandolfi photos
ABOVE: The 27th annual Chili Cook-Off drew a large crowd at the Audrey P. Beck Municipal Building on Thursday.
LEFT: Chaz Plungis, an intern in the town manager's office, digs into his samples. BELOW: Mansfield Tax Assessor Irene LaPointe receives her first-place trophy from Zoning Agent Curt Hirsch, who organized the event.





Roxanne Pandolfi photos

LEFT: Sara-Ann Chaine, who works in the town manager's office, counts the votes in the back room during the 27th annual Chili Cook-Off at the Audrey P. Beck Municipal Building in Mansfield on Thursday. Tax Assessor Irene LaPointe's chili was the top choice. ABOVE: Clerk of the Works Eric Ohlund takes his chili very seriously as he pauses for a minute after tasting a bite. BELOW LEFT: Mansfield State Trooper Andrea Cloutier writes on her score card. Cloutier also cooked chili for the event.

Annual cook-off a gastrointestinal fiesta

(Continued from Page 1)

avocado, al dente vegetables and lima beans.

This year, like every year, the master chef behind the chili was not revealed until votes are tallied and awards were announced.

Last year's winner, Mansfield Community Center Membership Services Coordinator Amanda Barry, competed again this year in hopes of keeping the trophy one more year.

"Last year was a recipe I made up on a whim," she said, adding she was feeling good about her entry this year.

Barry — who did not make it a double win this year — still walked away with

bragging rights Thursday.

She won the most unique category with her green chili that struck a high note with her co-worker judges.

After scores were tallied, the trophy went to Mansfield Tax Assessor Irene LaPointe.

LaPointe, who edged out Mansfield Fire Capt. Andrew Franklin by one vote, said she was glad her hand-me-down recipe was still a favorite in town hall.

She said she was given the recipe by a former Mansfield employee who competed with it every year.

"It's a good recipe," she said after winning for the fourth or fifth time, adding she has "tweaked" the recipe and

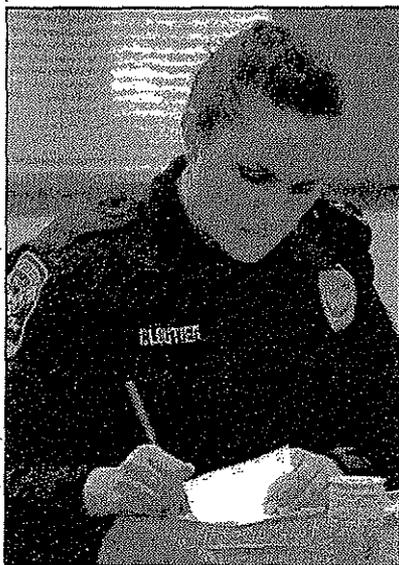
given it her own spin.

LaPointe attributes her victory to her combination of Italian sausage, hamburger and corn.

According to Mansfield Zoning Agent Curt Hirsch — this year's event organizer — the cook-off is one of the most popular events put on for town staffers annually.

"I think more people consider ourselves a close unit," he said. "I think it's a fun place to work."

Throughout the year, there are several events Mansfield staff members can participate in including golf tournaments, bowling outings and summer picnics.



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Editor:

I recently attended the Mansfield Board of Education meeting at Southeast Elementary to learn more about proposals for closing our three elementary schools and replacing them with one large school. I hoped to be persuaded that this plan was sound. Instead, I left convinced that academic and financial costs are not being estimated accurately.

Research the board cited on elementary school size estimates optimal enrollment to be 300-500 students. Planned enrollment for the new school is 770. A resident commented that the research indicates that Southeast students who are already struggling would be most detrimentally affected. The superintendent said those kids are going to struggle no matter what we do.

When citizens raised concerns about educational quality, social development, community, teacher morale, job losses and other issues, the superintendent's reply was always that a larger school may actually be better in those dimensions. This is speculation. We need evidence.

The board presented plans that range from minimal updating to ideal updating to full replacement. The costs appear to be dramatically different. Ideal upgrading would cost \$41M, minimal updating would cost \$22M, but replacement would only cost \$16M. However, the replacement plan does not include all true costs. For example, there is talk of repurposing the closed schools for town functions. This will require renovating the old buildings at town expense. When repeatedly asked about these costs by citizens, the superintendent replied that we don't even have to worry about that until 2014, when the new school is built. *This is not taking the long view.*

These plans will have momentous consequences for generations of students. It would be a shame to find 10 years from now that we have damaged academic quality while eventually spending even more money than we would have on the ideal upgrade plan.

