



TOWN OF MANSFIELD  
TOWN COUNCIL MEETING  
Monday, August 9, 2010  
COUNCIL CHAMBERS  
AUDREY P. BECK MUNICIPAL BUILDING  
7:30 p.m.

AGENDA

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**FUTURE AGENDAS**

**EXECUTIVE SESSION**

26. Continued review and discussion of commercial and financial information provided in confidence by Storrs Center Alliance, in accordance with CGS §§ 1-200(6)(E), 1-210(b)(5)(B)

**ADJOURNMENT**

REGULAR MEETING – MANSFIELD TOWN COUNCIL  
July 26, 2010

DRAFT

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

Excused: Moran

APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Ryan seconded to approve the minutes of the July 12, 2010 meeting as presented. Motion passed unanimously. Mr. Paulhus moved and Mr. Schaefer seconded to approve the minutes of the July 15, 2010 Special meeting as presented. Motion passed unanimously.

II. PUBLIC HEARING

1. Ordinance Regarding the Procedure for Administration and Fiduciary Oversight of Town Finances

Town Attorney Dennis O'Brien presented an overview of the ordinance and provided his explanation regarding the changes to Section 303a of the Charter. Attorney O'Brien discussed the role and obligations of a fiduciary noting that the Town Manager is the natural position to act on behalf of the citizens with the final authority resting with the Council.

Mike Sikoski, Wildwood Road, suggested the Council talk to members of the last Charter Revision Commission to get a feel for the intent of the language.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Joanne Roberts, Chaffeeville Road, gave the Council permission to discuss the letter she sent to Council members in executive session.

Sharry Goldman, Brown Road, expressed her disappointment in the progress of the assisted living facility and presented a number of questions she wishes the Council would ask. (Statement attached)

Marilyn Gerling, Sycamore Drive, offered to assist to make the assisted living facility a reality and spoke in support of the endeavor.

Matt Proser, Sycamore Drive, spoke in support of the previous remarks and commented that a number of his friends are leaving town because they can no longer live on their own. He encouraged the Town to further investigate the options.

Bev Korba, Sycamore Drive, commented that she lived her whole life in Mansfield, moved away, and has now returned and does not want to leave. She is in favor of an assisted living facility in Town.

Ron Baker, Storrs Road and Pastor of the First Baptist Church, commented on the revisions to the Ordinance Establishing a Fee Schedule for Fire Prevention Services and asked the Council to consider an exemption for churches and businesses more than 200 years old. Pastor Baker thanked the Council for their work.

Ida Millman, Sycamore Drive, commented that for many, her self included, the absence of an assisted living facility may be a problem in the future. Ms. Millman also applauded the changes made to the Senior Social Workers position.

Cynara Stites, Hanks Hill Road, commented on the definition of a "landlord" in Town Ordinances and on the Parking Ordinance regarding the prohibition of backing cars out of driveways. (Statement attached)

Betty Wassmundt, Old Turnpike Road, submitted copies of two emails recently sent to members of the Council.

Mr. Haddad moved and Mr. Kochenburger seconded to move Item 6, Proclamation in Recognition of Mansfield Resident State Trooper's Office, as the next item of business.  
Motion passed unanimously.

Mr. Haddad moved and Kochenburger seconded to add Item 5a, Discussion of the Ethics Board and a Vote of Confidence for the Ethics Board, to the agenda.  
Motion passed unanimously.

#### IV. REPORT OF TOWN MANAGER

Report attached

The Town Manager announced that at the request of the Regionalization Committee he is in the process of executing a contract for a public safety study which will look at existing and future police services and demands.

Mayor Paterson added to the Manager's remarks regarding their visit to Bergin Correctional Institution commenting on the technical training and GED opportunities available. Ms. Keane, co-chair of the Windham County Reentry Council reported that Bergin CI is the number one school for GED completions in the state.

#### V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson reported the Farmer's Market has been in operation for 16 years and this year has 25 vendors all from within a 50 mile radius of the Town.

Mr. Ryan requested an update on the Assisted Living Project at a future meeting.

#### VI. OLD BUSINESS

2. Ordinance Regarding the Procedure for Administration and Fiduciary Oversight of Town Finances

Council members discussed the proposed ordinance including the intent of the Charter Revision Commission, the legal meaning of the term fiduciary, the need for the ordinance, the Council's responsibility to oversee the budget and the

performance of the Town Manager, and the fiduciary's legal responsibility to account for the funds of the Town.

Mr. Ryan moved and Mr. Schaefer seconded to suspend Rule 6 d. of the Town Council Rules of Procedures allowing a vote on the proposed ordinance.

Motion passed with all in favor except Ms. Keane and Ms. Lindsey who were opposed.

Mr. Ryan moved and Mr. Kochenburger seconded to pass the Ordinance Regarding the Procedure for Administration and Fiduciary Oversight of Town Finances as presented.

Motion passed with all in favor except Ms. Keane and Ms. Lindsey who were in opposition.

### 3. Community/Campus Relations

Town Manager Matt Hart reported on the meeting with Interim UConn President Phil Austin and Chief of Staff Ron Schurin during which they discussed the importance of the University appointing members who are able to speak for the University to Town advisory boards and the importance of the appointment of community members to the Spring Weekend Task Force. The Manager also reported that the Town and University will begin their pre-semester visits to rental units welcoming the tenants and discussing how to be good citizens.

Mr. Kochenburger asked for a review of the legal responsibilities of landlords. He will provide the wording of his request to the Town Manager.

### 4. Community Water and Wastewater Issues

The full Willimantic River Study is available on line at:

[http://www.facilities.uconn.edu/Willimantic River Study Final Report.pdf](http://www.facilities.uconn.edu/Willimantic%20River%20Study%20Final%20Report.pdf)

### 5. School Building Project

By consensus the Council decided to schedule workshops beginning at 5:30 p.m. prior to the second Town Council meeting of each month to discuss the School Building Project. The goal is to arrive at a decision by late February. The School Building Committee and Board of Education will be asked their opinions on not doing anything for awhile.

### 5a. Ethics Board Discussion and Vote of Confidence for the Ethics Board

By consensus the Council decided to table this discussion until the next meeting and to include information on the Town Council's powers and process if a board is to be disbanded.

## VII. NEW BUSINESS

### 6. Proclamation in Recognition of Mansfield Resident State Trooper's Office

Mr. Haddad moved and Mr. Paulhus seconded, effective July 26, 2010, to authorize the Mayor to issue the attached Proclamation in Recognition of Mansfield Resident State Trooper's Office.

Motion passed unanimously.

Mayor Paterson read the proclamation and thanked the state troopers and police officers of the Mansfield Resident State Troopers Office for their efforts for the Town. Town Manager and Director of Public Safety Matt Hart commended the

officers' efforts and noted the good working relationship that has been established.

7. Memorandum of Agreement, Tolland-Mansfield Probate District  
Mr. Schaefer moved and Mr. Paulhus seconded, effective to authorize the Town Manager to execute the Memorandum of Agreement regarding the Tolland-Mansfield Probate District, for an initial term to commence on January 5, 2011 and to expire on January 5, 2015, which term may be extended for another period of four years at each such fourth anniversary in accordance with paragraph 6 of the agreement.  
Motion passed unanimously.

VIII. DEPARTMENTAL AND COMMITTEE REPORTS

No comments

IX. REPORTS OF COUNCIL COMMITTEES

Ms. Keane reported the Ordinance Development and Review Subcommittee is still reviewing the Revisions to the Ordinance Establishing a Fee Schedule for Fire Prevention Services and will report at the next meeting.

Mr. Haddad presented the recommendations of the Personnel Committee on revisions to the Town Council Rules of Procedures. Ms. Lindsey requested Items 1 thru 3 be addressed individually.

Mr. Haddad recommended Rule 4B be changed to read, "Public comment at public hearings is limited to five minutes per speaker unless otherwise modified by the Council at the beginning of the hearing."

Motion to approve the recommendation passed unanimously.

Mr. Haddad recommended Rule 3 be changed to add the Pledge of Allegiance to the agenda for Council member swearing in ceremonies, one meeting in February for Presidents Day, one meeting in May for Memorial Day, one meeting in July for Independence Day and one meeting in November for Veteran's Day.

Mr. Kochenburger moved and Mr. Schaefer seconded to table discussion on the recommendation. Motion passed with all in favor except Ms. Keane, Ms. Lindsey and Mr. Paulhus.

Mr. Haddad recommended Rule 3b. be changed by eliminating the second opportunity for public comments in the standing agenda for the Council.

Motion passed with all in favor except Ms. Keane, Ms. Lindsey and Mr. Paulhus who voted against the motion.

Mr. Haddad also presented two suggested general recommendations to the Council agenda including alternating the water/wastewater and community/campus relations standing agenda items and that citizen who submit written comments at public hearings or opportunity for public comments be encouraged to summarize their comments and not read them verbatim.

Mr. Ryan, Chair of the Finance Committee, reported progress is being made on two bonding items. The bonding for miscellaneous equipment will seek approval

via successive actions of the Town Meeting and Council. Bonding for open space will be on the November ballot.

Ms. Lindsey, reporting for the Committee on Committees, recommended the appointment of John Riesen to the Community Quality of Life Committee. Motion passed unanimously.

Ms. Lindsey and Mr. Ryan also reported the Committee on Committees has reviewed and recommend approval of changes to the Agricultural Committee charge. The item will be on the next agenda and will include both the old charge and the proposed charge. (Proposed charge attached).

#### X. PETITIONS, REQUEST AND COMMUNICATIONS

8. Hart re: Thank you
9. M. Hart re: Appointment to Mansfield Conservation Commission
10. District Meeting – Public Hearing – Regional School District Number 19
11. PZC Proposed Regulation revisions regarding Political Signs
12. Special Town Meeting - July 12, 2010 – Minutes
13. U.S Census Bureau re: Thank you
14. Chronicle "Parking restrictions reasonable, defendable" – 07-07-10
15. Chronicle "Letters to the Editor" – 07-09-10
16. Chronicle "Letters to the Editor" – 07-10-10
17. Chronicle "Showdown pits landlords against parking ordinance" – 07-10-10
18. Chronicle "Storrs center plan to get \$4.9M boost" – 07-10-10
19. Chronicle "Letter to the Editor" – 07-12-10
20. Chronicle "Editorial: Emergency response is town responsibility" – 07-13-10
21. Chronicle "Three local towns to benefit from energy funding" – 07-13-10
22. Chronicle "Officials: Storrs center project will happen" – 07-13-10
23. Chronicle "Voters give parking plan the green light" – 07-13-10
24. Chronicle "Letter to the Editor" – 07-16-10
25. Chronicle "Tour de Mansfield Saturday" – 07-16-10
26. Chronicle "Ethics board is criticized in Mansfield" – 07-19-10
27. Chronicle "Seeing Mansfield by bike" – 07-19-10
28. Chronicle "Mansfield OKs new political sign rules" – 07-20-10

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

Mike Sikoski, Wildwood Road, expressed his displeasure at the Council's decision to eliminate the second opportunity for public comment at Council meetings and their decision to approve the ordinance regarding fiduciary oversight.

David Freudmann, Eastwood Road, commented he was sorry to see the second opportunity for public comment be eliminated and questioned what earlier speakers wanted the Council to do about the assisted living facility as it is a private business. Mr. Freudmann stated his objections to the Storrs Center Project.

#### XII. FUTURE AGENDAS

The following items will be on future agendas: assisted living project, changes to the charge of the Agricultural Committee and discussion of the Ethics Board and Ethics Board vote of confidence.

XIII. ADJOURNMENT

Mr. Paulhus moved and Mr. Schaefer seconded to adjourn the meeting.

Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

Sharry Goldman  
187 Browns Road  
Storrs, CT 06268

What does it mean to be a "preferred developer"?

Who preferred this developer?

When they were selected?

Would they be preferred now? Why?

Do we owe a "preferred developer" anything?

Would the town benefit from revisiting the pros and cons of a preferred developer and this particular developer (especially regarding the buy-in vs. rental issue)?

### Definition of a "Landlord" in Town Ordinances

At the Town Meeting on the parking ordinance, I suggested that – if the Town Meeting sustained the parking ordinance – the Town Council should amend the parking ordinance to make the definition of a “landlord” in the parking ordinance consistent with the definition of a “landlord” elsewhere in the Housing ordinances.

Nobody who knew that I was correct spoke up. The people who attended the Town Meeting came away with the impression that I was mistaken when I said there are conflicting definitions of “landlord” in Town ordinances.

After two attempts, I received verification from Greg Padick:

He wrote this e-mail to me:

“I discussed this issue with Mike Nintean, Dir. of Building and Housing and the following reflects my understanding:

1. The Housing Code does provide an exemption for someone renting their house for a 1 year period. This exemption is not contained in the Landlord Registry ordinance or the new Parking Area ordinances. The Housing Code and Landlord Registry ordinances also have different exemption language for owner occupied properties.
2. It has been recommended that the 3 ordinances involving rental property have identical exemption provisions and it is expected that this issue will be taken up by the Town Council in the next few months. This issue is currently being reviewed by the Town Attorney.”

When Greg wrote, “it has been recommended,” I wondered – in the interest of open and transparent government -- **who** had recommended this, but I expect the Town Council will pass changes in the ordinances.

Cynara Stites

Parking Ordinance Re: Backing Cars out of Driveways

I made a second suggestion to the Town Council when I spoke at the Town Meeting. I suggested that the Town Council amend the Parking Ordinance to remove the prohibition of backing out of driveways because this applies only to tenants who live in houses in the landlord registry zone.

If this were a safety issue instead of an aesthetics issue related to property values, then the prohibition would apply to every driveway in town.

The parking ordinance applies to only one of the three driveways on my road where four cars are parked because two of those driveways are at owner-occupied houses. If the driveway and the rental house across the road from me must be altered to make it possible for the four cars to always be able to back out of the driveway, the value of my property will be adversely affected because the tree in front of the house will have to be cut down and the small front lawn is paved over. There is no other way to comply with the "no backing out" provision in the ordinance.

Dr. Week's orthodontist office on the corner on Route 195 and Hanks Hill Road has four parking spaces for patients that require drivers to back their cars out onto Hanks Hill Road.

Drivers traveling northbound on Route 195 who turn right onto Hanks Hill Road have only a few seconds to see these cars in the road.

The parking ordinance does not apply to this safety issue about cars backing into the road because the orthodontist office is not a rental house in the landlord registry zone.

Finally, the parking plan for Storrs Center will create a safety hazard by creating diagonal parking spaces on Route 195 so drivers will have to back their cars into oncoming traffic on one of the heavily traveled sections of Route 195.

The new parking ordinance does not apply to this intentionally designed traffic hazard because Storrs Center is not a rental house in the landlord registry zone.

I urge the Town Council to remove the backing out prohibition from the parking ordinance. If it's not a safety issue at owner-occupied homes, businesses, and the Storrs Center, then how can it be a safety issue only at rental houses in the landlord registry zone?

Cynara Stites

Dear Council Members:

7-22-10

I want to reply to Greg Haddad's comments made at the end of the last council meeting about the Ethics Board and the public's comments about this Board.

Haddad was overheard to say that he "did this" against his better judgment. Does that mean that he was imposed upon to give this tirade? One could conclude that. Of course, the Mayor is "proud" of him for it. Perhaps, was it her idea?

I think it quite remarkable that Haddad would conclude that I am unhappy with the FOI Commission's findings. I'm quite happy with it. I submitted a complaint claiming technical violations of the FOI law at the meeting held on September 17<sup>th</sup> and that is exactly what the Hearing Officer concluded. Isn't that what the FOI Act is all about – technicalities which define procedure so as to protect the public. The second complaint against Nora Stevens was pretty trivial excepting that it was a part of a much larger scenario. I could hardly worry about that. In fact, it is funny in a pathetic way. Nora wrote in an email that she spoke with two members of the Ethics Board but at the Hearing she could not remember doing so.

What I tried to explain to the council is that there are inaccuracies in the Hearing Officer's representation of the situation at the meeting on the 17<sup>th</sup> and in her understanding of the complaint I filed against Nora Stevens. There is good reason for this, the testimony was very rambling. Testimony even included comments by Mary Stanton who was never involved in either situation. I believe that Mike Sikoski was trying to tell you that there are these inaccuracies in the Officer's representation.

Let me give you an example. The Hearing Officer refers to the fact that I asked Nora Stevens if Maria was present at the so called executive session held on the 17<sup>th</sup>. That never happened; I never asked that question. I don't know how the Officer understood that. All of my communication with Stevens was by email which will show that I never asked such a question. I would never have thought to do so; Maria was at the meeting and everyone knew it. Nora Stevens made the unsolicited and outrageous claim that Maria Capriola did not attend the executive session on the 17<sup>th</sup>. I suspect I know why she did it. Subsequently this issue came up at the following meeting; Ric Hossack taped that part of that meeting so all can listen to it – just ask. (This is but one of the reasons why I claim Mansfield needs a completely new Board of Ethics.) Nora claimed, at the meeting subsequent to the 17<sup>th</sup>, that whether Maria was at the meeting or not was just a misunderstanding between her and I. When Ric Hossack pressed the issue, the entire Ethics Board, who all knew very well that Maria was at the meeting, said: "I don't know", "I can't remember" or "I won't answer, you're threatening me". This is but one reason why I have no confidence in this Board.

Now, I ask, how can you give a vote of confidence to a Board that has two FOI violations especially when you have never attended any of their sessions. (One current council member attended one session that I know of.) Note, that is two violations when their "advisor", the town's FOI expert, was present to direct their procedure.

How can you give a vote of confidence to an Ethics Board that includes town management? I say stand up and tell the public your opinion as to the function of the town's Ethics Board. Should this Board be independent of town management or should town management participate in it as is now the case. What is your opinion and directive? Answer me, how could this Board hear a complaint against Maria? Take a look at the makeup of this Board. Can you honestly say it is representative of the Town of Mansfield?

Certainly, you may give a vote of confidence to the Ethics Board members for all being respected members of the community,

<http://us.mc824.mail.yahoo.com/mc/showMessage?sMid=8&fid=Sent&filterBy=&.rand=1898194945&m...> 7/26/2010

as Haddad states.

I want to comment on another of Haddad's claims. He claims that it is the same people who complain. That's not true. There are a few of us who are regulars at council meetings and we do look seriously at issues before the council and we comment on them. But, other people come before council with concerns on a fairly regular basis. These people may not be as vocal as I and a couple of others are but they state their issues as forcefully and consistently. Still, others bring issues to Matt Hart and town administrators as well as council. These people stress issues which I have not had time to look into. I know that some of these people are in complete agreement with the issues I stress but they have enough trying to deal with their own issues. In fact, it is my opinion that one could throw a dart at a chart of town management and likely find problems with the management. It's time you, the council, heard what people say. Town management generally operates on the basis of personal self-entitlement. The attitude is "this is Mansfield, the budget always passes" which says to me they think they can do anything and the taxpayer will pay the bill. (One person in upper management was overheard to make that statement.) Who looks out for the taxpayers in this town?

Now, I've heard you say that citizens have access to their councilors in many ways including email. Please let me know that you have received this email and read it. That will save me, and you, from a presentation at a council meeting. Thank you.

Betty Wassmundt

Dear Council Members:

7-21-10

I hope you will read my critique of the report you were presented regarding the cost of revaluation to Mansfield by doing the process in-house as opposed to hiring the process out to a qualified company/consultant.

I request that you give me your opinion and that you, please, point out any errors you may find in my reasoning. Thank you.

Betty Wassmundt

Revaluation:

Please refer to the Assessor's report in your packet dated June 28, 2010 on page 141. The purpose of the report was to determine if it is cost efficient for the Town of Mansfield Assessor's office to do revaluation in-house as opposed to hiring the process to a consultant. That is the question I had posed and, I believe it is the question which should be answered in the interest of verifying that the Mansfield taxpayer is receiving good value for his/her money. The Mansfield taxpayer has a right to expect that.

The report concludes that Mansfield has spent less on its revaluation than did two other towns, Tolland and Coventry; it did this by comparing Mansfield's cost to those towns. I claim the report to be inadequate for several reasons.

1) Both Mansfield and Tolland did complete revaluations; Coventry did a partial revaluation of just 1000 properties. Coventry cannot be included in this comparison.

2) The three towns differ in their work week. See below. One should not draw a conclusion from comparison of annual salaries when the time worked differs so.

Hours worked per week

	Mansfield	Tolland	Coventry
Assessor	35	40	37
Assistant(s)	35	35	37
Appraiser	35	--	--

3) Mansfield has a dedicated appraiser on staff. This is necessary in order to do the in-house revaluation and it is the only reason to have a dedicated appraiser. Tolland and Coventry hire the appraisals out as part of the consultant's fee for doing the revaluation. They do not maintain a staff appraiser.

4) I must point out to you that Mansfield hires a consultant in addition to that required for the revaluation work while Tolland and Coventry do not. That cost was not included in the data you were given. Also, Mansfield used part-time help during the revaluation and that cost was not included. Also, you were given "estimates" of salaries with no verification for the numbers used but, you don't need this information anyway.

So, let us disregard this comparison approach.

<http://us.mc824.mail.yahoo.com/mc/showMessage?sMid=14&fid=Sent&filterBy=&.rand=884783&midI...> 7/26/2010

I submit to you that one should look at the cost to Mansfield for the last 5 years just for doing the revaluation. This would include the cost of the consultant, the cost of the appraiser and any other costs specific to the revaluation. All of the other costs of the Assessor's office would be required under any circumstance and should not be considered.

So, let's add up the numbers we want. Then perhaps you can look at this relative to the cost of the consultant who did Tolland's revaluation though, we really need to know how much an appropriate firm/consultant would have bid to do our work. Note: the State of Connecticut specifies a few companies qualified to do revaluation and towns must use one of these.

Mansfield's cost:

\$ 75,000 Consultant (Mansfield paid an \$80,000 consultant fee.)  
\$275,000 Appraiser's salary for 5 years at \$55,000 per year  
\$ 82,500 Benefit package estimate (30% for 5 years)  
\$432,500 Total

Please add cost of part-time help used and possibly additional consultant cost.

This would seem to be very costly to Mansfield; Tolland spent just \$308,000 and, I believe, has more parcels. Mansfield spends over that just for the appraiser. I submit that you owe it to the tax payers of the Town to review the decision to do in-house revaluation and to justify the cost. You need to cut spending every place that you can. If you started now to budget \$25,000 for revaluation cost (This is currently being done.) plus the \$55,000 salary cost of the appraiser, you would have \$400,000 ready to hire out the revaluation in 5 years. Thank you.

*E. Wasserman*

Town Manager's Office  
Town of Mansfield

# Memo

To: Town Council  
From: Matt Hart, Town Manager *MWH*  
CC: Town Employees  
Date: July 26, 2010  
Re: Town Manager's Report

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

### Council Requests for Information/Council Business

- *Senior Services Social Worker* – Last week I met with Director of Human Services Kevin Grunwald and Councilors Denise Keane and Meredith Lindsey to discuss the Senior Services Social Worker position. Based on our review of the statutes and regulations concerning clinical social work in the State of Connecticut, we collectively determined that it would be appropriate to require the employee to be licensed as a licensed clinical social worker (LCSW) or licensed professional counselor (LPC), or to be receiving supervision from a licensed mental health professional. We have discussed this issue with our senior services social worker, Ms. Barbara Lavoie, and will provide her with the supervision she needs to be licensed. For your reference, I have attached the job description which has been revised to reflect this requirement (please see the Special Requirements section on page 2). I would like to thank Kevin, Denise and Meredith for their assistance in developing a resolution to this matter.

### Departmental/Division News

- *Town Manager's Office, Tour of Bergin CI* – Last week Mayor Paterson and I, along with various members of our community, attended an orientation session hosted by the Warden and the senior staff at the Bergin Correctional Institute. The session was very comprehensive, and I was impressed by the dedication of the staff and the educational programs that are provided to the inmates in order to reduce recidivism and to provide them with some of the basic skills needed to achieve constructive employment. I would like to thank Warden Monica Rinaldi and her staff for an informative tour, as well their willingness to work cooperatively with our community.
- *Town Manager's Office, Community Notification System* – On Wednesday, August 18, 2010, the Town of Mansfield and the Bergin Correctional Institution plan to test our community notification system which is designed to notify members of the community in the event of an escape at Bergin. Community members who wish to subscribe to the notification system may do so by contacting Ms. Wendy Parker in the Mansfield Resident State Trooper's Office at [ParkerWA@mansfieldct.org](mailto:ParkerWA@mansfieldct.org) or 860 429-3360.

### Major Projects and Initiatives

- *Mansfield Downtown Partnership, Storrs Center Project* – I anticipate that the Town Council will need an executive session at or around the time of your next meeting to continue our review and discussion of commercial and financial information provided in confidence by Storrs Center Alliance regarding the Storrs Center project. Sara-Ann Chaine will contact you with potential dates for that session.
- *New England Central Railroad (NECR) Line, TIGER II Application* – Earlier today I was contacted by Charles Hunter of RailAmerica with a request to sponsor his company's pre-application seeking approximately \$12.3 million from the Transportation Investment Generating Economic Recovery (TIGER) program, to increase the existing line's capacity to handle freight service. (This would be a first step towards the restoration of passenger rail for the line.) The main portion of the project would cover the NECR from New London to the MAVT border and some small routes around Hartford as well. The grant

does require a match of \$3 million which would be funded in its entirety by RailAmerica. The pre-application was due today and RailAmerica was unable to secure another sponsor for the application. With Mansfield's interest in this project and its importance to regional transportation, sustainability and economic development goals, I agreed to serve as a sponsor for the pre-application with the understanding that RailAmerica would need to seek endorsement from the Town Council in order to submit the more formal grant application, which is due August 23, 2010.

### Member Organizations

- *Storrs Farmers Market* - Storrs Farmers Market is pleased to invite you to its new "Midweek Mini Market" held on Wednesdays at the Mansfield Community Center. The Midweek Mini Market will be open every Wednesday from 3:00 – 5:00 pm through September 29. Stop by on your way home and select fresh vegetables, fruits, and prepared foods from Storrs Farmers Market vendors. The Midweek Mini Market will be located in the grassy area to the left of the Mansfield Community Center (rain or shine). We hope to see you there!

### Special Events

- *Tour de Mansfield – Tour de Mansfield: Village to Village* was held on Saturday, July 15, 2010 with approximately 150 riders of all ages participating. The event featured 5, 20 and 40-mile rides that started and ended at the Mansfield Community Center and concluded with a barbecue. Special thanks to our platinum sponsor, Mansfield OBGYN for supporting this great community event for the fourth year in a row! Thanks also to Sara-Ann Chaine for managing the event, Kathleen Paterson of the Mansfield Downtown Partnership and Amanda Barry of the Parks and Recreation Department for assisting with planning, and our community volunteers for the assistance with running the event.

### Upcoming Meetings\*

- Sustainability Committee, July 28, 2010, 7:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Ordinance Development and Review Subcommittee, July 29, 2010, 7:30 AM, Conference Room B, Audrey P. Beck Municipal Building
- IWA/Planning and Zoning Commission, August 2, 2010, 7:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Communications Advisory Committee, August 2, 2010, 7:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Agriculture Committee, August 3, 2010, 7:30 PM, Conference Room B, Audrey P. Beck Municipal Building
- Traffic Authority, August 4, 2010, 9:30 AM, Council Chambers, Audrey P. Beck Municipal Building
- Mansfield Advocates for Children, August 5, 2010, 5:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Mansfield Downtown Partnership Board of Directors, August 5, 2010, 4:00 PM, Downtown Partnership Office
- Housing Code Board of Appeals, August 9, 2010, 5:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Finance Committee, August 9, 2010, 6:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Town Council, August 9, 2010, 7:30 PM, Council Chambers, Audrey P. Beck Municipal Building

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

**TOWN OF MANSFIELD  
POSITION DESCRIPTION**

**Class Title:** Senior Services Social Worker  
**Group:** CSEA – Professional and Technical Employees  
**Pay Grade:** CSEA Grade 20  
**FLSA:** Exempt  
**Effective Date:** August 1, 2010

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**General Description/Definition of Work**

This position performs intermediate professional work in the support and assistance of senior citizens with personal, social, health and economic needs as well as related work as required. Duties include assessing client needs; counseling and assisting clients; determining available programs and services; preparing and maintaining files, records and reports. Work is performed under regular supervision. Position reports to the Director of Human Services.

**Essential Job Functions/Typical Tasks**

- Assesses needs of individuals to identify and determine appropriate eligible support services in an effective, cost efficient manner; meets with residents to determine psycho-social needs and appropriate support and services; coordinates support providers and communicates with identified caregivers; assures outcome results are identified and achieved by providing appropriate initial contact with competent and appropriate providers; communicates to medical personnel; testifies in Probate Court.
- Working in conjunction with the Senior Center Coordinator, develops and implements programs in the areas of recreation, wellness and social service information (e.g. programs on fall prevention, balance screening, vision impairment, meditation, living wills, power of attorney, flu and pneumonia clinics, cancer screenings);
- Assists in providing and planning professional services by registered APRN's, geriatric specialists, podiatrists and the visiting nurse.
- Implements and provides programs to counsel on financial assistance, medical assistance, energy assistance, Medicare and other supplemental insurances.
- Researches providers and services available that can have a positive impact on the emotional and physical well-being of clients.
- In conjunction with fellow Human Services staff, coordinates and facilitates support groups as needed, such as the *Grandparents Raising Grandchildren* group.
- Provides consultation and support services to family members of older persons in need of assistance.
- Writes articles and conducts presentations.
- Gathers and maintains data; reports information to appropriate agencies and/or Town departments.
- Maintains records of professional services provided, including use of MySeniorCenter software.
- Performs related tasks as required.

**Knowledge, Skills and Abilities:**

- General knowledge of social, economic and health problems; general knowledge of social institutions and the methods of the helping process; general knowledge of individual and group behavior.
- General knowledge of Microsoft applications including Outlook and Word.
- Ability to identify social problems and assess the ability of clients to utilize available services to solve problems.
- Ability to communicate effectively in both oral and written forms.
- Ability to plan and organize work and to understand and interpret laws, policies and regulations; ability to prepare reports and maintain records.

Senior Services Social Worker (cont'd.)

- Ability to establish and maintain effective working relationships with clients, associates, other professional and technical staff, social service agencies and the general public.

Education and Experience:

Graduation from an accredited college or university with major course work in behavioral health, social work, gerontology or related field supplemented by a master's degree and considerable counseling and case management experience. Consideration may be given to equivalent experience and training.

Physical Demands and Work Environment:

(The physical demands and work environment characteristics described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The list is not all-inclusive and may be supplemented as necessary. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.)

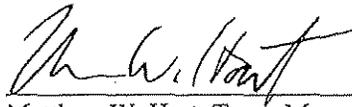
- This is sedentary work requiring the exertion of up to 10 pounds of force occasionally, and a negligible amount of force frequently or constantly to move objects.
- Work requires reaching, standing, walking, and fingering.
- Vocal communication is required for expressing or exchanging ideas by means of the spoken word, and conveying detailed or important instructions to others accurately, loudly, or quickly.
- Hearing is required to perceive information at normal spoken word levels, and to receive detailed information through oral communications and/or to make fine distinctions in sound.
- Visual acuity is required for preparing and analyzing written or computer data, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities.
- The worker is not subject to adverse environmental conditions.

Special Requirements:

Licensed Clinical Social Worker (LCSW) or Licensed Professional Counselor (LPC); or eligible for licensure and currently receiving supervision from a licensed mental health professional.

*The above description is illustrative of tasks and responsibilities. It is not meant to be all-inclusive of every task or responsibility. The description does not constitute an employment agreement between the Town of Mansfield and the employee and is subject to change by the Town as the needs of the Town and requirements of the job change.*

Approved by:

  
Matthew W. Hart, Town Manager

Date:

07/26/2010



*Town of Mansfield*

*Proclamation in Recognition of Mansfield Resident State Trooper's Office*

*Whereas*, the state troopers and police officers of the Mansfield Resident State Trooper's Office are responsible for the preservation of public order, dedicated to the impartial enforcement of town ordinances and state statutes, and tasked with the protection of life and property as well as addressing quality of life issues in town; and

*Whereas*, the Mansfield Resident State Trooper's Office is to be commended for its assistance in the promotion of positive community-campus relations, including its participation in the activities of the Mansfield Community Campus Partnership and its attention to unsanctioned off-campus functions and other problematic off-campus behavior; and

*Whereas*, over the past year the Mansfield Resident State Trooper's Office has successfully executed an aggressive campaign targeting narcotics related offenses in Mansfield; and

*Whereas*, in partnership with other local and state agencies the Mansfield Resident State Trooper's Office has continued its proactive enforcement of town and state liquor laws to promote public health and safety, particularly for our youth; and

*Whereas*, over the past year several of the state troopers assigned to Mansfield have received commendations, awards and promotions for meritorious service to our community and the State of Connecticut:

NOW, THEREFORE, BE IT RESOLVED, that the Mansfield Town Council, on behalf of the community, does hereby express its appreciation and gratitude to the state troopers and police officers of the Mansfield Resident State Trooper Office for their outstanding service to the community.

*IN WITNESS WHEREOF*, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 26<sup>th</sup> day of July in the year 2010.

*Elizabeth C. Paterson*

Elizabeth C. Paterson  
Mayor, Town of Mansfield

## Summary of Rules of Procedure Discussion & Outstanding Items

- On April 26, 2010 the following occurred regarding Rule 4B, public hearings: Paulhus made a motion, seconded by Kochenburger to recommend for Rule 4B, “public comment at public hearings is limited to five minutes per speaker unless otherwise modified by the Council at the beginning of the hearing.” The motion passed unanimously.
- Pledge of Allegiance. On July 26, 2010 and by consensus, the Committee agreed to recommend for Rule 3 that the pledge of allegiance be added to the agenda for Council member swearing in ceremonies, one meeting in February for Presidents Day, one meeting in May for Memorial Day, one meeting in July for Independence Day, one meeting in November for Veteran’s Day.
- Rule 3b, Second Public Comment. On July 26, 2010, Kochenburger made a motion, seconded by Haddad to recommend reducing the opportunity for public comment from two opportunities to one opportunity, more specifically eliminating the second public comment of the evening. Kochenburger and Haddad voted in favor, Paulhus voting against. Motion passed.
- Rule 3b, Standing Agenda Items. On July 26, 2010 and by consensus, the Committee agreed to recommend that water/wastewater and community/campus relations alternate as standing agenda items every other meeting.
- Rule 4a/4b, Public Participation. On July 26, 2010 and by consensus, the Committee agreed to recommend that citizens who submit written comments or statements at public hearings or opportunity for public comment be encouraged to orally summarize their comments rather than reading them in their entirety.

## Mansfield Agriculture Committee Charge

**CHARGE/DUTIES:** The Agriculture Committee shall be an advisory board to the Town Council and other Town officials with the following charges and duties:

### General

- a. To foster agricultural viability and preservation of agricultural land in Mansfield.
- b. To foster a healthy environment.
- c. To serve as a conduit between local farmers and non-profit agencies, civic organizations, municipal boards and commissions, elected officials, and non-farm residents.
- d. To advocate for agriculture before land use and other commissions.
- e. To act as a resource for agricultural information.
- f. To chart land use in Mansfield to support a balance between agriculture, preservation, and other land uses.
- g. **To promote keeping Town-owned farmland in agricultural production. In addition, to ensure the responsible use of Town-owned farmland by monitoring use agreements between the Town and local farmers.**

### Education and Outreach

- a. To increase awareness of agricultural enterprises in the community.
- b. To promote the value of viable agriculture to the Town in the areas of employment, property taxes, environment and farmland preservation.
- c. To provide information and guidance on agriculture-related issues-such as zoning, inland wetland, public works and others - to town departments and other boards and commissions and residents as necessary.
- d. To support young farmers by supporting local, regional, and state vocational agricultural education, and 4-H programs.
- e. To recognize and support new farming operations.
- f. To act as a sounding board and provide review to town departments, boards and commissions concerning the impact of proposed town policies on agricultural activities.

### Economic Opportunities

- a. To identify opportunities to preserve and expand agriculture in Mansfield.
- b. To promote opportunities for residents and local businesses to support agriculture.
- c. To provide information regarding available financial support related to agricultural viability.

**MEMBERSHIP:** The Agriculture Committee will consist of 6 regular voting members and 4 alternates appointed by the Town Council in accordance with A§192 of the Mansfield Code. Insofar as practical, members appointed shall be representative of all groups interested in the management, protection and regulation of agriculture as defined by Connecticut General Statutes 1-1q, particularly those directly involved in agriculture. A chairman, vice chairman and a secretary will be elected and will serve for a term of one year.

**LENGTH OF TERM:** The appointments will be for two year terms.



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Town Manager *MWH*  
**CC:** Maria Capriola, Assistant to the Town Manager  
**Date:** August 9, 2010  
**Re:** Community Water and Wastewater Issues

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**Subject Matter/Background**

Attached please find information regarding the well project at the UConn Agronomy Farm. I will also report under this agenda item on a recent meeting convened by the Connecticut Department of Health (DPH) concerning the proposed Ponde Place project.

**Attachments**

- 1) G. Weidemann re: Response to questions regarding the UConn well project

## Matthew W. Hart

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**From:** Weidemann, Gregory [gregory.weidemann@uconn.edu]  
**Sent:** Thursday, July 29, 2010 3:42 PM  
**To:** Town Mngr; Gregory J. Padick; 'natalie@minuttigroup.biz'  
**Cc:** Coite, Jason; Musgrave, Mary; Olsen, Stephen; Richard Miller; Roe, Alexandria; Guillard, Karl; Gene Roberts  
**Subject:** Response to questions regarding the UConn well project  
**Follow Up Flag:** Follow up  
**Flag Status:** Blue  
**Attachments:** Questions from the Town-Gown Committee mtg.docx

In response to neighbor concerns, representatives of UConn provided an overview and update of the UConn Plant Science Farm irrigation project at the meeting of the Mansfield Town/University Relations Committee on June 8, 2010. At that time, several questions required follow up and additional questions were posed via email in response to a UConn letter dated May 14, 2010. Attached is the UConn response to questions posed by the committee members and the audience. Although not required by state or federal regulations, the university conducted a thorough study of the site, installed monitoring wells, made provision for public inspection of water usage from the wells via a web site and tested the monitoring wells for a wide range of pesticides. Our monitoring web site is up and running and results from an independent water analysis has been posted for public viewing. With the completion of these commitments, we have begun to pump water from the wells into the irrigation pond. I trust our responses to these questions will resolve any outstanding concerns regarding water usage and our appropriate use of pesticides in a safe and responsible manner.

### Gregory J. Weidemann

Dean and Director  
College of Agriculture and Natural Resources  
University of Connecticut  
1376 Storrs Road Unit 4066  
Storrs, CT 06269-4066  
PH:(860)486-2918  
Fax:(860)486-5113  
email: [gregory.weidemann@uconn.edu](mailto:gregory.weidemann@uconn.edu)  
[www.canrdean@uconn.edu](http://www.canrdean@uconn.edu)

At the meeting of Mansfield's Town/University Relations Committee on June 8, 2010, Mr. Roberts, Mr. Coite, and Mr. Guillard provided an overview of the UConn Agronomy Farm including irrigation plans; project/timeline; public information process; citizen concerns (water levels, water quality); analysis and testing; and plans for implementation.

Committee members and public participants posed several questions, some of which required follow-up. The questions have been assembled below based on the draft minutes, meeting notes provided by others, and list of questions provided in an email from Mr. Neil Facchinetti in response to a UConn letter dated May 14, 2010. Responses to the technical questions are provided in italics.

Questions from the Committee members:

1. A 15-foot drop in water height in a well corresponds to what percent?

*Generally, average depth of a Storrs Heights bedrock well is about 250 feet, and there is about 200 feet of water in a well. A 15-foot drop corresponds to 7.5% decrease for a typical well that has 200 feet of water.*

2. How close is the nearest offsite residential well?

*We do not have accurate mapping of all the off-site wells, but the nearest wells appear to be about 150' from the property line.*

Questions from audience:

N. Facchinetti:

1. How were the 15-foot and 25-foot thresholds established?

*The 15-foot threshold was based on the research in Dr. Robbins' study. Based on a review of bedrock well water data in the area, it was observed that typical seasonal fluctuations do not exceed 15 feet. If a drop of 15 feet is observed at the boundary monitoring wells (MW-3 or MW-4) during operation of the irrigation wells, that decrease would exceed the expected seasonal fluctuation before pumping began. Pumping would then be readjusted to reduce the impact to below 15 feet. The 25 foot threshold was set as to not cause more than 10% lowering of the water levels at the farm boundary.*

*If curtailing does not reduce the draw down at the monitoring wells and water levels continue to drop, an overall decrease of 25' is set as a threshold when pumping will cease. Cessation of pumping is expected to eliminate the affect on the private wells and the depth of water should recover to pre-pumping conditions.*

2. Are all 69 pesticides tested for in the water quality sampling?

*We have tested those pesticides and herbicides that a) are used by the farm, and b) have an EPA-approved drinking water test. Several pesticides that are commercially available do not have corresponding drinking water tests that have been approved by EPA. Test results are only as good as the method. Data from test methods that have not been officially approved should not be relied upon.*

*With respect to those chemicals which are used but have no approved test, before approved for commercial use as a pesticide, the manufactures must develop strict instructions on proper use such that the applicator does not create any unintended affects to human health or the environment. Farm staff are licensed pesticide applicators that are fully aware of the legal and environmentally consequences of deviating the from the manufacturer's instructions.*

3. When are pesticides going to be tested?

*Water samples were collected on Monday 6/14/10 from the two shallow wells at the farm along the northern property line. This plan was announced at the 6/8/10 Town/University Relations Committee meeting. In addition, an email was sent on Wednesday 6/9/10 to the EHHD director, the Storrs Heights Association (SHA) president, the Mansfield Conservation Commission chair, and Mr. Facchinetti as a reminder of the planned water sampling.*

4. How will pesticide data be disseminated?

*Analytical data was forwarded to EHHD and SHA on July 19, 2010. No chemicals were detected. Had any chemicals been detected, UConn would have consulted with the Department of Environmental Protection. The data are also posted on the farm ground water monitoring website (<http://www.agfarm.uconn.edu>).*

5. Will funding be available to monitor both the water availability and quality going forward?

*It is our expectation that funding will be available for this purpose.*

6. How can the use of a dry well (MW-2) be used for monitoring purposes?

*MW-2 is not dry. The water level and responsiveness to pumping is comparable to the other bedrock wells installed at the farm. The water level in MW-2 was monitored while the new irrigation wells were being pump tested. The water level increased and decreased as would be expected in response to the well pumping.*

J. Rickards:

Is the DEP concerned with the experimental chemical used in farm research?

*Because the use of experimental compounds meets all federal and state requirements, DEP is not consulted on the use of these chemicals. The farm does at times incorporate experimental chemicals into their research. The use of these experimental pesticides is minute, generally amounting to no more than 2 grams (0.07 ounces) of active ingredient per 330 sq. ft. per year with one compound applied at 15 grams (0.53 ounces) in 2009 and 2010. The use of these pesticides is limited to fields located more than 1,000 feet from the nearest property line of the Storrs Heights community.*

*In all but one case, the compounds are already registered for use on food crops or turfgrasses. The research being conducted is investigating the effectiveness of these registered pesticides for other uses. A Materials Safety Data Sheet is available for all of these compounds.*

G. Dunne:

Who is the principal university liaison on this?

*Gregory Weidemann, Dean of the University of Connecticut College of Agriculture and Natural Resources, is the principal university liaison.*

T. Markland:

What happens to the farm's grant-funded research if an off-site well goes dry?