James Magnuson
Mansfield

Letters to the editor

2/26

Editor:

I want to clarify some "facts" in the *Chronicle's* article about Mansfield's restrictions on political signs.

In 2005, the American Civil Liberties Union of Connecticut made its second request for the Mansfield Planning and Zoning Commission to repeal the zoning regulation that puts restrictions on political signs posted on private property. The First Amendment gives particular protection to political speech, which is crucial for our democracy to thrive.

Incredibly, the PZC decided to retain the zoning regulation that restricts the number and size of political signs and the period of time political signs may be posted on private property. More incredibly, the PZC decided to stop enforcing this zoning regulation.

In December, the state ACLU made its third request for the PLC to repeal the zoning regulation that restricts political signs on private property. The PZC is finally removing those restrictions.

However, the Mansfield Town Council has the sole authority to make town policy about the use of town property. Mansfield has no policy that allows political signs on town property. Yet, it has been customary for years for Mansfield residents to post political signs outside the polling stations on Election Day and on the right-of-way of town roads.

I recently urged the town council to pass a policy that would legitimize this longstanding custom by allowing political signs outside polling stations on Election Day and on the right-of-way of town roads. The Council decided to postpone this policy decision until the PZC finishes revising the zoning regulation to include a broader definition of a "political sign."

Information about local political issues can be hard to come by in Mansfield. Several bond referendums have failed to pass because fewer

than the required 15 percent of Mansfield's registered voters turned out to vote "yes." Mansfield needs political speech more than it needs pristine roadsides.

Cynara Stites
Storrs

Editor:

Mansfield Councilor Toni Moran's refusal to agree to recite the Pledge of Allegiance is divisive and highly inflammatory, and proves that she is a person not deserving the privilege and honor of being a citizen of these United States of America.

However, she has proved herself worthy of being "tarred and feathered" and run out of these United States on a rail, never permitted to return.

David R. Chase
Columbia

Editor: 3/3

David Chase's letter (*Chronicle* Feb. 26) with its vile threats against Toni Moran, is typical of all those who understand patriotism to be an enforced conformity.

True love of our country is expressed best by honoring its vital principles, not least of which is the right to freely express one's opinions and not by bullying fellow citizens into a public ritual.

Henry and June S. Krisch
Storrs

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3/1/10

Opinion

Chronicle

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Editor

Editorial

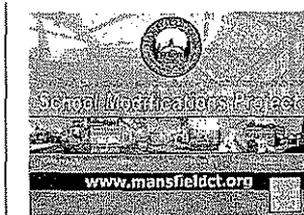
We offer these threads, needles

Needles to Mansfield town councilors for opting to delay taking a stand regarding proposed zoning regulation changes that would liberalize political signs on private property. Currently, Mansfield has strict regulations mandating when election signs can be erected. According to proposed changes, however, all types of signage — including political statements — will be allowed at all times on private property, though there will be guidelines toward matching politics with aesthetics. Political signs, though, would be banned from public property. While the council has no official say on the matter — that is up to the planning and zoning commission — it can offer advice. Unfortunately, the council opted to wait until after the PZC conducts public hearings in the spring. This matter came to light after the American Civil Liberties Union claimed Mansfield's currently restrictive election sign policy is unconstitutional. That's why Mansfield's leaders need to offer input now. When a potentially controversial issue deals with the First Amendment, a community needs to know where its top elected leaders stand.

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School project update airs on cable in March

by: Brenda Sullivan | HTNP.com Editor Tuesday, March 2nd, 2010



A taping of the Feb. 11 Four Schools Building presentation is being aired on Charter's access Channel 13 several times a week, up until March 14.

It can be viewed at 7 p.m. on Wednesdays, Fridays and Sundays and at noon on Tuesdays, Thursdays and Saturdays.

Additional materials related to this project - as well as a contact form for submitting questions - are available on the town Web site at this link: http://www.mansfieldct.org/town/government/committees/school_bldg_com.

Posted March 3, 2010

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