*Because UConn has no control on how private well owners use their water supply, the farm's activities is not be tied directly to what's observed at the private wells. If unusual conditions are observed by a nearby well owner, UConn should be contacted so that we can properly investigate by reviewing our monitoring and production data.*

R. Coughlin:

1. Is there a contingency plan if we [home owners] run out of water?

*Because UConn has no control on how private well owners use their water supply, UConn will not have a contingency plan for cases where an off-site well runs out of water. If unusual conditions are observed by a nearby well owner, UConn should be contacted so that we can properly investigate by reviewing our monitoring and production data.*

2. What chemicals that will be stored on site and the potential unknown side effects, including fire and dispersal of chemicals in the air.

*The list of chemicals stored and used at the farm has been previously distributed by the farm staff at the previous public meetings. The farm staff can be contacted for an updated list at any time. Potential health effects are identified on every pesticide's Material Safety Data Sheet, also available upon request.*

Q. Kessel:

1. What affect will the 15 to 25 feet drop in the monitoring wells have on the private drinking wells?

*A drop of 15 to 25 feet at the monitoring wells should correspond to, at most, a drop of 15 to 25 feet at the private drinking water wells that are located even further away from the pumping wells. If pumping causes a drop of 15 to 25 feet drop in a well with 200 to 250 feet of water, which is typical for the nearby private wells, approximately 90% of the water in the well is still available.*

2. Will the water levels or pesticides be monitored in the wells?

*Water levels are being monitored in the bedrock monitoring wells. Water samples analyzed for pesticides were collected from the shallow overburden monitoring wells.*

3. Can the water levels measured in the monitoring wells be relied upon given that the aquifer is fractured bedrock?

We believe so based on testing to date. The monitoring wells surrounding the pumping wells are responding to pumpage. The perimeter wells are set at the average depth of wells in the Storrs Heights community. Previous monitoring of the wells in the community show widespread interconnection. Given the locations and depth of the monitoring wells, they should serve as good monitoring points.

R. Thorson:

1. Mr. Thorson spoke to the cone of depression, bedrock aquifers, and concerns about the proposed testing.

*Since this is a bedrock aquifer, the cone of depression model isn't always applicable. But we can rely upon the early data that supports the fact that the private supply wells and our monitoring wells have some of the same fractures in common.*

2. Mr. Thorson also stated his desire to have a person not affiliated with the agriculture school conducting the testing and monitoring.

The monitoring data is available for independent review on the website. Sampling and testing for pesticides are conducted by independent firms.

G. Gibson:

Mr. Gibson had questions about whether or not residential developments are subject to the same water requirements/review as this project.

*We concur with response G. Padick gave to Mr. Gibson's question at the Town/University Relations Committee meeting: If a residential development is to be supplied potable water from wells, certain DPH regulations are applicable based on the number of persons that are expected to use the water.*

*Further, a new water supply system that pumps more than 50,000 gallons per day is also subject to DEP regulations. The farm's irrigation wells are not for potable use and the amount of water will be below 50,000 gpd. The wells are not subject to either the DPH or DEP regulations. All the data collection, analyses, and monitoring that's been completed and that will be on-going is completely voluntary to address the concerns of the farm's neighbors.*



University of Connecticut  
*Administration and Operations Services*

Facilities Operations

May 14, 2010

Mr. Neil Facchinetti  
6 Storrs Heights Road  
Storrs, CT 06268

Dear Mr. Facchinetti:

As you know, the University has met with the Storrs Heights association on three occasions since the proposal to install three new irrigation wells was first introduced. These meetings included detailed history of water quality monitoring at the farm. Dr. Gary Robbins has also presented the scope and results of his scientific hydrogeologic study for the farm and surrounding area at these meetings. At the last such public meeting the University committed to abide by the recommendations of Dr. Robbins' study, and made several other commitments to further investigate the quality of groundwater.

With the exception of the letter dated January 27, 2010 from the UConn Plant Science department and a follow-up visit to the farm by several Storrs Heights residents on February 9, 2010, there has not been a formal update on the progress of our commitments. We'll take this opportunity to address all of your questions, reprinted here as they appear on the "Information for Neighbors of the UConn Farm" website followed by our responses in italics.

Water Quantity Questions

- 1) Of the four (4) deep wells designated for testing, only two (2) have the potential for yielding useful data; one of the four is dry and the other collapsed at 60 feet. What are the plans for achieving a total of four (4) deep test wells?

*It is true that PW-2 partially collapsed, making it impossible to use as a production well. However, it is still perfectly suitable for monitoring purposes, and it is one of the four wells that will be used to measure the depth of groundwater. The other deep wells are MW-3 and MW-4, located along the Storrs Heights boundary, and MW-2 (see attached map).*

*An Equal Opportunity Employer*

25 LeDoyr Road Unit 3252  
Storrs, Connecticut 06269-3252

Facsimile: (860) 486-1486

Mr. Neil Facchinetti

May 14, 2010

- 2) We understand that data collection from the 4 test wells will be performed manually by visiting each test well periodically. How often will these readings be conducted? How can we routinely receive notification of testing and test results? We want the opportunity to observe data collection at the deep test wells and to receive the results promptly.

*The water level data will be continually collected by instruments installed in the four deep test wells. The data will be continually transmitted to the office at the farm and automatically uploaded to a UConn Plant Science website that will be fully accessible to you and the public essentially in "real time."*

*In addition, Dr. Robbins study prescribed operating conditions that should make it highly unlikely for the farm's irrigation to affect the nearby residential wells. The pump rates and operating times of the irrigation wells will also be on the website. The Storrs Heights association shall be notified when the website is active.*

- 3) What are the criteria by which pumping will be curtailed or suspended? Initial recommendations called for 15 feet and 25 feet as suspension and cessation thresholds, respectively. How are these criteria established? Should they be more restrictive to provide better protection for neighboring water supplies? Drops of 15 and 25 feet in our shared aquifer would be a massive loss of water resources for surrounding residential communities.

*If groundwater levels at the property line as measured at MW-3 and MW-4 drop 15 feet from the seasonal norm, pumping will be curtailed. If groundwater levels drop 25 feet beneath the seasonal norm, all irrigation pumping will be suspended. Fluctuations on the order of 15 feet represent natural variations in bedrock well water levels in the area as noted in Dr. Robbins' study. Given the height of the water columns in the bedrock wells in the Storrs Heights community, as noted in Dr. Robbins's hydrogeologic study, a decrease of this magnitude at the property line represents an immaterial portion of the available water. Wells that are further away from the property line should be affected even less or not at all.*

- 4) Apparently the three (3) deep production wells will be in service before the 4 test wells are fully functional. We question the usefulness of data from test wells without initial baseline measurements conducted in the absence of pumping from the production wells.

*There will be no pumping from the irrigation wells until the four deep monitoring wells are capable of reporting actual data to the Plant Science website. Water level readings will be used to establish threshold water levels to evaluate the water level fluctuations in MW-3 and MW-4... The threshold estimates will be clearly displayed on the website for comparison to the actual "real time" groundwater levels.*

Mr. Neil Facchinetti

May 14, 2010

- 5) To date we have not discussed methods for applying water to the plots from these new wells. Certainly some methods are more efficient than others. Will the farm take steps to conserve water by using the most efficient and latest irrigation systems that minimize waste?

*The farm will continue to implement several measures it already deploys to reduce the need to use the supply wells.*

- *The irrigation systems used for both turfgrass and nursery plants are controlled by "rain-out" meters – these irrigation systems will automatically turn off water if more than a ¼" to ½" of rain is measured by these meters.*
- *More irrigation heads and watering hose hookups were recently installed and a mobile irrigation sprinkler was recently purchased. These features allow the farm to water only the small areas that need water the most.*
- *Potted plants are watered using drip-irrigation systems as much as feasible. Emitters placed in each pot that water only the plant, not the surrounding ground.*

*In addition, the farm has also expanded its irrigation pond as part of the commitments made to the community. The purpose of this is to capture more rain water during the wetter months, which gives the farm more water in storage and delays when the new wells are needed to supplement the natural supply.*

Water Quality Questions: Two (2) shallow (20') test wells are planned along the border between Storrs Heights and the farm. We have several questions regarding these shallow test wells:

- 1) Will these shallow test wells be ready for testing before new irrigation wells go into production and before the next and subsequent applications of agricultural and experimental chemicals? They should be online before increased irrigation takes place.

*The two shallow water-quality wells have already been installed next to the deeper wells MW-3 and MW-4 (see attached map). The groundwater from these wells will be tested before the irrigation wells are used. Limited spring applications of agricultural chemicals typical of previous years have already occurred.*

- 2) Who will conduct these tests and how often will these tests be conducted? Will we be notified of these tests and have the opportunity to be present when samples are drawn and tested?

*A private environmental consulting firm will collect the samples. The quality analysis will be performed by a private laboratory. We will notify the Storrs Heights association and the Eastern Highlands Health District when the sampling is scheduled so that any interested persons can be present.*

Mr. Neil Facchinetti  
May 14, 2010

- 3) How will we gain reliable access to these results?

*The laboratory reports shall be forwarded to the Storrs Heights association, the Eastern Highlands Health District and any other persons who request the data.*

- 4) Will pond water be tested?

*The pond consists primarily of stormwater run-off from the wooded area southeast of the farm. There are no plans to test the pond water.*

- 5) In a letter of January 27th from UConn, in response to questions from neighbors of the farm, we learned that tests for water quality will be limited to nitrate detection. We question whether this is adequate when we consider the grave consequences of toxic chemical slipping underneath the "radar," especially for children and pregnant women. It was stated in the UConn letter that the measurement of only nitrates is an "accepted and approved indication" of well contamination. By whom is it accepted and approved and is this approval based on expediency and commercial pressures on regulators or on sound scientific evidence?

*The groundwater samples will be analyzed for nitrates and agricultural chemicals. The list of pesticides used on the farm has been reviewed with the CT Department of Public Health testing lab and several private laboratories. The consensus has been to test the groundwater using several EPA-approved drinking water test methods designed to detect pesticides and herbicides.*

- 6) Concrete action plans need to be developed to ensure a rapid and effective response in the event chemicals are detected in the water. Under what test criteria will applications be suspended and remedial actions taken? Specifically, how will neighboring wells be protected in light of positive tests? In the UConn letter of January 27th, it was stated that "we [UConn] would institute any necessary remediation in consultation with the appropriate state agency including the installation of carbon trap filters if recommended," in response to neighbors' concerns. This statement leads us to several more questions: a) What state agency would be consulted? Who in that agency would be involved in decision making? B) Does this agency have established criteria and related remedial actions for chemical contamination? c) Are these agency criteria and remedial actions simply recommendations or are they backed by formal compulsory regulations? d) Where would funding be found for implementing remedial steps?

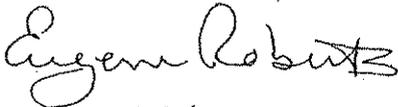
*Should any contaminants be detected in the monitoring wells, the results shall also be forwarded to the CT Department of Environmental Protection. More specifically, the Remediation Division of the Bureau of Water Protection and Land Reuse will be consulted, since this division administers the State's Remediation Standard Regulations, which include established criteria for remediating contamination. UConn shall abide by any requirements or recommendations made by DEP.*

Mr. Neil Facchinetti  
May 14, 2010

It's my understanding that the questions on the "Information for Neighbors of the UConn Farm" website are generally more comprehensive than those posed at the Mansfield Conservation Commission on April 21, 2010. However, in reviewing the minutes from that meeting, it appears that there is an additional question regarding provisions for monitoring any neighborhood wells. The intent is to operate the farm in a manner such that there could only be minimal affects at the property line, and this shall be confirmed with our monitoring. Private wells that are further away from the property line should be affected even less or not at all. As such, we have no plans to interfere with any private wells.

Should you have any questions or wish to discuss further, please contact me at 860-486-3185 or [eugene.roberts@uconn.edu](mailto:eugene.roberts@uconn.edu).

Sincerely,



Eugene B. Roberts  
Director of Facilities Operations

CC (electronic): Quentin Kessel, Mansfield Conservation Commission, Chair  
Greg Padick, Mansfield Director of Planning  
Matt Hart, Mansfield Town Manager  
Rob Miller, Eastern Highlands Health District Director  
Natalie Miniutti, President, Storrs Heights Association  
Steve Olsen, UConn Plant Science Farm Manager  
Karl Guillard, UConn Professor, Department of Plant Science and Landscape Architecture  
Mary Musgrave, UConn Professor and Head, Department of Plant Science and  
Landscape Architecture  
Gary Robbins, UConn Professor of Geology, Department of Natural Resources and the  
Environment  
Rich Miller, UConn Director of Environmental Policy  
Alexandria Roe, UConn Director of Planning and Project Development  
Tom Callahan, UConn Health Center  
Barry Feldman, UConn Vice President/COO

Monitoring Well and Production Well Locations  
University of Connecticut  
Plant Science Research and Education Facility



**PAGE  
BREAK**



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Town Manager *MWH*  
**CC:** Maria Capriola, Assistant to Town Manager; Nancy Cox, Ethics Board Chair  
**Date:** August 9, 2010  
**Re:** Mansfield Board of Ethics

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**Subject Matter/Background**

At its July 12, 2010 meeting, the Town Council unanimously voted to add to a future council agenda a discussion of the Mansfield Board of Ethics as well as a potential "vote of confidence" for the Ethics Board.

The Board of Ethics is currently comprised of five members and two alternate members: Nancy Cox (Chair), Nora Stevens (Vice Chair), David Ferrero, Michael Sikoski, Winthrop Smith, Lena Barry (alternate), and Saul Nesselroth (alternate). The Ethics Board was originally created on June 26, 1995, the same year the Town's Ethics Ordinance was adopted. From fall 2008 through January 2010, the Board developed recommended revisions to the Ethics Code, which revisions are currently under review by the Personnel Committee and the Town Attorney. The Ethics Board has also worked to make information available to the public via the Town's official website, [www.mansfieldct.gov](http://www.mansfieldct.gov), including the Ethics Code, Board Procedures, FAQ, and Board contact information.

As requested by the Town Council, attached please find an opinion from the Town Attorney regarding the process necessary to remove an individual member of a municipal board or commission or to replace the existing board with a regional entity.

**Attachments**

- 1) Opinion from Town Attorney regarding removal of advisory board members for cause

# O'Brien and Johnson

Attorneys at Law

120 Bolivia Street, Willimantic, Connecticut 06226

Fax (860) 423-1533

Attorney Dennis O'Brien  
dennis@OBrienJohnsonLaw.com  
(860) 423-2860

Attorney Susan Johnson  
susan@OBrienJohnsonLaw.com  
(860) 423-2085

August 5, 2010

Matthew W. Hart  
Town Manager  
Town of Mansfield, CT  
Town Hall  
Audrey P. Beck Building  
4 South Eagleville Road  
Mansfield Storrs, CT 06268

Re: **Mansfield Board of Ethics**

Dear Matt:

As you know, per Charter section C304 and section 25-5 of the Town of Mansfield Code, the town has established a Board of Ethics consisting of five members and two alternates appointed by the Town Council. Section 25-5 requires that each member and alternate be appointed for an established term of years, three years for regular members and two years for alternates. I believe that the Board of Ethics now includes a full complement of members and alternates appointed by the Council per section 25-5. I do not know when the term of each member and alternate expires by lapse of time. When each term lapses, any member or alternate may of course be reappointed or not and replaced in the complete discretion of the Council.

You have asked me whether the Council may terminate and presumably replace any or all members or alternates of the Board of Ethics in the midst of a prescribed term. The answer, per two decisions of the Supreme Court of the State of Connecticut is yes, but only with good cause determined by the Council after a prior due process proceeding, presumably a hearing before the Council, the appointing authority. See, **State ex rel. Raslavsky v. Bonvouloir**, 167 Conn. 357 (1974); **Obeda v. Board of Selectman of Town of Brookfield**, 180 Conn. 521 (1980). The only Home Rule local exception to the due process, good cause requirements established by this case law for appointees with fixed terms is that per Town of Mansfield Code section A192-7F a member or alternate may be considered to have resigned if he or she is "absent for three (3) consecutive meetings without justifiable reason as determined by majority vote of the [board]. . ."

Matthew W. Hart  
Town Manager  
Town of Mansfield, CT  
August 5, 2010  
Page 2

The upshot is that the Council may remove members and alternates of the Board of Ethics, but only with good cause to be determined by the Council after a due process hearing before the Council. Any good cause determination by the Council would be final except that a disappointed member or alternate could go to court asking the court to overturn the determination of good cause, which it has the authority to do.

Due process in this context would include sufficient advance notice in writing to each member or alternate facing removal of the alleged good cause(s) for removal, which cause(s) should be related to the member or alternate's performance in office, and the right to counsel at the expense of the member or alternate, of course. Per the Freedom of Information Act, any such hearing should be in executive session unless the member wants it to be held in public.

You have also informed me that you were asked if the Council could terminate the Board of Ethics as a board of the Town of Mansfield and replace it with a regional board of ethics including another municipality or more. Such joint performance of municipal functions is in fact authorized by Connecticut General Statutes section 7-148cc. Any such regional board may be established by an agreement among the participating municipalities enacted as an ordinance by each of the towns. The law requires that the municipalities all enact the same ordinance creating the regional board.

Any such change to a regional board of ethics by the Town of Mansfield would have to be done in compliance with our Town Charter. Charter section C306 provides that the Council may "... terminate all boards, commissions, and committees except as otherwise provided by law." Connecticut General Statutes section 7-148h is the state law encouraging any town in our state to establish a code and board of ethics by Charter or Ordinance, but it does not expressly require that a town have an ethics board.

Mansfield of course has a detailed Code of Ethics set forth in Chapter 25 of the Code of the Town of Mansfield. As noted above, section 25-5 establishes the Board of Ethics. Nevertheless, our premiere local legal basis for the Board of Ethics is Charter section C304. It provides that "The Town Council shall adopt an ordinance setting standards of ethical behavior, including conflict of interest standards, expected from elected officials, appointed officials and public employees **and shall establish mechanisms for the enforcement of ethical standards.**" (emphasis added).

Standards of ethical behavior are in place as duly enacted by the Town Council in the Town of Mansfield Code of Ethics ordinance, Chapter 25 of our Code. As we know, there are draft revisions to the Code of Ethics which may end up being enacted by the

Matthew W. Hart  
Town Manager  
Town of Mansfield, CT  
August 5, 2010  
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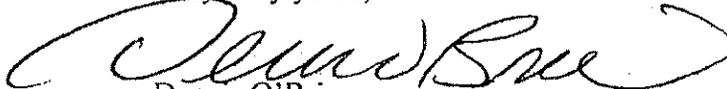
Council in one form or another, but there is no apparent support for repealing without replacing the ethical standards of behavior of the Code of Ethics, which cannot be done anyway without a Charter Revision process resulting in an amendment to section C304.

Per Charter section C304, there must be a mechanism to enforce those standards of ethical behavior which are required by section C304. Per C.G.S. section 7-148h, that mechanism is the Board of Ethics. In my opinion, Charter section C304, which absolutely requires a code of ethics by that or whatever other name, plus a mechanism to enforce that code, prohibits the abolition of the Board of Ethics by the Council for even a day.

My conclusion is that by dint of C.G.S. section 7-148cc, the Town Council may ultimately vote to approve a multi-town agreement as an ordinance creating an inter-town board of ethics, but it must require that the current Mansfield Board of Ethics remain in place until the moment that the regional board goes into being, to ensure a seamless and legal transition. Of course, once the new regional board is in place and the local board is dissolved, the members and alternates of the dissolved board will not retain their positions unless they have been appointed to the new board via the provisions of the new ordinance that creates the new board, within the discretion of the Town Council.

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

Very truly yours,



Dennis O'Brien  
Town Attorney



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matthew Hart, Town Manager, *MWH*  
**CC:** Maria Capriola, Assistant to Town Manager; Mary Stanton, Town Clerk  
**Date:** August 9, 2010  
**Re:** Town Council Rules of Procedure

---

**Subject Matter/Background**

Attached please find the revised adopted Town Council Rules of Procedure, dated July 26, 2010.

There are still two outstanding items for discussion:

- 1) the reciting of the Pledge of Allegiance during Council meetings; and
- 2) Rule 9, Mayor's appointments of Council members to standing sub-committees of Council and other committees.

At its July 26, 2010 meeting the Personnel Committee, by consensus, recommended that Rule 3 be amended to add the Pledge of Allegiance to the agenda for Council member swearing-in ceremonies, one meeting in February for Presidents Day, one meeting in May for Memorial Day, one meeting in July for Independence Day and one meeting in November for Veteran's Day.

At its August 9, 2010 meeting, the Personnel Committee will continue its review of Rule 9 and provide a recommendation to the Council as a whole during its regularly scheduled meeting.

**Recommendation**

If the Town Council supports the Personnel Committee's recommended revisions to the Rules of Procedure, the following motion would be in order:

*Move, effective August 9, 2010, to adopt the recommended changes to Rule 3 and Rule 9 of the Town Council Rules of Procedure as presented by the Personnel Committee.*

**Attachments**

- 1) Adopted Rules of Procedure, July 26, 2010



TOWN OF MANSFIELD  
TOWN COUNCIL RULES OF PROCEDURE  
As adopted by Council 7/26/10

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. Future Agendas
  15. Executive Session (if scheduled)
  16. 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 speak 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. Public comment at public hearings is limited to five minutes per speaker unless otherwise modified by the Council at the beginning of the hearing.

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.



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Town Manager *Matt H*  
**CC:** Maria Capriola, Assistant to Town Manager; Charles Hunter, Director of State Relations, RailAmerica; Mansfield Transportation Advisory Committee  
**Date:** August 9, 2010  
**Re:** New England Central Railroad (NECR), TIGER II Application

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**Subject Matter/Background**

The New England Central Railroad (NECR) has requested that the Town of Mansfield work with them to apply for rail infrastructure upgrade funding through the Transportation Investment Generating Economic Recovery (TIGER II) grant process, administered by the US Department of Transportation (DOT). The DOT fund is competitive and open to applications for various surface transportation projects, including freight rail, ports, bridges, etc. The NECR tracks run from New London, Connecticut, through Mansfield and on to Massachusetts, New Hampshire, Vermont and Canada. The NECR has become an important rail freight corridor. Mansfield is interested in future rail passenger service as a transportation option. In order to work towards that option, it is important to maintain and improve the rail corridor. The proposed project includes rail, tie and bridge work and upgrading the line to handle heavier carloads of freight destined to meet the needs of Connecticut customers. Currently the line is unable to handle the national rail weight standard of 286,000 lbs. and is limited to 263,000 lb. loads. The project would link to an upgrade project on this route already approved in Vermont and New Hampshire.

As referenced at the last Town Council meeting, the Town did file the pre-application on July 26, 2010. If endorsed by the Council, the NECR would provide the needed support to file the official application.

According to RailAmerica, the proposed project would have many benefits. More freight would be moved along the line and additional rail-related jobs may be created. The project would also help to reduce emissions. The EPA estimates that for every ton mile, a train locomotive emits about one-third of the amount of the emissions generated by alternate modes of transport. Furthermore, freight rail reduces the reliance on truck transportation, helping to reduce traffic congestion as well as repair and maintenance costs for roads and bridges.

Additionally, safety is a top priority for railroads and improving this corridor would increase safety through the installation of newer rail, electronic monitoring equipment

and bridge strengthening. Future passenger service along this corridor has been discussed. Keeping the corridor in good repair is important for this initiative.

### **Financial Impact**

The NECR is not requesting any state or local funding. The railroad company is supplying a 20 percent match of approximately \$3 million to supplement the \$12.3 million TIGER request. The TIGER program for rural types of projects does not require a match, but the NECR believes that providing a matching amount will increase the opportunity for selection.

### **Recommendation**

Mr. Charles Hunter from RailAmerica will attend Monday's meeting to make a presentation to the Town Council and to answer any questions that you might have. The proposed project would help to promote the Town's sustainability, economic development and transportation goals, as set out in Mansfield 2020 (our strategic plan).

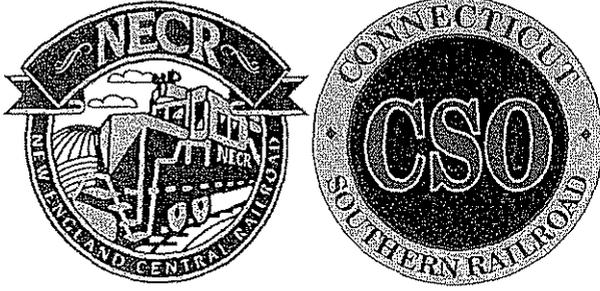
Staff recommends that the Town Council authorize the Town Manager to execute the proposed application, working with the NECR and RailAmerica.

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

*Move, effective August 9, 2010, to authorize the Town Manager to submit on behalf of the Town of Mansfield an application in the amount \$15,350,000, including a 20 percent match from the New England Central Railroad (NECR), to the US Department of Transportation's Transportation Investment Generating Economic Recovery (TIGER II) program, to support current and future rail service in and through the Town of Mansfield.*

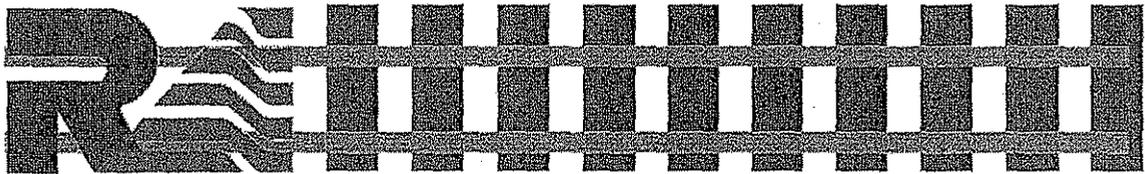
### **Attachments**

- 1) Project Connect-ion: Linking Connecticut to the International Rail Freight Network
- 2) Excerpts from *Mansfield 2020: A Unified Vision*



## PROJECT CONNECT-ION

# LINKING CONNECTICUT TO THE INTERNATIONAL RAIL FREIGHT NETWORK



Charles Hunter  
Director of State Relations

## Project Connect-ion

The New England Central Railroad (NECR) and Connecticut Southern (CSO) Railroad provide the vital transportation link between Connecticut, the other New England states, and Canada. The two rail lines handle the majority of all Connecticut rail freight.

The NECR begins at the Port of New London and runs northward 55 miles through Connecticut, then over 55 miles through MA before continuing on through NH and VT to Canada. This route is emerging as a vital corridor that provides service to rail freight customers both on the NECR and on connecting shortline and regional railroads. It connects to all four eastern Class I railroads (CSX, NS, CP, & CN). MA rail customers would receive the benefits of this project that will provide through freight movements into CT. The route has been cleared for double stack container and automobile carriers through a previous public-private partnership.

The CSO operates a 28 mile cluster of branch lines in and around the Hartford, CT area, as well as over Amtrak's Hartford-Springfield line. The State of CT has upgrades for the Amtrak route planned for the near future that will enable increased freight traffic and higher railcar weight standards. The CSO's large bridge spanning the Connecticut River connects East Hartford and lines to Manchester and Windsor, CT.

The US DOT's TIGER II (Transportation Infrastructure Generating Economic Recovery) Discretionary Grant program is accepting applications for qualifying projects up to August 23, 2010. The program is competitive and is funded up to \$600M with \$140M set aside for projects located primarily in rural areas. The vast majority of Project Connect-ion runs through rural CT and MA.

This project totals \$15,350,000, including the RR's 20% match

Project Connect-ion would upgrade NECR bridges to handle the national standard 286,000 gross weight freight railcar. A recently approved High Speed Rail Project in VT and NH includes bridge upgrades in those states. To continue the connectivity of the corridor through MA and CT requires this additional work. Without upgrading to the national weight standard, CT becomes "an island," off the North American rail freight network.

The project would return to a state of good repair the CSO industrial branch lines, all of which are currently in F.R.A. Excepted Track status. It would also upgrade the CSO bridges to handle future 286,000 lb. loaded railcars. All of these lines are connected to CT's planned improvements on the Amtrak Hartford-Springfield line.

The project would also return to a state of good repair the rail, bridges and ties along these routes. This is a major goal of the TIGER program. While NECR and CSO have invested millions of dollars of their own capital since purchasing the lines from Canadian National Railway and Conrail in the mid 1990s, work remains to be done to catch up to a maintenance standard. It is a multi-state project with regional and international benefits.

Who would benefit?

**Safety.** Safety is the top priority for railroads and improving this corridor will result in increased safety through newer rail, electronic monitoring equipment, and bridge strengthening. These routes currently handle a variety of hazardous materials, including unit trains of ethanol and tank cars of chlorine.

The rail freight customers along the route and the CT and MA jobs that are here as a result of reliable railroad service. The project also will help promote existing vacant rail served properties along the routes for future growth and development (jobs).

These benefits are also extended to rail customers located on several connecting shortline and regional railroads such as the Providence & Worcester RR, Central New England RR, and Mass Central RR. In addition, CSO provides haulage freight service to CSX Transportation's CT customers.

Through transload operations, these benefits are also transferred to customers and end users beyond the rail system.

The general public- through reduced emissions. The EPA estimates that for every ton mile, a train locomotive emits about 1/3 the amount of emissions compared to alternate modes.

Freight traveling on the rail is not traveling on local roads and highways, thus it reduces traffic congestion as well as repair and maintenance costs.

Future passenger service along the NECR "Central Corridor" has been discussed. Keeping the corridor in good repair is important for this initiative.

## **ACTION PLAN VISION POINT: SUSTAINABILITY AND PLANNING**

**Action Item:** Create/implement sustainable transportation systems

**What constraints or obstacles may need to be overcome to be successful?**

Lack of legislative power, funding, lack of vision among players, dependence on cars, policies that promote sprawl.

**What positive factors are in place to help make this action item successful?**

Windam Regional Transit District (WRTD) bus system, new Department of Transportation (DOT) administration, higher gas prices, educated residents, some rail in area

**What individuals might you need/want to include?**

WRTD, UConn, WINCOG, Transportation Advisory Committee (TAC), Traffic Authority, DOT

**Who else may be working on this or is interested in its success?**

UConn Transportation, ECSU, Center for Transportation and Urban Planning at UConn

**What department or agency should take the lead responsibility to make this happen?**

Sustainability Committee/Town Staff, WINCOG, WRTD, DOT, TAC Representatives

**How will we know if we are successful?**

Fewer cars, more transportation choices, integrated systems, changes in sustainability indices

ACTION STEPS	Desired Target Date
1. Evaluate existing regional and local transportation systems, issues, and needs to determine which facilitate sustainable transportation and are the highest priority for implementing	12/08
2. Align and prioritize policies/programs of transportation providers in the region around a sustainable transportation system, including but not limited to: <ul style="list-style-type: none"> <li>a. Construct a coherent walking and biking network; promote walking and biking, including walking to school</li> <li>b. Promote/facilitate transportation alternatives such as ride sharing, car sharing, bike sharing, flexible bus routes, shuttles, etc.</li> <li>c. Coordinate incentives for biking to work</li> <li>d. Coordinate bus services to enable commuting to Hartford</li> <li>e. Coordinate bus and rail options to Springfield and New London</li> <li>f. Replace area busses with less polluting ones</li> <li>g. Rework bus stops as necessary to access important places/desired destinations</li> <li>h. Coordinate with UConn transit options and parking fees</li> <li>i. Plan for/establish more, centrally located park and ride (commuter) lots</li> <li>j. Plan for transportation hubs – including Storrs Center</li> <li>k. Identify non driving populations and needed transportation services</li> <li>l. Consider incentives or tax breaks for homeowners without cars</li> <li>m. Lobby for new state policies and transportation funding sources (sales tax, fees, etc.)</li> </ul>	07/09



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matthew Hart, Town Manager *MWH*  
**CC:** Maria Capriola, Assistant to Town Manager; Mary Stanton, Town Clerk  
**Date:** August 9, 2010  
**Re:** Mansfield Agriculture Committee Charge

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**Subject Matter/Background**

Per the request of the Council, please find attached the existing charge of the Mansfield Agriculture Committee. As you know, the Committee is seeking approval of a proposed new charge. The proposed charge has been reviewed and approved by the Committee on Committees.

**Recommendation**

If the Town Council supports the Committee on Committees' recommendation to approve the proposed Mansfield Agriculture Committee charge, the following motion would be in order:

*Move, effective August 9, 2010, to approve the proposed Mansfield Agriculture Committee charge as presented by the Committee on Committees.*

**Attachments**

- 1) Existing Mansfield Agriculture Committee charge
- 2) Proposed Mansfield Agriculture Committee charge

[Existing Charge]

### **Agriculture Committee Charter**

Created in 1995 as the Preservation Committee in order to “advise the Town Council and other bodies on matters related to preserving farmland and agricultural activity in Mansfield”.

In 1996, the committee voted unanimously to change its name to the Agriculture committee.

The committee consists of 9 voting members including one liaison from Conservation Commission.

[Proposed Charge]

### **Mansfield Agriculture Committee Charge**

**CHARGE/DUTIES:** The Agriculture Committee shall be an advisory board to the Town Council and other Town officials with the following charges and duties:

#### **General**

- a. To foster agricultural viability and preservation of agricultural land in Mansfield.
- b. To foster a healthy environment.
- c. To serve as a conduit between local farmers and non-profit agencies, civic organizations, municipal boards and commissions, elected officials, and non-farm residents.
- d. To advocate for agriculture before land use and other commissions.
- e. To act as a resource for agricultural information.
- f. To chart land use in Mansfield to support a balance between agriculture, preservation, and other land uses.
- g. To promote keeping Town-owned farmland in agricultural production. In addition, to ensure the responsible use of Town-owned farmland by monitoring use agreements between the Town and local farmers.

#### **Education and Outreach**

- a. To increase awareness of agricultural enterprises in the community.
- b. To promote the value of viable agriculture to the Town in the areas of employment, property taxes, environment and farmland preservation.
- c. To provide information and guidance on agriculture-related issues-such as zoning, inland wetland, public works and others - to town departments and other boards and commissions and residents as necessary.
- d. To support young farmers by supporting local, regional, and state vocational agricultural education, and 4-H programs.
- e. To recognize and support new farming operations.
- f. To act as a sounding board and provide review to town departments, boards and commissions concerning the impact of proposed town policies on agricultural activities.

#### **Economic Opportunities**

- a. To identify opportunities to preserve and expand agriculture in Mansfield.
- b. To promote opportunities for residents and local businesses to support agriculture.
- c. To provide information regarding available financial support related to agricultural viability.

**MEMBERSHIP:** The Agriculture Committee will consist of 6 regular voting members and 4 alternates appointed by the Town Council in accordance with A§192 of the Mansfield Code. Insofar as practical, members appointed shall be representative of all groups interested in the management, protection and regulation of agriculture as defined by Connecticut General Statutes 1-1q, particularly those directly involved in agriculture. A chairman, vice chairman and a secretary will be elected and will serve for a term of one year.

**LENGTH OF TERM:** The appointments will be for two year terms.

**PAGE  
BREAK**



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matthew Hart, Town Manager *M.H.*  
**CC:** Maria Capriola, Assistant to Town Manager; Lon Hultgren, Director of Public Works, Cherie Trahan, Director of Finance, Curt Vincente, Director of Parks & Recreation  
**Date:** August 9, 2010  
**Re:** Capital Improvement Projects – Equipment & Improvements Bonding

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**Subject Matter/Background**

The 2010/11 Adopted Capital Improvement Budget recommends various equipment acquisitions and capital maintenance, town facilities improvements, and transportation facilities improvements to be funded by the issuance of bonds in the amount of \$263,000. In accordance with the Town Charter, consecutive action of the Council and a Town Meeting are required to authorize the issuance of bonds for these projects.

The equipment acquisitions and capital maintenance include: the refurbishment and chassis changeover of two Ford F-350 trucks (\$30,000), the upgrade of hydraulic rescue equipment (\$18,000) and the acquisition of a pickup truck (\$45,000).

In addition, the town facility and transportation improvement projects must be referred to the Planning and Zoning Commission for approval. The town facility improvement projects include: acquisition and installation of ventilation units for the locker room at the Community Center (\$20,000), and town park improvements including playground equipment, picnic areas, ball fields, trails and facility improvements (\$20,000). The transportation facility improvements include road drainage capital maintenance (\$50,000), large bridges capital maintenance (\$20,000), and transportation and walkway improvements such as bus stops, walkways and bikeways (\$60,000).

**Legal Review**

The Town's bond attorney has outlined the procedures and resolutions to be taken by the Council, Planning and Zoning Commission, Town Clerk, and Town voters at the Town Meeting. The first three actions are outlined below.

**Recommendation**

**Action #1**

The Council is respectfully requested to refer the facility and transportation improvement projects identified above to the Mansfield Planning and Zoning Commission for review and approval.

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

*Move, effective August 9, 2010 to refer to the Planning and Zoning Commission for review and approval, the town facility and transportation improvement projects included in the 2010/11 Capital Improvement Plan as outlined above.*

Action #2

The Council is respectfully requested to enact the attached resolutions appropriating a total of \$263,000 for costs associated with the above projects and further authorizing the issuance of bonds. (See attachment labeled Action #2)

Action #3

The Council is respectfully requested to enact the attached resolutions calling for a Town Meeting to be held September 13, 2010 for the consideration of the above. (See attachment labeled Action #3)

## ACTION #2

Item 6.

**RESOLUTION APPROPRIATING \$93,000 FOR COSTS WITH RESPECT TO VARIOUS EQUIPMENT ACQUISITIONS AND CAPITAL MAINTENANCE, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.**

RESOLVED,

(a) That the Town of Mansfield appropriate NINETY-THREE THOUSAND DOLLARS (\$93,000) for costs with respect to various equipment acquisitions and capital maintenance, including the refurbishment and chassis changeover of two Ford F-350 trucks (estimated cost \$30,000), the upgrade of hydraulic rescue equipment (estimated cost \$18,000) and the acquisition of a pickup truck (estimated cost \$45,000). The appropriation may be spent for acquisition and capital maintenance costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and may reduce or modify the scope of the project; and the entire appropriation may be spent on the project as so reduced or modified.

(b) That the Town issue its bonds or notes in an amount not to exceed NINETY-THREE THOUSAND DOLLARS (\$93,000) to finance the appropriation for the project. The amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project and applied to pay project costs. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts, as applicable. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes, or obligations for the project and the receipt of project grants. The amount of the notes outstanding at any time shall not exceed NINETY-THREE THOUSAND DOLLARS (\$93,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any temporary notes if the notes do not mature within the time permitted by said Section 7-378.

(d) The Town Manager, the Director of Finance and the Treasurer, or any two of them, shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes to provide for the keeping of a record of the bonds, notes or temporary notes; to designate a financial advisor to the Town in

connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the Town Manager, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or temporary notes to finance the project.

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Item 6.

**RESOLUTION APPROPRIATING \$40,000 FOR COSTS WITH RESPECT TO VARIOUS TOWN FACILITIES IMPROVEMENTS, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.**

RESOLVED,

(a) That the Town of Mansfield appropriate FORTY THOUSAND DOLLARS (\$40,000) for costs with respect to various town facilities improvements, including acquisition and installation of ventilation units for the locker room at the Community Center (estimated cost \$20,000), and town park improvements including playground equipment, picnic areas, ball fields, trails and facility improvements as to be determined by the Town Manager (estimated cost \$20,000). The appropriation may be spent for design, construction and acquisition costs, materials, equipment, engineering and other consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and may reduce or modify the scope of the project; and the entire appropriation may be spent on the project as so reduced or modified.

(b) That the Town issue its bonds or notes in an amount not to exceed FORTY THOUSAND DOLLARS (\$40,000) to finance the appropriation for the project. The amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the

project and applied to pay project costs. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts, as applicable. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes, or obligations for the project and the receipt of project grants. The amount of the notes outstanding at any time shall not exceed FORTY THOUSAND DOLLARS (\$40,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any temporary notes if the notes do not mature within the time permitted by said Section 7-378.

(d) The Town Manager, the Director of Finance and the Treasurer, or any two of them, shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes to provide for the keeping of a record of the bonds, notes or temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the Town Manager, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or temporary notes to finance the project.

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Item 6.

**RESOLUTION APPROPRIATING \$130,000 FOR COSTS WITH RESPECT TO VARIOUS TRANSPORTATION FACILITIES IMPROVEMENTS, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.**

RESOLVED,

(a) That the Town of Mansfield appropriate ONE HUNDRED THIRY THOUSAND DOLLARS (\$130,000) for costs with respect to various transportation facilities improvements, including road drainage capital maintenance (estimated cost \$50,000), large bridges capital maintenance (estimated cost \$20,000), and transportation and walkway improvements such as bus stops, walkways and bikeways (estimated cost \$60,000), all as to be determined by the Town Manager. The appropriation may be spent for design, construction, acquisition and capital maintenance costs, materials, equipment, engineering and other consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and may reduce or modify the scope of the project; and the entire appropriation may be spent on the project as so reduced or modified.

(b) That the Town issue its bonds or notes in an amount not to exceed ONE HUNDRED THIRY THOUSAND DOLLARS (\$130,000) to finance the appropriation for the project. The amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project and applied to pay project costs. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts, as applicable. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes, or obligations for the project and the receipt of project grants. The amount of the notes outstanding at any time shall not exceed ONE HUNDRED THIRY THOUSAND DOLLARS (\$130,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any temporary notes if the notes do not mature within the time permitted by said Section 7-378.

(d) The Town Manager, the Director of Finance and the Treasurer, or any two of them, shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes to provide for the keeping of a record

of the bonds, notes or temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the Town Manager, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or temporary notes to finance the project.

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**ACTION #3**

**RESOLUTION CALLING TOWN MEETING WITH RESPECT TO FOR COSTS WITH RESPECT TO VARIOUS EQUIPMENT ACQUISITIONS AND CAPITAL MAINTENANCE.**

RESOLVED, That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 6 of this meeting, appropriating \$93,000 for costs with respect to various equipment acquisitions and capital maintenance and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held Monday, September 13, 2010, which Town Meeting the Town Council hereby authorizes the Mayor to call.

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**RESOLUTION CALLING TOWN MEETING WITH RESPECT TO FOR COSTS WITH RESPECT TO VARIOUS TOWN FACILITIES IMPROVEMENTS.**

RESOLVED, That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 6 of this meeting, appropriating \$40,000 for costs with respect to various town facilities improvements and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held Monday, September 13, 2010, which Town Meeting the Town Council hereby authorizes the Mayor to call.

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**RESOLUTION CALLING TOWN MEETING WITH RESPECT TO FOR COSTS WITH RESPECT TO VARIOUS TRANSPORTATION FACILITIES IMPROVEMENTS.**

RESOLVED, That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 6 of this meeting, appropriating \$130,000 for costs with respect to various transportation facilities improvements and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held Monday, September 13, 2010, which Town Meeting the Town Council hereby authorizes the Mayor to call.

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matthew Hart, Town Manager *Matt*  
**CC:** Maria Capriola, Assistant to Town Manager; Lon Hultgren, Director of Public Works, Cherie Trahan, Director of Finance, Curt Vincente, Director of Parks & Recreation  
**Date:** August 9, 2010  
**Re:** Capital Improvement Projects – Open Space, Laurel Lane & Stone Mill Road Bridge Repairs

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**Subject Matter/Background**

The 2010/11 Adopted Capital Improvement Budget recommends open space acquisition funding (\$1,000,000), and the replacement of the Laurel Lane bridge (\$1,112,620). The 2007/08 Adopted Capital Improvement Budget recommended the replacement of the Stone Mill Road bridge (\$1,446,000). Recommended funding for these projects is the issuance of bonds. In accordance with the Town Charter, consecutive action of the Council and Referendum are required to authorize the issuance of bonds for these projects. In addition, the Planning and Zoning Commission needs to review these projects for conformance with the municipal plan of development.

**Financial Review**

If approved, the issuance of bonds for the acquisition of open space would not take place until current funds in the account are exhausted and open space property is approved for acquisition. The two bridge replacement projects are 80% funded by federal grants. The Town's share of the Laurel Lane bridge replacement is estimated at \$222,520. The Town's share of the Stone Mill Road bridge replacement is estimated at \$197,630.

**Legal Review**

The Town's bond attorney has outlined the procedures and resolutions to be made by the Council, Planning and Zoning Commission, Town Clerk, and Town voters at the Town Meeting. The first action is outlined below.

**Recommendation**

The Council is respectfully requested to refer the Open Space Acquisition project, Laurel Lane and Stone Mill Road bridge replacement projects to the Mansfield Planning and Zoning Commission for review and approval.

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

*Move, effective August 9, 2010 to refer to the Planning and Zoning Commission for review and approval, the Open Space Acquisition, Laurel Lane and Stone Mill Road bridge replacement projects.*



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Town Manager *Matt*  
**CC:** Lon Hultgren, Director of Public Works; Virginia Walton, Recycling Coordinator  
**Date:** August 9, 2010  
**Re:** MRRA, Amendments to Solid Waste Regulations/Pilot Litter Control Program

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**Subject Matter/Background**

As outlined in the attached memo, we are proposing changes to the Town's Solid Waste Regulations to help control litter resulting from refuse not collected (left behind) at single-family homes. (The regulations are also being updated to reflect current "single-stream" recycling practices.) We have also planned a pilot program of litter control on Hunting Lodge and North Eagleville Roads near the UConn campus.

Notice of the amendments, if approved by Council in its role as the Mansfield Resource Recovery Authority (MRRA), will be mailed to residents with their October 2010 refuse collection bills.

**Financial Impact**

Changes to the solid waste regulations are not expected to have an appreciable effect on the solid waste budget. The litter control program will cost \$3,000-\$4,000 per year from the solid waste budget if the Town continues the program after the pilot.

**Legal Review**

The Town attorney has reviewed the proposed solid waste regulation changes.

**Recommendation**

We respectfully request the Council to review and comment on the targeted litter control program and approve the changes in the solid waste regulations.

If the Council acting as the MRRA supports this recommendation, the following motion is in order:

*Move, to adopt the proposed amendments to the solid waste regulations, which amendments shall be effective November 1, 2010.*

**Attachments**

- 1) Memo from LRH and VW to Matt Hart dated August 3, 2010 (2 pages).
- 2) Proposed solid waste regulations with markup

**MEMO**

August 3, 2010

To: Matt Hart, Town Manager  
From: Lon Hultgren, Director of Public Works  
Virginia Walton, Solid Waste/Recycling Coordinator V.W.  
Re: Changes to the Town's Solid Waste Regulations & Focused Litter Control Pilot

As you are aware, for a variety of reasons, the Town is now experiencing a serious litter problem at a number of single-family houses in Mansfield. Our normal methods of enforcement (issuing citations and not picking up refuse that is beyond a property's service level or contaminated with recyclables) have been ineffective in addressing this problem.

After studying this in recent months, conferring with the Town's Solid Waste Advisory Committee, the Town's contracted single-family refuse collector, the Town's Housing Inspection Office, members of your Town management staff, the UConn office of off-campus coordination and other communities, we propose the following measures to address this litter problem:

1. **Changes to the Town's Solid Waste Regulations and refuse collection schedule**
  - a. Eliminating Friday as a refuse pickup day (in favor of Monday or Tuesday)
  - b. Requiring the collector to pickup all household refuse at each stop regardless of any contamination from recyclables or amounts of refuse exceeding a property's subscribed service level.
  - c. Enacting a new enforcement provision for properties that have trash contaminated with recyclables or refuse quantities over their service level for more than twice in a month or 3 times in a quarter that allows the Town (after notice) to increase the property's refuse collection service level to the next level above their current level and charge the higher fee in the next quarter. If a property continues to have similar contamination or quantity overages in subsequent months or quarters, their service level can be increased again with a yet higher fee. For properties that are increased to or already at the maximum service level (maxi-service) with the above non-compliance, a new service level ("non-conforming maxi-service") will be established at an even higher rate for these properties.

These changes are incorporated into the attached proposed regulations which will need to be adopted by the Council acting as the Mansfield Resource Recovery Authority. The proposed changes were discussed and approved by the Solid Waste Advisory Committee and have been reviewed by the Town Attorney.

**2. Targeted Litter Pickup Efforts**

As a pilot program, a crew of part-time litter pickers will be recruited to work on Mondays along Hunting Lodge and North Eagleville Roads (where the litter problem is the worst). We expect this will involve about 8 hours per week for no more than 30 weeks a year. We estimate this cost will run approximately \$3,000 to \$4,000 a year, which will be paid for from the Solid Waste fund.

**3. Placing New Trash Receptacles**

As an additional pilot program (along with the litter pickers) we are working with UConn's Jim Hintz to secure 4 trash containers to be placed at the bus stops and other locations along the new walkway on Hunting Lodge Road. Town crews will empty these containers weekly (or as needed)

when they are doing their weekly trash runs in the parks and recreation areas (the closest existing trash container is at Shelter Falls on Birch Road).

#### **4. Cooperative Publicity and a Strengthened "Adopt a Road" Program**

In conjunction with the UConn's off-campus coordination office, a public relations program targeting UConn students will be conducted to attempt to raise awareness of the litter problem, get students to use the trash containers in the area and participate more frequently in litter pickup efforts. With UConn's help, the Town's "adopt a road program" will also be made more visible.

The above program elements will be implemented for the 2010 fall semester and evaluated as to their effectiveness prior to the spring semester. An evaluation report will be issued in December of 2010 with recommendations to continue, modify or disband the pilot program (changes to the solid waste regulations will remain).

cc: Maria Capriola, Assistant to the Town Manager  
Jim Hintz, UConn Off-Campus Coordinator  
Mark Kiefer, Supt of Public Works

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## Chapter A196, SOLID WASTE REGULATIONS

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[HISTORY: Adopted by the Mansfield Resource Recovery Authority of the Town of Mansfield 5-27-1994, amended 10-1-1995. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Solid Waste -- See Ch. 161.

#### § A196-1. Facilities for use by residents and permitted collectors only.

All Mansfield solid waste facilities, including the Town transfer station, recycling area or other disposal or processing facilities are exclusively for and shall be used only by the residents and businesses of the Town, and upon request, the driver of any private or commercial vehicle must satisfactorily demonstrate to the person in charge that he or she is a resident of the Town of Mansfield or a permitted solid waste collector. The Town Manager may issue and require the use of vehicle stickers to be displayed by the Town residents (other than solid waste collectors) in lieu of the above.

#### § A196-2. Proof of refuse; contractor delivery and transportation.

- A. All persons employed by a resident of the Town of Mansfield to dispose of refuse must show dated proof of refuse source demonstrating that said refuse was generated in the Town of Mansfield.
- B. Contractors (tree services, site contractors, demolition companies, etc.) must make arrangements with the Town Department of Public Works in advance of delivering refuse or bulky waste to any Town solid waste facility; otherwise, a delay in unloading may result. Effective August 23, 2003 commercial (contractor hauled) bulky waste will not be accepted at the Town's transfer station. Dated proof of refuse source and prepayment of disposal fees shall be required for everyone other than licensed collectors.
- C. All vehicles must transport all refuse in a closed, covered or secure manner. Unless the vehicle is capable of being completely closed, all cans, barrels or other containers must be tightly covered. Littering of the highways, including the access road to any Town solid waste facility, shall be considered as a violation of Chapter 161, Solid Waste, and Chapter 179, Vehicles, Abandoned.

#### § A196-3. All collectors to be licensed; Mansfield trash only.

All solid waste collectors must obtain and hold a current permit to collect solid waste in the Town. Application for a permit must be made to the Town Health Department. Solid waste collectors shall not deposit any solid waste that is not collected in Mansfield in any Mansfield solid waste facility.

#### § A196-4. Facility use regulations and prohibitions.

- A. The following materials are prohibited from any Town solid waste facility:
- (1) Dead animals of any kind.
  - (2) Live ammunition.
  - (3) Hazardous waste as defined by the United States Environmental Protection Agency pursuant to 42 U.S.C.S. Section 6903(5) of the Resource Conservation and Recovery Act of 1976, chemicals including large quantities of insecticides, paint, oil, etc., or radioactive waste.

- (4) Motor vehicles or equipment (cars, trucks, whole or otherwise).
  - (5) Burning ashes.
  - (6) Liquid waste, including septic tank pumpings, sewage or sludge.
  - (7) Mercury batteries.
- B. The speed limit in all solid waste facilities is a maximum of 20 miles per hour.
  - C. Smoking is prohibited in all solid waste facilities.
  - D. Children under 12 years of age must remain inside vehicle at all times.
  - E. Pets of any kind are prohibited in Town solid waste facilities unless confined inside a vehicle at all times.
  - F. No scavenging, picking or salvaging operations are permitted at Town solid waste facilities.
  - G. All Connecticut State Department of Environmental Protection and Department of Health regulations regarding the use of the solid waste facilities must be complied with at all times.

§ A196-5. Designated materials for source separation and recycling.

The following major types of materials shall be separated from other refuse for recycling by all persons or establishments in the Town of Mansfield. These materials shall not be placed in the same garbage can as or otherwise mixed with other forms of solid waste for collection, removal or disposal.

- A. Newspaper and magazines.
- B. Corrugated cardboard.
- C. Glass and metal food and beverage containers.
- D. Scrap metal.
- E. Waste oil and oil filters.
- F. Yard waste.
- G. Storage batteries.
- H. Office paper.
- I. Antifreeze (automobile).
- J. Household cardboard.
- K. ~~Plastic containers, except motor oil and Styrofoam containers.~~
- L. Fluorescent lights. [Added 9-24-2001, effective 11-1-2001]
- M. Computers. [Added 9-24-2001, effective 11-1-2001]
- N. Televisions. [Added 9-24-2001, effective 11-1-2001]
- O. Microwave ovens

Deleted: PETE No. 1 and HDPE No. 2

§ A196-6. Residential recycling.

A. It shall be mandatory for all persons, except those physically disabled as verified by the Town of Mansfield Human Services office, who are owners, lessees or occupants of residential property, single-family or multifamily, to separate or cause to have separated from other solid waste all materials designated as recyclable in § A196-5 above. Cause to have separated for each rental property having collection service shall include:

- (1) Beginning 60 days after the effective date of this amendment, causing to have all lessees and/or principal occupants sign and date a document stating the lessee and/or principal occupant has received and read the Town's current recycling information, been informed of the day and place of recycling collection and has a recycling bin in their unit (if pertinent), and thereafter requiring notification of the responsibilities of Chapter 161, Solid Waste, and regulations to be included in each lease.
- (2) Providing for the collection and removal of recyclables.
- (3) Providing individual recycling bins for each unit for the term of the lease or providing centralized containers with a prominent description of mandated items on or near the containers.
- (4) Disseminating current recycling information, provided by the Town, to each unit no more than twice yearly.
- (5) Instructing on-site managers in recycling procedures.
- (6) Assisting and cooperating with Town enforcement personnel in determining recycling compliance.

B. Residential recycling collection of newspaper, magazines, household cardboard, glass and metal food and beverage containers and plastic containers shall be only as authorized by the MRRA utilizing the recycling/refuse collector under contract with the Authority.

C. Residential recycling collection shall be available to the owners of all single-family and multifamily residences only at such times, schedules, fees and service levels as shall be designated by the MRRA. At the owner's option, said collection may be refused in favor of self-hauling one's own recyclables to the Town's designated recycling facility.

D. Effective October 1, 1990, the provisions of this section shall apply to all residences in Mansfield, with the exception of multifamily residences (apartments and condominiums) where owners have current collection contracts that extend past October 1, 1990. The owners of said establishments shall, at their option, continue with their contract collection until such time as their current contract expires, at which time the full provisions of this section shall become effective.

E. Clean and unsoiled newspaper, magazines, junk mail, flattened corrugated cardboard boxes and household cardboard with inner liners removed shall be separated from refuse and combined with glass, metal and plastic containers in one or more upright containers. Plastic bags shall not be used to contain recyclables.

F. Glass and metal food and beverage containers and plastic containers shall be separated from refuse and combined in one or more upright containers with paper and cardboard. These recyclables should not be flattened or processed in any way, but should be rinsed. Labels, lids and neck rings need not be removed. Containers must be kept clean and in such a place as not to constitute a nuisance or be otherwise objectionable. Plastic bags shall not be used to contain recyclables.

G. Yard waste shall be separated from all other refuse and recyclable materials and either composted or disposed of on the property from which it was generated. Yard waste may also be taken to the Town's solid waste area after first being further separated into brush and trees, leaves, grass clippings and stumps. Yard waste shall not be disposed with refuse or recyclables.

H. Storage batteries shall be separated from all other refuse and recyclable materials and taken to the designated drop off area at the Town's solid waste/recycling area, or otherwise recycled, reused or sold for scrap in a manner consistent with these regulations and Connecticut DEP requirements.

**Deleted:** shall be tightly placed in standard grocery shopping bags, placed in corrugated boxes or securely tied in flat bundles, none of which shall weigh more than 35 pounds.

**Deleted:** may also be included in said bags, boxes or bundles, provided that all plastics are removed.

**Deleted:** F. Corrugated cardboard boxes shall have all packing materials removed and shall be collapsed and placed in paper grocery shopping bags or tied in bundles not weighing more than 35 pounds. Flattened household cardboard shall also be included in said bundles, provided that all plastic materials, inner liners and packing materials have been removed.¶  
G

**Deleted:** used only for this category of recyclables and containing no paper or other rubbish

**Deleted:** PETE No. 1 and HDPE No. 2 plastic containers shall be included with said food containers as per Subsection M below

- I. Waste oil, used oil filters and antifreeze shall be collected in clean, covered containers and taken to the designated drop off area at the Town's solid waste/recycling area or otherwise recycled, reused or sold to a state-licensed waste oil collector in a manner consistent with these regulations and Connecticut DEP requirements.
- J. Scrap metals shall be separated by type from all other refuse and recyclable materials and taken to the Town's solid waste/recycling area or otherwise recycled, reused or sold for scrap in a manner consistent with these regulations and Connecticut DEP requirements.
- K. For the purposes of these regulations only, multifamily residential establishments shall refer to apartments, trailer parks and condominiums which include two or more dwelling units owned or managed by a common entity as well as buildings or parts thereof containing two or more dwelling units, including apartments, row houses and townhouses. Dormitories (including fraternity and sorority houses) shall also be considered multifamily residential establishments.
- L. Plastic containers, ~~excepting motor oil and Styrofoam containers~~, shall be separated from refuse and included with glass and metal food and beverage containers, ~~paper and cardboard~~ provided that they are clean. Labels, lids and neck rings need not be removed.
- M. Unbroken fluorescent lights shall be separated from all other refuse and recyclable materials and taken to the designated drop-off area at the Town's solid waste/recycling area, or otherwise recycled in a manner consistent with these regulations and Connecticut DEP requirements. [Added 9-24-2001, effective 11-1-2001]
- N. Computer monitors, computer accessories, microwave ovens and televisions shall be separated from all other refuse and recyclable materials and taken to the designated drop-off area at the Town's solid waste/recycling area, or otherwise recycled or reused in a manner consistent with these regulations and Connecticut DEP requirements. [Added 9-24-2001, effective 11-1-2001]

Deleted: PETE No. 1 and HDPE No. 2

**§ A196-7. Commercial recycling.**

- A. Effective October 1, 1990 it shall be mandatory for all persons who are owners, lessees or occupants of nonresidential establishments and public institutions or facilities to establish recycling programs and to separate from other solid wastes or arrange to separate, collect, transport and market all materials so designated as recyclable in § A196-5 of these regulations.
- B. This section shall also apply to multifamily residential establishments having a current collection contract that extends past October 1, 1990, until said contract expires.
- C. All solid waste collectors permitted to collect refuse and recyclables in Mansfield under Code § 161-11 who collect refuse or recyclables from nonresidential establishments or public institutions are required by this section to: [Added 9-24-2001, effective 11-1-2001]
  - (1) Distribute the Town's current recycling brochure to each new customer.
  - (2) Report to the Town's Refuse/Recycling Coordinator recycling violations, including a lack of recycling and the mixing of recyclables with trash.
  - (3) Where the solid waste collector has assumed responsibility for providing recycling containers, provide clear, accurate labeling on containers.

**§ A196-8. Separation of other materials for disposal at the Town solid waste facility.**

The following other types of materials shall be separated from other refuse and deposited in the locations specifically designated for such materials:

- A. Demolition materials.
- B. Stumps.
- C. Mattresses, sofas, other furniture, tires, etc.
- D. Tires.
- E. Clean lumber, with or without nails, but free from any dry-wall or other contaminants.

**§ A196-9. Residential refuse collection.**

- A. Residential refuse collection shall be only as authorized by the MRRRA utilizing the recycling/refuse collector under contract with the Authority.
- B. Residential refuse collection shall be available to the owners of all single-family and multifamily residences only at such times, schedules, fees and service levels as shall be designated by the MRRRA. At the owner's or occupant's option, said collection may be refused in favor of self-hauling one's own refuse to the Town's transfer station in accordance with these regulations.
- C. The provisions of this section shall apply to all residences in Mansfield effective October 1, 1990, with the exception of multifamily residences (apartments and condominiums) whose owners have current collection contracts that extend past October 1, 1990. The owners of said establishments shall at their option continue with their contract collection until such time as their current contract expires, at which time the full provisions of this section shall become effective.

**§ A196-10. Commercial refuse collection.**

- A. It shall be the responsibility of all persons who are owners, lessees or occupants of nonresidential establishments and public institutions or facilities to arrange for the collection of refuse and its transportation to and disposal in the Town-designated refuse disposal facility in accordance with these regulations.
- B. This section shall also apply to multifamily residential establishments having a current collection contract that extends past October 1, 1990 until said contract expires.

**§ A196-11. Designation of solid waste and recycling facilities.**

- A. ~~Willimantic Waste Paper Company~~ located in the Town of ~~Windham~~ shall be the designated Mansfield refuse disposal area for all solid waste generated and collected in the Town of Mansfield.
- B. The transfer station located on Route 89 in Mansfield shall be the designated Mansfield refuse disposal area for residents hauling their own refuse in their own vehicles.
- C. The transfer station located on Route 89 in Mansfield shall be the designated Mansfield disposal area for residential quantities of bulky waste for residents hauling their own bulky waste in their own vehicles.
- D. The Willimantic Waste Paper Company's bulky waste receiving facility located on Route 32 in

**Deleted:** The Southeast Regional Resource Recovery facility

**Deleted:** Preston

Windham shall be the designated Mansfield disposal facility for commercially hauled or generated bulky wastes.

E. The Willimantic Waste Paper Company located in Windham shall be the designated recycling facility for paper, corrugated and mixed cans and bottles collected in the Town of Mansfield.

§ A196-12. Fees and service levels.

A. The fee for a commercial collection vehicle permit for collecting, hauling or transporting refuse or recyclables within the Town shall be \$10 for each vehicle per year.

B. The application fees for filing an application for a solid waste collector's permit shall be:

- (1) Three hundred dollars for a new or renewed permit.
- (2) One hundred fifty dollars for a modification to an existing permit.

C. The tipping fees for dumping Mansfield refuse at any facility shall be the current charge per ton to the Town of Mansfield plus a \$4 per ton administrative fee, payable to the Town of Mansfield by all licensed solid waste collectors hauling refuse from Mansfield to said facility on a monthly basis based on the weight of refuse delivered to the facility as reported by said facility.

D. Fees and hours for the Town transfer station and recycling area.

- (1) Hours: Tuesday and Saturday, from 8:30 a.m. to 4:00 p.m. Thursday from 12:00 noon to 4:00 p.m.
- (2) Fees for refuse, effective July 1, 1994: [Amended 8-25-1997, effective 10-1-1997; 11-9-1998, effective 1-1-1999; 9-24-2001, effective 11-1-2001]

Item	Charge
Garbage bags	\$3.50 each
Up to 35-gallon garbage can	\$7.00 each
55-gallon drum (full)	\$9.00
55-gallon drum (less than 1/2 full)	\$4.50
Compact pickup (1 cubic yard)	\$35.00
Flat loaded pickup (2 cubic yards)	\$70.00
High loaded pickup (4 cubic yards)	\$140.00
All other garbage	\$35.00 per cubic yard, as measured on site
Stumps	\$30.00 per cubic yard
Brush	\$10.00 per cubic yard
Passenger car tires (up to 19 1/2" on or off rims)	\$2.00
Large truck tires (off rims)	\$8.00
Large truck tires (on rims)	\$20.00
Large off-road tires	\$25.00
Bulky waste/brush/construction debris [Amended 12-11-2000, effective 4-1-2001]	\$30.00 per cubic yard
 (3) Fees for recycling. [Amended 11-9-1998, effective 1-1-1999]	
Scrap metal	\$3.00 per cubic yard
CFC appliances	\$12.00 each

Capacitors or ballasts	\$3.00 each
Wood grindings	\$10.00 per scoop (when available only)
Computers/televisions (up to 19"screen)	\$6 each
Computers/televisions (20"screen and up)	\$12 each
Microwave ovens	\$12 each

E. Other transfer station regulations and service levels.

- (1) A maximum of four cubic yards of refuse per vehicle is permitted for use of the transfer station.
- (2) A maximum of four cubic yards of bulky waste per vehicle is permitted for use of the transfer station except under written permission from the Town's Department of Public Works.
- (3) No solid waste collector shall be permitted the use of the transfer station for the depositing of refuse or recyclables except under contract or written permission with the Town's Department of Public Works.

F. Fees and service levels for single-family refuse and recycling collection shall be as follows: [Amended 5-10-1999, effective 7-1-1999]

Level of Service	Description	Monthly Fee
Mini-mini	Weekly curbside pickup of 1 kitchen-size (13-gallon) garbage bag.	\$11.75
	<u>Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.</u>	
	Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week in the winter, as designated by the Town.	
Mini-service	Weekly curbside pickup of 1 small garbage can (up to 20 gallons) or 1 standard size (35-gallon) garbage bag.	\$ 15.25
	<u>Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.</u>	
	Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week	

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Deleted: Curbside pickup of single stream recycling ¶  
 . (newspaper, magazines, corrugated cardboard, ¶  
 . household cardboard, glass and metal food and ¶  
 . beverage containers, plastic containers) every week. ¶

in the winter, as designated by the Town.

1-can service	Weekly curbside pickup of 1 standard size garbage can (35-gallon) or 2 standard size (35-gallon) garbage bags.	\$21.75
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Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.

Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week in the winter, as designated by the Town.

Standard service	Weekly curbside pickup of 2 standard size garbage cans (35-gallon) or 4 standard size (35-gallon) garbage bags.	\$ 27.50
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Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.

Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week in the winter, as designated by the Town.

Maxi-service	Weekly curbside pickup of 4 standard size garbage cans (35-gallon) or 8 standard size (35 gallon) garbage bags of refuse.	\$ 34.00
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Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.

Non-Conforming Maxi-service	Weekly maxi service, as defined above, with a higher fee for non-conformity [See section A196-13(E)(2)]	\$45.00
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Backyard service	Additional cost to have 1 can, standard or full service, provided in the yard, adjacent to the house or location (other than curb) designated by the subscriber. (Maximum off-road distance: 100 yards.)	\$ 11.50
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Backyard service for long or unusual driveways	Additional cost for service provided at a location designated by the subscriber for long (greater than 100 yards) or unusual driveways.	\$15.00
Extra bag tags	Pickup of tagged standard sized garbage bags (33-gallon) over and above the selected level of service for the single-family residence	\$3.50
<u>Recycling bins</u>	<u>14 gallon containers</u>	<u>\$5.75</u>

Deleted: \$6.50

G. Fees and service levels for multifamily refuse and recycling collection shall be as follows: [Amended 4-24-2000, effective 7-1-2000; 9-24-2001, effective 11-1-2001]

Level of Service	Description	Monthly Fee
Mini-service	Weekly pickup of 1 small garbage can (up to 20 gallons) or 1 standard size (35-gallon) garbage bag per dwelling unit at a designated area for said can or bag.	\$14.00
	<u>Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) at the same designated area every week.</u>	
Individual can	Weekly pickup of 1 standard-size garbage can (35-gallon) per dwelling unit at a designated area for said can.	\$18.25
	<u>Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) at the same designated area every week.</u>	
1-cubic-yard container	Providing and emptying a 1-cubic-yard covered refuse container	\$72.50 once per week.
	<u>Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.</u>	
2-cubic-yard container	Providing and emptying a 2-cubic-yard covered refuse container once per week.	\$96.00

\_\_\_\_\_ Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.

4-cubic-yard container Providing and emptying a 4-cubic-yard covered refuse container once per week. \$181.50

\_\_\_\_\_ Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.

6-cubic-yard container Providing and emptying a 6-cubic-yard covered refuse container once per week. \$255.50

\_\_\_\_\_ Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.

6-cubic-yard container (twice a week) Providing and emptying a 6-cubic-yard covered refuse container twice per week. \$478.50

\_\_\_\_\_ Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.

8-cubic-yard container Providing and emptying a 8-cubic-yard covered refuse container once per week. \$329.50

\_\_\_\_\_ Pickup single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.

8-cubic-yard container (twice a week) Providing and emptying an 8-cubic-yard covered refuse container twice per week. \$616.00

**Deleted:** 3-cubic-yard . Providing and emptying a . \$141.00¶  
 container . 3-cubic-yard covered . . ¶  
 . refuse container once per week. ¶  
 . Pickup of mixed paper, flattened ¶  
 . Corrugated cardboard and commingled ¶  
 . containers in centralized recycling containers ¶  
 . at or adjacent to the refuse container¶  
 . every week.¶  
 ¶

\_\_\_\_\_ Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.

10-cubic-yard container	Providing and emptying a 10-cubic-yard covered refuse container once per week.	\$419.00
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\_\_\_\_\_ Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.

Individual Unit Recycling	In place of centralized recycling containers. Weekly pickup of <u>single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers)</u> in individual recycling bins.	\$2.00 per dwelling unit
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Extra dumpster collections

2-cubic-yard dumpster	\$15.00
4-cubic-yard dumpster	\$20.00
6-cubic-yard dumpster	\$25.00
8-cubic-yard dumpster	\$30.00
10-cubic-yard dumpster	\$35.00
Tipping fee (100 pounds per cubic yard)	Tipping fee

H. Fee waivers.

- (1) Service fee waivers for curbside refuse collection and/or normal household quantities of refuse, recycling and bulky waste drop-off at the transfer station shall be available as prescribed in the Mansfield Code of Ordinances, Chapter 122, Article III. Applications for said waiver shall be made to the Town's Social Services Department. Fee waivers for greater than household quantities of refuse, recycling or bulky waste must be approved by the Town's Zoning Agent or the Director of the Eastern Highlands Health District.
- (2) For persons who are physically impaired and have no household members able to make it feasible for them to get refuse to the curbside, fee waivers shall be available to enable them to subscribe to backyard service at curbside fees. Applications for waivers shall be made to the Town's Social Services Department. Medical documentation will be required.

§ A196-13. Enforcement provision.

Pursuant to § 161-12 of the Solid Waste Ordinance, enforcement of the ordinance and these regulations shall be as follows:

A. The Director of Public Works, the Recycling/Refuse Coordinator and/or other individuals designated by the Town Manager are responsible for the enforcement of these regulations. Said individuals are hereby authorized to take such enforcement actions as authorized in these regulations.

B. The Town of Mansfield, through its designated enforcement officer, shall serve written notice of the violation(s) of this ordinance to any person responsible for the violation. The notice may be hand delivered or mailed by certified mail, return receipt requested, to the last known address of each responsible person.

C. Such notice shall state the violation(s) as outlined hereinafter and demand its correction within 10 calendar days or, if applicable, the next scheduled refuse/recycling collection date. If the person cited fails to correct the violation before the deadline the Town of Mansfield may issue a citation. Said citation shall inform the responsible person of the allegations against him or her, the amount of the fine due, and the date on which payment of the fine is due, which shall be no later than 10 days after the date of the citation.

D. If any such fine is unpaid beyond the due date, the Town may initiate proceedings to collect such fine pursuant to the Hearing Procedure for Citations Ordinance enacted pursuant to Connecticut General Statutes section 7-152c.

E. Recycling violations.

(1) Any person who fails to separate and recycle or cause to have recycled all designated recyclable materials from other solid waste, as defined by Chapter 161, the Solid Waste Ordinance, and these regulations shall be subject to a ninety (\$90) dollar fine for each citation.

**Deleted:** Citations shall be punishable with a fine ranging from \$50 to \$100 for each violation.¶

(2) For the purposes of these regulations only, any person who has subscribed to refuse and recycling collection and is not recycling or recycling poorly at least two times within a month or three times within a quarter shall be considered non-conforming.

(3) In lieu of issuing a citation per Section A196-13(E)(1) or (6) of these regulation, any person who is non-conforming, as defined by Section A196-13(E)(2) of these regulations shall, after notice by the Town, be subject to an increase in service level and corresponding increase in fees for each subsequent quarter that he/she is non-conforming.

**Deleted:** fails to separate and recycle or cause to have recycled all designated recyclable materials from other solid waste

(4) The Town, or its agents or contractors, reserves the right to refuse to collect or accept for disposal refuse or recyclables that have not been separated and/or recycled in accordance with these regulations.

**Deleted:** Chapter 161, the Solid Waste Ordinance, and

(5) In addition to the penalties provided for in Subsection (f) of Section 22a-220a of the Connecticut General Statutes, any solid waste collector who mixes other solid waste with items designated for recycling in Mansfield (per § A196-5 of these regulations) shall be subject to the following penalties:

**Deleted:** shall be subject to the following penalties: ¶  
<#> \$50 fine for the first citation; and ¶  
(b) \$100 fine for any second or subsequent citation.

(a) ~~\$90~~ fine for the first citation;

**Deleted:** 10

(b) 30 day suspension of his/her collector's permit for any second citation; and

(c) Revocation of his/her collector's permit for any subsequent citation.

(6) Any owner of a single-family or multifamily residential establishment who fails to cause to have recycled all designated recyclable materials from other solid waste, as defined by Chapter 161, the Solid Waste Ordinance, and these regulations shall be subject to a ninety (\$90) dollar fine for each citation.

**Deleted:** (4) . Any owner of a single-family or multifamily residential establishment who fails to cause to have separated and recycled all designated recyclable materials from other solid waste as defined in § A196-6A above shall be subject to the following penalties:¶  
\$50 fine for the first citation; and¶  
\$100 fine for any second or subsequent citation.¶  
G

F. Refuse violations.

(1) The Town, or its agents or contractors, reserves the right to refuse to accept for disposal any refuse set out for collection that exceeds or otherwise does not comply with the requirements of the current service level for that specific location or establishment.

(2) For the purposes of these regulations only, any person who has subscribed to refuse and recycling collection and is over his/her subscribed service level at least two times within a month or three times

within a quarter shall be considered non-conforming.

(3) Any person or owner of a single-family or multifamily residential establishment who is non-conforming, as defined by Section A 196-13(F)(2) of these regulations shall, after notice by the Town, be subject to an increase in service level and corresponding increase in fees for each subsequent quarter that he/she is non-conforming.

(4) Any person who, intentionally or unintentionally, places or allows the placement of persistent refuse or recyclables on their property creating an unsanitary or nuisance condition shall be assessed a \$90 fine for any first and/or subsequent citation.

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(5) Any person who places or allows refuse and/or recyclables to be located at the curb for more than 24 hours before and/or after trash collection shall be assessed a \$90 fine for any first and/or subsequent citation.

Deleted: 5

(6) Any person who deposits or causes to have deposited in any designated Mansfield solid waste or recycling facility any refuse or recyclables not generated within the Town of Mansfield shall be subject to the following penalties:

- (a) \$90 fine for the first citation; and
- (b) Revocation of his/her dumping privileges and/or collector's permit for any second or subsequent citation.

(7) Any person who deposits or causes to have deposited in any designated Mansfield solid waste or recycling facility any commercial refuse or recyclables not so designated as commercial refuse, shall be subject to the applicable tipping fees and the following penalties:

- (a) \$90 fine for the first citation; and
- (b) Revocation of his/her dumping privileges and/or collector's permit for any second or subsequent citation.

Deleted: 10

(8) After October 1, 1990, except as provided for in §§ A196-6C and A196-9C above, any person who utilizes a vendor or source other than the Town's designated solid waste collector for residential collection shall be assessed a \$90 fine for any first and/or subsequent citation.

Deleted: 10

(9) Any person who throws or deposits any discarded, used or unconsumed substance or waste material (litter) in or upon any road or sidewalk, in any catch basin, drain or watercourse, or other public place within the Town, except in public receptacles, in authorized private receptacles for collection, or in any designated Mansfield solid waste or recycling facility, shall be assessed a \$90 fine for any first or subsequent citation.

Deleted: 10

(10) Any person who throws or deposits any household refuse, bulky waste or recyclables in or upon any road or sidewalk, in any catch basin, drain or watercourse, public place or unauthorized private property within the Town, or in unauthorized private receptacles for collection, shall be assessed a \$90 fine for any first or subsequent citation.

Deleted: 10

§ A196-14. Recycling containers.

A. The owner or occupant of each household shall label the recycling container or cause said container to be labeled with the address where the container shall be used. All containers must be so labeled by the first time they are set out at the curb for collection.

Deleted: A. The Town will facilitate residential recycling by providing, at no cost, one recycling container for use by each residential household. Recycling containers can be obtained from the Town Department of Public Works. Containers shall be marked with a recycling decal and will remain the property of the Town. B.

B. If the resident or occupant moves, the container shall remain at the address for use by the next occupant. Replacement containers shall be purchased from the Town and are the responsibility of the

Deleted: for \$5

owner of the residence.

- | C. Recycling containers must be kept clean and placed so as not to constitute a nuisance or otherwise objectionable condition. Recyclables shall not be placed in plastic bags.
- | D. Multifamily residences that have private refuse and recycling collectors under contracts existing prior to October 1, 1990 (as provided for in §§ A196-7 and A196-9 of these regulations) shall be provided with recycling containers when their existing private collection contracts expire and they begin refuse and recycling pickup with the Town's contracted collector.
- | E. Owners of multifamily residences will be required to sign recycling container agreements with the Town Department of Public works prior to receiving recycling containers.

**Deleted:** G. . After said recycling containers are available and distributed, residents shall have 90 days to claim their recycling container from the Town. After this ninety-day period (the date which shall be published in the local papers), residents will be required to purchase bins from the Town for \$5.00.

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## **Chapter A196, SOLID WASTE REGULATIONS**

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[HISTORY: Adopted by the Mansfield Resource Recovery Authority of the Town of Mansfield 5-27-1994, amended 10-1-1995. Subsequent amendments noted where applicable.]

### **GENERAL REFERENCES**

Solid Waste -- See Ch. 161.

#### **§ A196-1. Facilities for use by residents and permitted collectors only.**

All Mansfield solid waste facilities, including the Town transfer station, recycling area or other disposal or processing facilities are exclusively for and shall be used only by the residents and businesses of the Town, and upon request, the driver of any private or commercial vehicle must satisfactorily demonstrate to the person in charge that he or she is a resident of the Town of Mansfield or a permitted solid waste collector. The Town Manager may issue and require the use of vehicle stickers to be displayed by the Town residents (other than solid waste collectors) in lieu of the above.

#### **§ A196-2. Proof of refuse; contractor delivery and transportation.**

A. All persons employed by a resident of the Town of Mansfield to dispose of refuse must show dated proof of refuse source demonstrating that said refuse was generated in the Town of Mansfield.

B. Contractors (tree services, site contractors, demolition companies, etc.) must make arrangements with the Town Department of Public Works in advance of delivering refuse or bulky waste to any Town solid waste facility; otherwise, a delay in unloading may result. Effective August 23, 2003 commercial (contractor hauled) bulky waste will not be accepted at the Town's transfer station. Dated proof of refuse source and prepayment of disposal fees shall be required for everyone other than licensed collectors.

C. All vehicles must transport all refuse in a closed, covered or secure manner. Unless the vehicle is capable of being completely closed, all cans, barrels or other containers must be tightly covered. Littering of the highways, including the access road to any Town solid waste facility, shall be considered as a violation of Chapter 161, Solid Waste, and Chapter 179, Vehicles, Abandoned.

#### **§ A196-3. All collectors to be licensed; Mansfield trash only.**

All solid waste collectors must obtain and hold a current permit to collect solid waste in the Town. Application for a permit must be made to the Town Health Department. Solid waste collectors shall not deposit any solid waste that is not collected in Mansfield in any Mansfield solid waste facility.

#### **§ A196-4. Facility use regulations and prohibitions.**

A. The following materials are prohibited from any Town solid waste facility:

- (1) Dead animals of any kind.
- (2) Live ammunition.
- (3) Hazardous waste as defined by the United States Environmental Protection Agency pursuant to 42 U.S.C.S. Section 6903(5) of the Resource Conservation and Recovery Act of 1976, chemicals including large quantities of insecticides, paint, oil, etc., or radioactive waste.

- (4) Motor vehicles or equipment (cars, trucks, whole or otherwise).
  - (5) Burning ashes.
  - (6) Liquid waste, including septic tank pumpings, sewage or sludge.
  - (7) Mercury batteries.
- B. The speed limit in all solid waste facilities is a maximum of 20 miles per hour.
  - C. Smoking is prohibited in all solid waste facilities.
  - D. Children under 12 years of age must remain inside vehicle at all times.
  - E. Pets of any kind are prohibited in Town solid waste facilities unless confined inside a vehicle at all times.
  - F. No scavenging, picking or salvaging operations are permitted at Town solid waste facilities.
  - G. All Connecticut State Department of Environmental Protection and Department of Health regulations regarding the use of the solid waste facilities must be complied with at all times.

**§ A196-5. Designated materials for source separation and recycling.**

The following major types of materials shall be separated from other refuse for recycling by all persons or establishments in the Town of Mansfield. These materials shall not be placed in the same garbage can as or otherwise mixed with other forms of solid waste for collection, removal or disposal.

- A. Newspaper and magazines.
- B. Corrugated cardboard.
- C. Glass and metal food and beverage containers.
- D. Scrap metal.
- E. Waste oil and oil filters.
- F. Yard waste.
- G. Storage batteries.
- H. Office paper.
- I. Antifreeze (automobile).
- J. Household cardboard.
- K. Plastic containers, except motor oil and Styrofoam containers.
- L. Fluorescent lights. [Added 9-24-2001, effective 11-1-2001]
- M. Computers. [Added 9-24-2001, effective 11-1-2001]
- N. Televisions. [Added 9-24-2001, effective 11-1-2001]
- O. Microwave ovens

**§ A196-6. Residential recycling.**

A. It shall be mandatory for all persons, except those physically disabled as verified by the Town of Mansfield Human Services office, who are owners, lessees or occupants of residential property, single-family or multifamily, to separate or cause to have separated from other solid waste all materials designated as recyclable in § A196-5 above. Cause to have separated for each rental property having collection service shall include:

- (1) Beginning 60 days after the effective date of this amendment, causing to have all lessees and/or principal occupants sign and date a document stating the lessee and/or principal occupant has received and read the Town's current recycling information, been informed of the day and place of recycling collection and has a recycling bin in their unit (if pertinent), and thereafter requiring notification of the responsibilities of Chapter 161, Solid Waste, and regulations to be included in each lease.
- (2) Providing for the collection and removal of recyclables.
- (3) Providing individual recycling bins for each unit for the term of the lease or providing centralized containers with a prominent description of mandated items on or near the containers.
- (4) Disseminating current recycling information, provided by the Town, to each unit no more than twice yearly.
- (5) Instructing on-site managers in recycling procedures.
- (6) Assisting and cooperating with Town enforcement personnel in determining recycling compliance.

B. Residential recycling collection of newspaper, magazines, household cardboard, glass and metal food and beverage containers and plastic containers shall be only as authorized by the MRRA utilizing the recycling/refuse collector under contract with the Authority.

C. Residential recycling collection shall be available to the owners of all single-family and multifamily residences only at such times, schedules, fees and service levels as shall be designated by the MRRA. At the owner's option, said collection may be refused in favor of self-hauling one's own recyclables to the Town's designated recycling facility.

D. Effective October 1, 1990, the provisions of this section shall apply to all residences in Mansfield, with the exception of multifamily residences (apartments and condominiums) where owners have current collection contracts that extend past October 1, 1990. The owners of said establishments shall, at their option, continue with their contract collection until such time as their current contract expires, at which time the full provisions of this section shall become effective.

E. Clean and unsoiled newspaper, magazines, junk mail, flattened corrugated cardboard boxes and household cardboard with inner liners removed shall be separated from refuse and combined with glass, metal and plastic containers in one or more upright containers. Plastic bags shall not be used to contain recyclables.

F. Glass and metal food and beverage containers and plastic containers shall be separated from refuse and combined in one or more upright containers with paper and cardboard. These recyclables should not be flattened or processed in any way, but should be rinsed. Labels, lids and neck rings need not be removed. Containers must be kept clean and in such a place as not to constitute a nuisance or be otherwise objectionable. Plastic bags shall not be used to contain recyclables.

G. Yard waste shall be separated from all other refuse and recyclable materials and either composted or disposed of on the property from which it was generated. Yard waste may also be taken to the Town's solid waste area after first being further separated into brush and trees, leaves, grass clippings and stumps. Yard waste shall not be disposed with refuse or recyclables.

H. Storage batteries shall be separated from all other refuse and recyclable materials and taken to the designated drop off area at the Town's solid waste/recycling area, or otherwise recycled, reused or sold for scrap in a manner consistent with these regulations and Connecticut DEP requirements.

I. Waste oil, used oil filters and antifreeze shall be collected in clean, covered containers and taken to the designated drop off area at the Town's solid waste/recycling area or otherwise recycled, reused or sold to a state-licensed waste oil collector in a manner consistent with these regulations and Connecticut DEP requirements.

J. Scrap metals shall be separated by type from all other refuse and recyclable materials and taken to the Town's solid waste/recycling area or otherwise recycled, reused or sold for scrap in a manner consistent with these regulations and Connecticut DEP requirements.

K. For the purposes of these regulations only, multifamily residential establishments shall refer to apartments, trailer parks and condominiums which include two or more dwelling units owned or managed by a common entity as well as buildings or parts thereof containing two or more dwelling units, including apartments, row houses and townhouses. Dormitories (including fraternity and sorority houses) shall also be considered multifamily residential establishments.

L. Plastic containers, excepting motor oil and Styrofoam containers, shall be separated from refuse and included with glass and metal food and beverage containers, paper and cardboard provided that they are clean. Labels, lids and neck rings need not be removed.

M. Unbroken fluorescent lights shall be separated from all other refuse and recyclable materials and taken to the designated drop-off area at the Town's solid waste/recycling area, or otherwise recycled in a manner consistent with these regulations and Connecticut DEP requirements. [Added 9-24-2001, effective 11-1-2001]

N. Computer monitors, computer accessories, microwave ovens and televisions shall be separated from all other refuse and recyclable materials and taken to the designated drop-off area at the Town's solid waste/recycling area, or otherwise recycled or reused in a manner consistent with these regulations and Connecticut DEP requirements. [Added 9-24-2001, effective 11-1-2001]

#### § A196-7. Commercial recycling.

A. Effective October 1, 1990 it shall be mandatory for all persons who are owners, lessees or occupants of nonresidential establishments and public institutions or facilities to establish recycling programs and to separate from other solid wastes or arrange to separate, collect, transport and market all materials so designated as recyclable in § A196-5 of these regulations.

B. This section shall also apply to multifamily residential establishments having a current collection contract that extends past October 1, 1990, until said contract expires.

C. All solid waste collectors permitted to collect refuse and recyclables in Mansfield under Code § 161-11 who collect refuse or recyclables from nonresidential establishments or public institutions are required by this section to: [Added 9-24-2001, effective 11-1-2001]

- (1) Distribute the Town's current recycling brochure to each new customer.
- (2) Report to the Town's Refuse/Recycling Coordinator recycling violations, including a lack of recycling and the mixing of recyclables with trash.
- (3) Where the solid waste collector has assumed responsibility for providing recycling containers, provide clear, accurate labeling on containers.

**§ A196-8. Separation of other materials for disposal at the Town solid waste facility.**

The following other types of materials shall be separated from other refuse and deposited in the locations specifically designated for such materials:

- A. Demolition materials.
- B. Stumps.
- C. Mattresses, sofas, other furniture, tires, etc.
- D. Tires.
- E. Clean lumber, with or without nails, but free from any dry-wall or other contaminants.

**§ A196-9. Residential refuse collection.**

- A. Residential refuse collection shall be only as authorized by the MRRA utilizing the recycling/refuse collector under contract with the Authority.
- B. Residential refuse collection shall be available to the owners of all single-family and multifamily residences only at such times, schedules, fees and service levels as shall be designated by the MRRA. At the owner's or occupant's option, said collection may be refused in favor of self-hauling one's own refuse to the Town's transfer station in accordance with these regulations.
- C. The provisions of this section shall apply to all residences in Mansfield effective October 1, 1990, with the exception of multifamily residences (apartments and condominiums) whose owners have current collection contracts that extend past October 1, 1990. The owners of said establishments shall at their option continue with their contract collection until such time as their current contract expires, at which time the full provisions of this section shall become effective.

**§ A196-10. Commercial refuse collection.**

- A. It shall be the responsibility of all persons who are owners, lessees or occupants of nonresidential establishments and public institutions or facilities to arrange for the collection of refuse and its transportation to and disposal in the Town-designated refuse disposal facility in accordance with these regulations.
- B. This section shall also apply to multifamily residential establishments having a current collection contract that extends past October 1, 1990 until said contract expires.

**§ A196-11. Designation of solid waste and recycling facilities.**

- A. Willimantic Waste Paper Company located in the Town of Windham shall be the designated Mansfield refuse disposal area for all solid waste generated and collected in the Town of Mansfield.
- B. The transfer station located on Route 89 in Mansfield shall be the designated Mansfield refuse disposal area for residents hauling their own refuse in their own vehicles.
- C. The transfer station located on Route 89 in Mansfield shall be the designated Mansfield disposal area for residential quantities of bulky waste for residents hauling their own bulky waste in their own vehicles.
- D. The Willimantic Waste Paper Company's bulky waste receiving facility located on Route 32 in

Windham shall be the designated Mansfield disposal facility for commercially hauled or generated bulky wastes.

E. The Willimantic Waste Paper Company located in Windham shall be the designated recycling facility for paper, corrugated and mixed cans and bottles collected in the Town of Mansfield.

**§ A196-12. Fees and service levels.**

A. The fee for a commercial collection vehicle permit for collecting, hauling or transporting refuse or recyclables within the Town shall be \$10 for each vehicle per year.

B. The application fees for filing an application for a solid waste collector's permit shall be:

- (1) Three hundred dollars for a new or renewed permit.
- (2) One hundred fifty dollars for a modification to an existing permit.

C. The tipping fees for dumping Mansfield refuse at any facility shall be the current charge per ton to the Town of Mansfield plus a \$4 per ton administrative fee, payable to the Town of Mansfield by all licensed solid waste collectors hauling refuse from Mansfield to said facility on a monthly basis based on the weight of refuse delivered to the facility as reported by said facility.

D. Fees and hours for the Town transfer station and recycling area.

- (1) Hours: Tuesday and Saturday, from 8:30 a.m. to 4:00 p.m. Thursday from 12:00 noon to 4:00 p.m.
- (2) Fees for refuse, effective July 1, 1994: [Amended 8-25-1997, effective 10-1-1997; 11-9-1998, effective 1-1-1999; 9-24-2001, effective 11-1-2001]

Item	Charge
Garbage bags	\$3.50 each
Up to 35-gallon garbage can	\$7.00 each
55-gallon drum (full)	\$9.00
55-gallon drum (less than 1/2 full)	\$4.50
Compact pickup (1 cubic yard)	\$35.00
Flat loaded pickup (2 cubic yards)	\$70.00
High loaded pickup (4 cubic yards)	\$140.00
All other garbage	\$35.00 per cubic yard, as measured on site
Stumps	\$30.00 per cubic yard
Brush	\$10.00 per cubic yard
Passenger car tires (up to 19 1/2" on or off rims)	\$2.00
Large truck tires (off rims)	\$8.00
Large truck tires (on rims)	\$20.00
Large off-road tires	\$25.00
Bulky waste/brush/construction debris [Amended 12-11-2000, effective 4-1-2001]	\$30.00 per cubic yard

(3) Fees for recycling. [Amended 11-9-1998, effective 1-1-1999]

Scrap metal	\$3.00 per cubic yard
CFC appliances	\$12.00 each

Capacitors or ballasts	\$3.00 each
Wood grindings	\$10.00 per scoop (when available only)
Computers/televisions (up to 19"screen)	\$6 each
Computers/televisions (20"screen and up)	\$12 each
Microwave ovens	\$12 each

E. Other transfer station regulations and service levels.

- (1) A maximum of four cubic yards of refuse per vehicle is permitted for use of the transfer station.
- (2) A maximum of four cubic yards of bulky waste per vehicle is permitted for use of the transfer station except under written permission from the Town's Department of Public Works.
- (3) No solid waste collector shall be permitted the use of the transfer station for the depositing of refuse or recyclables except under contract or written permission with the Town's Department of Public Works.

F. Fees and service levels for single-family refuse and recycling collection shall be as follows: [Amended 5-10-1999, effective 7-1-1999]

Level of Service	Description	Monthly Fee
Mini-mini	Weekly curbside pickup of 1 kitchen-size (13-gallon) garbage bag.	\$11.75
	Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.	
	Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week in the winter, as designated by the Town.	
Mini-service	Weekly curbside pickup of 1 small garbage can (up to 20 gallons) or 1 standard size (35-gallon) garbage bag.	\$ 15.25
	Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.	
	Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week	

	in the winter, as designated by the Town.	
1-can service	Weekly curbside pickup of 1 standard size garbage can (35-gallon) or 2 standard size (35-gallon) garbage bags.	\$21.75
	Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.	
	Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week in the winter, as designated by the Town.	
Standard service	Weekly curbside pickup of 2 standard size garbage cans (35-gallon) or 4 standard size (35-gallon) garbage bags.	\$ 27.50
	Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.	
	Unlimited curbside refuse pickup on the regular pickup day 1 week in the spring and 1 week in the winter, as designated by the Town.	
Maxi-service	Weekly curbside pickup of 4 standard size garbage cans (35-gallon) or 8 standard size (35 gallon) garbage bags of refuse.	\$ 34.00
	Curbside pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) every week.	
Non-Conforming Maxi-service	Weekly maxi service, as defined above, with a higher fee for non-conformity [See section A196-13(E)(2)]	\$45.00
Backyard service	Additional cost to have 1 can, standard or full service, provided in the yard, adjacent to the house or location (other than curb) designated by the subscriber. (Maximum off-road distance: 100 yards.)	\$ 11.50

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Backyard service for long or unusual driveways	Additional cost for service provided at a location designated by the subscriber for long (greater than 100 yards) or unusual driveways.	\$15.00
Extra bag tags	Pickup of tagged standard sized garbage bags (33-gallon) over and above the selected level of service for the single-family residence	\$3.50
Recycling bins	14 gallon containers	\$5.75

G. Fees and service levels for multifamily refuse and recycling collection shall be as follows: [Amended 4-24-2000, effective 7-1-2000; 9-24-2001, effective 11-1-2001]

Level of Service	Description	Monthly Fee
Mini-service	Weekly pickup of 1 small garbage can (up to 20 gallons) or 1 standard size (35-gallon) garbage bag per dwelling unit at a designated area for said can or bag.	\$14.00
	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) at the same designated area every week.	
Individual can	Weekly pickup of 1 standard-size garbage can (35-gallon) per dwelling unit at a designated area for said can.	\$18.25
	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) at the same designated area every week.	
1-cubic-yard container	Providing and emptying a 1-cubic-yard covered refuse container	\$72.50 once per week.
	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
2-cubic-yard container	Providing and emptying a 2-cubic-yard covered refuse container once per week.	\$96.00

	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
4-cubic-yard container	Providing and emptying a 4-cubic-yard covered refuse container once per week.	\$181.50
	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
6-cubic-yard container	Providing and emptying a 6-cubic-yard covered refuse container once per week.	\$255.50
	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
6-cubic-yard container (twice a week)	Providing and emptying a 6-cubic-yard covered refuse container twice per week.	\$478.50
	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
8-cubic-yard container	Providing and emptying a 8-cubic-yard covered refuse container once per week.	\$329.50
	Pickup single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
8-cubic-yard container (twice a week)	Providing and emptying an 8-cubic-yard covered refuse container twice per week.	\$616.00

	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
10-cubic-yard container	Providing and emptying a 10-cubic-yard covered refuse container once per week.	\$419.00
	Pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in centralized recycling containers at or adjacent to the refuse container every week.	
Individual Unit Recycling	In place of centralized recycling containers. Weekly pickup of single stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) in individual recycling bins.	\$2.00 per dwelling unit

Extra dumpster collections

2-cubic-yard dumpster	\$15.00
4-cubic-yard dumpster	\$20.00
6-cubic-yard dumpster	\$25.00
8-cubic-yard dumpster	\$30.00
10-cubic-yard dumpster	\$35.00
Tipping fee (100 pounds per cubic yard)	Tipping fee

H. Fee waivers.

- (1) Service fee waivers for curbside refuse collection and/or normal household quantities of refuse, recycling and bulky waste drop-off at the transfer station shall be available as prescribed in the Mansfield Code of Ordinances, Chapter 122, Article III. Applications for said waiver shall be made to the Town's Social Services Department. Fee waivers for greater than household quantities of refuse, recycling or bulky waste must be approved by the Town's Zoning Agent or the Director of the Eastern Highlands Health District.
- (2) For persons who are physically impaired and have no household members able to make it feasible for them to get refuse to the curbside, fee waivers shall be available to enable them to subscribe to backyard service at curbside fees. Applications for waivers shall be made to the Town's Social Services Department. Medical documentation will be required.

§ A196-13. Enforcement provision.

Pursuant to § 161-12 of the Solid Waste Ordinance, enforcement of the ordinance and these regulations shall be as follows:

A. The Director of Public Works, the Recycling/Refuse Coordinator and/or other individuals designated by the Town Manager are responsible for the enforcement of these regulations. Said individuals are hereby authorized to take such enforcement actions as authorized in these regulations.

B. The Town of Mansfield, through its designated enforcement officer, shall serve written notice of the violation(s) of this ordinance to any person responsible for the violation. The notice may be hand delivered or mailed by certified mail, return receipt requested, to the last known address of each responsible person.

C. Such notice shall state the violation(s) as outlined hereinafter and demand its correction within 10 calendar days or, if applicable, the next scheduled refuse/recycling collection date. If the person cited fails to correct the violation before the deadline the Town of Mansfield may issue a citation. Said citation shall inform the responsible person of the allegations against him or her, the amount of the fine due, and the date on which payment of the fine is due, which shall be no later than 10 days after the date of the citation.

D. If any such fine is unpaid beyond the due date, the Town may initiate proceedings to collect such fine pursuant to the Hearing Procedure for Citations Ordinance enacted pursuant to Connecticut General Statutes section 7-152c.

E. Recycling violations.

(1) Any person who fails to separate and recycle or cause to have recycled all designated recyclable materials from other solid waste, as defined by Chapter 161, the Solid Waste Ordinance, and these regulations shall be subject to a ninety (\$90) dollar fine for each citation.

(2) For the purposes of these regulations only, any person who has subscribed to refuse and recycling collection and is not recycling or recycling poorly at least two times within a month or three times within a quarter shall be considered non-conforming.

(3) In lieu of issuing a citation per Section A196-13(E)(1) or (6) of these regulation, any person who is non-conforming, as defined by Section A196-13(E)(2) of these regulations shall, after notice by the Town, be subject to an increase in service level and corresponding increase in fees for each subsequent quarter that he/she is non-conforming.

(4) The Town, or its agents or contractors, reserves the right to refuse to collect or accept for disposal refuse or recyclables that have not been separated and/or recycled in accordance with these regulations.

(5) In addition to the penalties provided for in Subsection (f) of Section 22a-220a of the Connecticut General Statutes, any solid waste collector who mixes other solid waste with items designated for recycling in Mansfield (per § A196-5 of these regulations) shall be subject to the following penalties:

(a) \$90 fine for the first citation;

(b) 30 day suspension of his/her collector's permit for any second citation; and

(c) Revocation of his/her collector's permit for any subsequent citation.

(6) Any owner of a single-family or multifamily residential establishment who fails to cause to have recycled all designated recyclable materials from other solid waste, as defined by Chapter 161, the Solid Waste Ordinance, and these regulations shall be subject to a ninety (\$90) dollar fine for each citation.

F. Refuse violations.

(1) The Town, or its agents or contractors, reserves the right to refuse to accept for disposal any refuse set out for collection that exceeds or otherwise does not comply with the requirements of the current service level for that specific location or establishment.

(2) For the purposes of these regulations only, any person who has subscribed to refuse and recycling collection and is over his/her subscribed service level at least two times within a month or three times

within a quarter shall be considered non-conforming.

(3) Any person or owner of a single-family or multifamily residential establishment who is non-conforming, as defined by Section A196-13(F)(2) of these regulations shall, after notice by the Town, be subject to an increase in service level and corresponding increase in fees for each subsequent quarter that he/she is non-conforming.

(4) Any person who, intentionally or unintentionally, places or allows the placement of persistent refuse or recyclables on their property creating an unsanitary or nuisance condition shall be assessed a \$90 fine for any first and/or subsequent citation.

(5) Any person who places or allows refuse and/or recyclables to be located at the curb for more than 24 hours before and/or after trash collection shall be assessed a \$90 fine for any first and/or subsequent citation.

(6) Any person who deposits or causes to have deposited in any designated Mansfield solid waste or recycling facility any refuse or recyclables not generated within the Town of Mansfield shall be subject to the following penalties:

- (a) \$90 fine for the first citation; and
- (b) Revocation of his/her dumping privileges and/or collector's permit for any second or subsequent citation.

(7) Any person who deposits or causes to have deposited in any designated Mansfield solid waste or recycling facility any commercial refuse or recyclables not so designated as commercial refuse, shall be subject to the applicable tipping fees and the following penalties:

- (a) \$90 fine for the first citation; and
- (b) Revocation of his/her dumping privileges and/or collector's permit for any second or subsequent citation.

(8) After October 1, 1990, except as provided for in §§ A196-6C and A196-9C above, any person who utilizes a vendor or source other than the Town's designated solid waste collector for residential collection shall be assessed a \$90 fine for any first and/or subsequent citation.

(9) Any person who throws or deposits any discarded, used or unconsumed substance or waste material (litter) in or upon any road or sidewalk, in any catch basin, drain or watercourse, or other public place within the Town, except in public receptacles, in authorized private receptacles for collection, or in any designated Mansfield solid waste or recycling facility, shall be assessed a \$90 fine for any first or subsequent citation.

(10) Any person who throws or deposits any household refuse, bulky waste or recyclables in or upon any road or sidewalk, in any catch basin, drain or watercourse, public place or unauthorized private property within the Town, or in unauthorized private receptacles for collection, shall be assessed a \$90 fine for any first or subsequent citation.

#### § A196-14. Recycling containers.

A. The owner or occupant of each household shall label the recycling container or cause said container to be labeled with the address where the container shall be used. All containers must be so labeled by the first time they are set out at the curb for collection.

B. If the resident or occupant moves, the container shall remain at the address for use by the next occupant. Replacement containers shall be purchased from the Town and are the responsibility of the

owner of the residence.

C. Recycling containers must be kept clean and placed so as not to constitute a nuisance or otherwise objectionable condition. Recyclables shall not be placed in plastic bags.

D. Multifamily residences that have private refuse and recycling collectors under contracts existing prior to October 1, 1990 (as provided for in §§ A196-7 and A196-9 of these regulations) shall be provided with recycling containers when their existing private collection contracts expire and they begin refuse and recycling pickup with the Town's contracted collector.

E. Owners of multifamily residences will be required to sign recycling container agreements with the Town Department of Public works prior to receiving recycling containers.

PAGE  
BREAK



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matthew Hart, Town Manager *MWH*  
**CC:** Maria Capriola, Assistant to Town Manager; David Dagon, Fire Chief  
**Date:** August 9, 2010  
**Re:** Police Services Study

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**Subject Matter/Background**

Mansfield 2020 identified our need to conduct a police services study to determine our current and future needs as well as options for providing police services in Mansfield. In May 2010 the Regionalism Committee and a number of key stakeholders met with firms that responded to our request for qualifications for the police services study.

Upon meeting with the firms, it was determined that Management Partners and the Police Executive Research Forum (PERF) would best fit our needs for the study. Management Partners and PERF will work collaboratively to conduct the study for the Town. The scope of work is provided for your reference.

As proposed, the process would require a steering committee. Staff and the Regionalism Committee's recommendation is that the Steering Committee be comprised of the same members that interviewed the firms that responded to the RFQ:

- Regionalism Committee, including the Town Manager
- Maria Capriola, Assistant to Town Manager
- David Dagon, Fire Chief
- One representative from the Connecticut State Police
- One representative from the UConn Police Department
- One Connecticut municipal police chief

It is anticipated that the Steering Committee will be dissolved when the final study is received and adopted by the Council.

**Financial Impact**

The study is anticipated to cost \$68,500 and will be funded through the capital budget. \$25,000 is budgeted in FY 2010/11, another \$30,000 is projected for FY 2011/12, and a budget adjustment will be recommended at a future meeting in the amount of \$20,000, for a total of \$75,000.

**Recommendation**

Staff recommends that the Town Council establish a police services study steering committee to assist with the coordination of the project, as set out in the scope of services presented by Management Partners and PERF.

*Move, effective August 9, 2010, to establish a Police Services Study Steering Committee consisting of the following members:*

*Regionalism Committee, including the Town Manager*

*Maria Capriola, Assistant to Town Manager*

*David Dagon, Fire Chief*

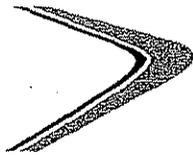
*One representative from the Connecticut State Police*

*One representative from the UConn Police Department*

*One Connecticut municipal police chief.*

**Attachments**

- 1) Scope of work and fees, from Management Partners and PERF, dated July 19, 2010



# **MANAGEMENT PARTNERS**

INCORPORATED

July 19, 2010

**DRAFT**

Mr. Matt Hart  
Town Manager  
Town of Mansfield  
4 South Eagleville Road  
Mansfield, CT 06268

Dear Mr. Hart:

PERF and Management Partners have collaborated about the cost to accomplish the Police Study for the Town of Mansfield based on the scope of work below. Based on conversations about your objectives for the study, the scope provides for a significant amount of public input, as well analysis about current and future workload and an examination of service delivery options.

## **Scope of Work**

### **Activity 1: Start Project**

- Hold management team meeting
- Conduct project kick-off meeting with Steering Committee (same composition as selection committee)
- Obtain and review background data

### **Activity 2: Solicit Stakeholder Input**

- Conduct individual interviews with Council members, Town Manager, Assistant to the Town Manager, Fire Chief and Emergency Management Director
- Conduct interviews with State Police command and UConn Police Chief
- Meet with the Town's Quality of Life Committee
- Conduct three focus groups (one with state troopers, one with constables, one with members of the public)
- Develop an online mechanism for Mansfield residents and business owners to express their vision
- Summarize comments to clarify a policing vision

### **Activity 3: Analyze Present and Future Police Services Needs**

- Analyze workload data for past year for State Police and constables (calls for service, other workload data, crime reports, response time and criminal investigations)
- Analyze impact of special events
- Develop patrol staffing model
- Incorporate into staffing model best practices in community policing applicable to Mansfield
- Identify performance measures

**DRAFT**

**Activity 4: Explore Service Delivery Enhancements and Options**

- Develop up to four service models (e.g., enhancements to Resident Trooper Program, regional service delivery, contract with UConn for special services or service areas, stand-alone department) – identify potential short-term and longer-term goals and objectives
- Talk with potential providers (conduct 3 or 4 telephone interviews, if necessary)
- Provide cost estimates for up to four service models
- Analyze advantages and disadvantages of each option
- Review options with management team
- Present options to Steering Committee and discuss preferences
- Present options to Town Council

**Activity 5: Solicit Stakeholder Input about Specific Service Models**

- Conduct public information session/roundtable discussion
- Use the online mechanism for Mansfield residents and business owners to express their vision
- Summarize results

**Activity 6: Report Results**

- Prepare draft report
- Discuss draft report with Town Manager
- Incorporate feedback into the project report
- Present project report results to the Town Council

**Professional Fees and Schedule**

The total cost to the Town for both PERF's and Management Partners' fees and expenses will be \$68,500. Based on our current schedules, we would be available to begin this project the week of August 9. During the initial meeting, we will provide a schedule that we will adapt to your needs.

Craig Fraser and I will be happy to answer any questions you may have about any aspect of this project. We look forward to working with you.

Sincerely,



Amy Cohen Paul  
Corporate Vice President





**MINUTES**  
**MANSFIELD ADVOCATES FOR CHILDREN**  
 Wednesday, June 2, 2010  
 6:00-8:00 PM  
 Council Chambers- Town Hall

PRESENT: K. Grunwald (staff), S. Baxter (staff), J. Higham, T. Berthelot, J. Goldman, V. Fry, G. Bent (Chair), L. Dahn, L. Young, A. Bloom, J. Stoughton (Chair), D. McLaughlin  
 REGRETS: P. Braithwaite, L. Holle, MJ Newman, S. Daley, J. Greene, A. Lapsis, F. Baruzzi, K. Paulhus

ITEM	DISCUSSION	OUTCOME
Actions Needed	<p>-Welcome: Chair J. Stoughton called the meeting to order at 6:10 PM.</p> <p>-Adopt Minutes of May 5, 2010: J. Goldman pointed out that in the section on the Work/life Expo there should be a statement that what was learned is that there is an interest in before and after school programs.</p> <p>-Sara Lusa of DCF to talk about foster care and adoption recruitment: not present; no discussion.</p>	Minutes were accepted with that addition.
Old Business	<p>-School Building Question – G. Bent reported that the BOE recommended the 2 school option to the Town Council. The next step is that the Council will hold a public hearing on June 14 to determine whether or not there will be a referendum.</p>	
UPDATE on Ongoing Business	<p><b>Option 1:</b> Next steps: David Nee's Letter –hand-out: S. Baxter explained that this came with the grant award spelling out some requests on the part of Graustein. There will be a meeting with Graustein and the United Way next week to clarify the role of the Collaborative Agent. Sandy explained the request in the letter to clarify the redeployed staffing to meet the requirements of the cash match.</p> <p><b>-MAC Survey-Executive Council</b> -S. Baxter explained the decision to delay implementing the survey, suggestion for use of a consultant, focus groups before survey guided by the work that has already been done. J. Higham reported that the Community Connectedness group was frustrated by the amount of time and energy that went into this on their part, with the decision then being made to not implement the survey. Also some feeling that individuals skills and resources were not acknowledged in their contributions to the survey. J. Goldman explained some of the background work that was done in developing this survey, including research and literature searches on the topic. They felt that they had completed their initial task as they understood it; felt that the directive to the group kept changing. They also felt that the survey was at a point where it could be piloted before being released to the community. She stated that the communication to the Committee members was not clear and consistent. Also, the</p>	K. Grunwald will attend a meeting with Graustein and the Collaborative Agent.

message that was given regarding the need for experts did not acknowledge the skills of the committee members. V. Fry did not feel that the message was communicated appropriately. J. Higham also felt that the work that had been done was disregarded, having a negative impact on enthusiasm and willingness to contribute to the work of the collaborative. J. Goldman added that if they had been allowed to do this on their own we would have data now to be able to start the work. Feeling that it would be better to at least get the ball rolling with a less than perfect survey than to not do anything at all. J. Goldman added that this decision could have been discussed at the MAC meeting. T. Berthelot added that the goal was simple- to create a baseline measurement for community connectedness. J. Stoughton felt that in retrospect it was a mistake to add the other groups; felt that the Executive Committee should have clearly discussed next steps after making the decision. K. Grunwald raised concerns about the efficiency of the collaborative; A. Bloom questioned the way in which meetings are run and input is solicited; is the emphasis on inclusiveness the best way to operate? We took collective responsibility for a task that should have been delegated to one committee. Can we structure our time in the meetings differently? J. Goldman feels that there are times when it makes sense for everyone to see what the other teams are doing, but to what extent do we do this? J. Stoughton pointed out that it is also an issue of who has the final say, ultimate responsibility? We need to be clear about how decisions get made. L. Dahn questioned whether or not we are clear about the expectations when a team is given a task. J. Goldman suggested that MAC meetings can be used to talk about the larger process for making decisions and completing the work. The issue of how decisions are made continues to present itself to this group, and J. Stoughton feels that it needs to be clarified. What is the role of the Executive Committee relative to the larger group? J. Higham spoke to the urgency in hiring a consultant if we are going to proceed with this. Some discussion about what would be included in a survey if we were to implement it. A. Bloom also feels that it's important that committees are aware of what financial resources are available to them; how would they know this and how would they get access to it? J. Higham questioned what the role of the Co-Chairs is relative to S. Baxter? D. McLaughlin pointed out that this is a growing pain, as we are no longer totally directed by the requirements of the Graustein grant. Questions raised as to how to proceed: J. Higham spoke to the importance of having a consistent survey that could be tracked over time. D. McLaughlin moved that the Community Connectedness team reconvene to plan and implement their survey, including whether or not to hire a consultant with the available resources. G. Bent suggested that MAC adopt specific rules around how decisions are made.

J. Goldman will get feedback from the Center for Applied Research at UConn HDFS.

Motion adopted unanimously.

G. Bent and K. Grunwald will distribute information on a framework for decision making.

Performance Measures and Accountability Institute-

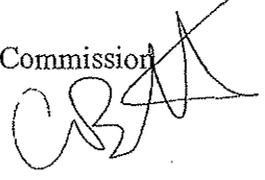
Self Assessment

	<p>S. Baxter provided an overview of System Development Measures that came out of the Performance Measures and Accountability Institute; talked about the importance of developing an internal measure of how well MAC works. This measure will examine issues of accountability, trust, and decision-making.</p> <p>“Other” J. Higham raised questions about the terms of MAC members. A. Bloom pointed out that there are certain organizations that should be represented on MAC, regardless of individual members.</p>	will give us more information about this
Assessment	Complete Partnership Self-Assessment Tool: S. Baxter distributed the tool and clarified that it is a measure of how well we are working together as a collaborative. Members completed the survey during the meeting. J. Higham suggested that we look at the analysis of the self-assessment to determine what we want to do about how we make decisions. T. Berthelot emphasized that there needs to be a clear process for decision-making.	Members who were not present will receive the assessment tool.
New Team Business	<p><u>Team Work</u></p> <p>Align two timelines and Indicators, Strategies and Data Chart into one visual timeline for your team</p>	Teams did not meet today.
Adjournment/ Next Meeting	Meeting adjourned at 8:05 PM. Next meeting: Wednesday, August 4, 2010, -Town Hall, Council Chambers-	Any suggestions for that agenda, send to Sandy <a href="mailto:Baxtersp@mansfieldct.org">Baxtersp@mansfieldct.org</a>

Respectfully submitted,

Kevin Grunwald

To: Town Council/Planning & Zoning Commission  
 From: Curt Hirsch, Zoning Agent  
 Date: July 29, 2010



**Re: Monthly Report of Zoning Enforcement Activity**  
*For the month of July, 2010*

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	9	12	10	9	10
Certificates of Compliance issued	15	14	9	15	9
Site inspections	61	56	47	61	47
Complaints received from the Public	4	6	6	4	6
Complaints requiring inspection	4	5	4	4	4
Potential/Actual violations found	2	3	3	2	3
Enforcement letters	18	15	11	18	11
Notices to issue ZBA forms	0	0	1	0	1
Notices of Zoning Violations issued	1	2	2	1	2
Zoning Citations issued	2	0	0	2	0

Zoning permits issued this month for single family homes = 0, multi-fm = 0  
 2010/2011 fiscal year total: s-fm = 0, multi-fm = 0

**TOWN OF MANSFIELD  
TOWN COUNCIL  
Ad hoc Committee on Ordinance Development and Review  
Thursday, July 22, 2010  
Audrey P. Beck Municipal Building  
Conference Room B  
7:30 am**

APPROVED MINUTES

**1. Call to Order/Roll Call**

Ms. Keane called the meeting to order at 7:32 AM

Members present: P. Kochenburger, D. Keane, M. Lindsey

Guest(s): J. Jackman

**2. Minutes:**

P. Kochenburger moved and D. Keane seconded that the minutes of March 11<sup>th</sup> be approved as drafted. The motion carried unanimously

**3. Draft Ordinance: Proposed Amendments to the Fee Schedule for Fire Prevention Services**

Committee members and staff reviewed proposed revisions to the previously distributed draft ordinance. Particular attention was given to: buildings, uses and occupancies that would be subject to fees for periodic inspections, permits, certificates and approvals; scope of the Connecticut Fire Prevention Code; enforcement strategies used to ensure compliance with the applicable regulations; and, the impact of the proposed fees on for profit and not for profit businesses and organizations.

Deputy Chief/Fire Marshal Jackman was asked to consult with the Eastern Highlands Health District to determine their fee schedule for not for profit organizations and the impact their fees had on the not for profit organizations. Jackman will report his findings at the next committee meeting.

After discussing potential next steps, Committee members agreed that they needed an additional meeting to discuss the potential impact of the ordinance.

**4. Future Meetings**

Committee members scheduled the next meeting of the Ad hoc Committee on Ordinance Development and Review for 7:30 AM, Thursday, July 29, 2010

**5. Adjournment**

The members adjourned the meeting at 8:40 AM.

Respectfully submitted,

John Jackman  
Deputy Chief/Fire Marshal

Mansfield Open Space Preservation Committee  
Minutes for July 20, 2010

1. Chairman Jim Morrow called the meeting to order at 7:39 PM
2. Members present:  
Jim Morrow, Quentin Kessel, Ken Feathers, Michael Allison, Vicky Wetherell and Steve Lowrey
3. Kessel/Allison: Motion to approve the minutes of June 15, 2010, motion carried unanimously.
4. Public Comment: No public present.
5. No Executive Session
6. Old Business:  
Dorwart Trail and connection to Nipmuck Trail: Jim reported that he had showed the Dorwart Trail and connector to Jen Kaufman. At this point they need to find funding for a small bridge needed on the connector and were hoping that the CFPA would take over construction.
7. New Business

Discussion regarding Committee Charge and needed members: The Town Council and the Committee on Committees needs to be aware that the OSPC needs to have members with diverse knowledge, but especially knowledge and experience in natural resources and land use. It was suggested that perhaps the Committee should have fewer positions to fill; 6 regular members, 1 specifically from the Conservation Commission and 2 Alternates. The charge from 1987 was reviewed; the Committee felt that the charge should be expanded to include such things as advising various town officials (including but not limited to the PZC, Town Council and Town Manager) in open space policies. The Committee will finalize its recommendations and send them to Town staff.

8. No reports
9. No communications
10. Other

Lowrey finds that life requires him to move to another town and so must resign from the Committee, effective at the end of this meeting. Chairman Morrow and Vicky Wetherell expressed regret that Steve Lowrey was relocating and would be unable to continue to serve the Town of Mansfield as a member of the Open Space Preservation Committee. The committee members were unanimous in expressing their gratitude to Steve for his important contributions to the committee during his years' of service.

11. No comment on future agendas
12. Adjournment:

Lowrey/Kessel Meeting adjourned at 9:04 PM

Respectfully submitted  
Stephen Lowrey

Town of Mansfield  
**CONSERVATION COMMISSION**  
Meeting of 19 May 2010  
Conference B, Audrey P. Beck Building  
**MINUTES**

*Members present:* Robert Dahn, Peter Drzewiecki {from 8:00p}, Quentin Kessel, Scott Lehmann, Frank Trainor. *Members absent:* John Silander, Joan Stevenson. *Others present:* Grant Meitzler (Wetlands Agent); Neil Faccinetti, John Rickards (Storrs Heights Neighborhood Assn., Agronomy Farm Committee).

1. The meeting was called to order at 7:32p by Chair Quentin Kessel.

2. **Public Comment.** Eugene Roberts has responded to questions posted by Neil Faccinetti on his website concerning production and monitoring wells at UConn's Agronomy Farm. Mr. Faccinetti distributed a map showing the locations of these wells and a handout with the questions and answers, along with follow-up questions, which he summarized for the Commission.

- It remains unclear how the two failed production wells – one (MW-2) dry, the other (PW-2) collapsed – can supply useful information as monitoring wells. Accordingly, it appears that two additional deep monitoring wells are needed.
- It remains unclear how data will be collected from the monitoring wells, as no devices appear to be installed yet.
- What is the rationale for criteria announced for curtailing pumping? If they are based on the 3-day pump test performed in October 2009, they may be too permissive, since that test lasted only 3 days and did not occur in a dry season.
- Are water levels in the production wells going to be monitored in advance of any pumping from them, so as to establish baseline water levels as a function of season?
- Concerning the monitoring program for water quality utilizing shallow wells, how often will water be tested? how will test results be made available to interested parties? which “agricultural chemicals” will be applied to the fields and which will be tested for?
- Has the Agronomy Farm developed contingency plans and SOPs for dealing with adverse situations that may arise?

Kessel reported that the Town-Gown Committee has decided that it is the most suitable forum for a Q&A session on Agronomy Farm water issues, probably at its meeting on 6/8/10. {Mr. Faccinetti & Mr. Rickards left the meeting.}

3. The draft **minutes of the 21 April 2010 meeting** were approved, with the substitution of “Can data from these defective wells really indicate whether the new production wells are mining groundwater (i.e., withdrawal rate exceeds recharge rate)?” for the garbled second sentence of the first bullet in item 2.

4. **IWA referral: W1453 (Gottman, Gurleyville Rd).** The applicants propose to add to the back of their house a large deck, which would be about 63' from a wetland at its closest point. The Commission unanimously agreed (**motion:** Dahn, Trainor) that no significant impact on the wetland is likely, provided care is taken in drilling holes for the support posts.

5. **Charter Communications box lights.** Some people apparently don't find the green LEDs on Charter Communications' pole boxes as fascinating as Gatsby found the green light that

beckoned from the end of Daisy's dock in F. Scott Fitzgerald's novel. However, among those present, there was not sufficient interest in complaining about them to Charter.

**6. Communication policy.** Kessel and other Commission members have been invited to a meeting of the Committee on Committees at 7:00p on June 21 to discuss the Council's request that advisory committees and commissions not communicate with outside agencies.

**7. PZC referrals.**

**a. Invasive plant species.** The Commission applauds proposed revisions to the zoning and subdivision regulations that would prohibit use of invasive species (as determined by the DEP) in landscaping.

**b. Aquifer and public water supply well protection.** The Commission likewise approves of proposed revisions to zoning and subdivision regulations that would give more prominence to protecting aquifers and public water supply wells.

**c. Pleasant Valley rezoning.** Concerning the proposed rezoning of the area south of Pleasant Valley Road, the Commission unanimously agreed (**motion:** Kessel, Dahn) to make the following comments:

- The Commission supports requiring a 500' setback from Pleasant Valley Road for development in the PVRA and PVCA zones to preserve existing agricultural land and scenic vistas.
- The Commission supports authorizing the PZC to require designating up to 50% of prime agricultural land for permanent agricultural use in developments proposed for the PVRA and PVCA zones. It urges the PZC to attempt to coordinate these designations with the 500' setback so that preserved agricultural land is, to the extent possible, not fragmented.
- The Commission notes that the only kind of development expressly prohibited in the PVCA zone is "auto salvage operations" (U.3.h). Whether we get development that does protect this area's "special agricultural, floodplain, wetland, and aquifer characteristics" and "scenic character" (U.1) will depend on how the PZC exercises its considerable discretion.

**8. UConn drainage issues.**

**a. Mirror Lake dredging.** Kessel will draft and circulate a letter to UConn, DEP, and Baystate Environmental Consultants, thanking them for responding to the Commission's questions and concerns about this project.

**b. Swan Lake outfall.** Yesterday Rich Miller responded to DEP's 4/20/10 request that he address concerns raised in the Commission's letter of 3/17/10. In his response to Denise Ruzicka, Mr. Miller:

- Concedes that the Swan Lake outfall to Valentine Meadow discharges into a watercourse, and corrects a contrary indication in UConn's application for a permit to undertake erosion control work at the outfall;
- Concedes that the outfall discharges within 100' of a watercourse that contributes to a public water supply, and that a DPH permit will be required for discharging runoff from "55 acres" of the Eagleville Brook watershed into the Roberts Brook watershed via Swan Lake, as proposed in UConn's storm-water management plan;
- Notes that no DEP permit was required for diverting runoff from the Swan Lake watershed into Roberts Brook by raising the Swan Lake outlet to Eagleville Brook in 1990, since the Swan Lake watershed is only 16 acres, well below the 100-acre minimum for diversions requiring DEP permits.

- Notes that no DPH discharge permit for this 1990 diversion was obtained and reports that DPH will not grant one retroactively – suggesting that discharges resulting from the 1990 diversion are (legally speaking) now so much water over the dam.
- Provides documentation to show that the Town did receive timely notice (8/17/09) of UConn’s permit application to DEP for erosion control work at the Swan Lake outfall.
- Observes that the Commission received a copy of this application in its 12/16/09 meeting packet and that the permit was granted on 2/22/10, more than the legal minimum of 35 days after notice to local officials, even if the date of such notice is set at 12/16/09 rather than 8/17/09.

Kessel distributed the draft of a response to DEP, which Commission members should review before the June meeting.

c. **Eagleville Brook TMDL.** A public information session on steps to reduce pollution and sedimentation in Eagleville Brook will be held from 09:30 – 12:00 on 6/4/10. Someone from the Commission should attend, but Kessel cannot do so.

9. **Adjourned** at 9:25p. Next meeting: 7:30p, Wednesday, 16 June 2010

Scott Lehmann, Secretary, 21 May 2010; approved 21 July 2010

Town of Mansfield  
**CONSERVATION COMMISSION**  
Meeting of 16 June 2010  
Conference B, Audrey P. Beck Building  
**MINUTES**

*Members present:* Quentin Kessel, John Silander, Frank Trainor. *Members absent:* Robert Dahn, Peter Drzewiecki, Scott Lehmann, Joan Stevenson. *Others present:* Grant Meitzler (Wetlands Agent), Neil Faccinetti.

1. The meeting was **called to order** at 7:35p by Chair Quentin Kessel.
2. The draft **minutes of the 19 May 2010** were tabled for lack of a quorum.
3. **IWA Referral W1455 – St. Jean – Hickory Lane.** This is an application for an above-ground pool in the buffer without a permit. It appears to have been in place for some time, perhaps years. Meitzler indicated he had no problem with the location of the pool. The CC declined to comment on this referral. Silander noted that there seems to be no penalty for not obtaining a permit before executing a project such as this.
4. **IWA referral: (UConn DEP Application).** The CC reviewed the application for utility work between Lakeside apartments and the Towers dormitories. It was provided to the CC for informational purposes, and after review it was decided not to make any comments.
5. **New Appointments.** It was agreed to forward the names of Neil Faccinetti and Joan Buck to the Town Manager for consideration for appointments to the CC as alternate members. A poll of members at the last meeting and by email supported these appointments unanimously.
6. **UConn Agronomy Farm Irrigation Project.** Faccinetti and Kessel reported on the June Town/Gown meeting to which UConn's Eugene Roberts, Jason Coite and other representatives made a presentation on the project, which was followed by a lengthy question and answer session. Within a short time, various well monitors will be in place and a webpage showing the results will be established. UConn will also name a contact person for residents with additional questions. This exchange of information was felt to be very useful.
7. **PZC Proposed Zoning Regulation Revisions.** Lehmann submitted the CC's comments on Invasive plant species, aquifer and public water supply well protection and the Pleasant Valley Rezoning to the hearing and Kessel attended to make certain they became part of the public hearing record.
8. **UConn drainage issues.** Kessel distributed copies of the CC letter to the DEP responding to Rich Miller's 4/20/10 letter to DEP's Denise Ruzicka, which was reviewed at the May CC meeting. It was agreed, subject to editorial changes, to send it. The CEQ will be discussing this at their next meeting.
9. **Eagleville Brook TMDL.** A public information session on steps to reduce pollution and sedimentation in Eagleville Brook was held 6/4/10. Lehmann attended this meeting and his report is attached, including a later email comment from UConn's Miller.

**10. The meeting was adjourned at 9:00 P.M.**

Quentin Kessel, Secretary *pro tem*. Approved 21 July 2010.

**ATTACHMENT.**

From: Scott Lehmann

Re: Impervious Cover TMDL Project

Date: 04 June 2010

I attended the "Update and Discussion on the Impervious Cover TMDL Project" for Eagleville Brook at UConn this morning, hoping for some clarity on the role of the Swan Lake diversion. Here is what I learned.

- DEP is using the percentage of impervious cover (%IC) in the watershed as a proxy for stream quality. Studies of aquatic life communities in various watersheds suggest that streams with %IC < 12 are sufficiently pollution-free {at the outlet, I guess}, so the DEP has adopted a target %IC of 11 for the Eagleville Brook watershed.
- The alternative of setting TMDL for each of various pollutants is costly and inefficient, since many of these don't have easily identifiable sources, but find their way into streams in runoff from roads, parking lots, roofs, and the like during storms. The idea is that reducing %IC will reduce the volume of runoff and therefore its pollution load of whatever.
- Study of the Eagleville Brook watershed revealed a %IC of 13.8. To reach the 11% target, 33 acres of IC must be "disconnected" from Eagleville Brook, so that runoff from it goes instead into groundwater or wetlands. Numerous small projects are underway to achieve this reduction (and more): permeable pavement in parking lots, green roofs, rain-gardens, artificial wetlands, etc.
- The %IC proxy for stream quality is to be evaluated in the case of Eagleville Brook by studies of aquatic life as %IC reductions are achieved.
- "Disconnecting" IC by exporting runoff to another drainage is *not* part of this project. Responding to a question about the Swan Lake diversion from Denise Burchsted, the TMDL Project Team completely disowned reducing %IC by diverting runoff from the upper Eagleville Brook drainage to the Fenton River drainage.
- According to Rich Miller, with whom I spoke after the session ended, UConn's Drainage Master Plan is a completely separate project, though it also aims to reduce the volume of stormwater runoff and consequent erosion and sedimentation. The Plan antedates the TMDL project, having been devised in 2003-04 (after prodding from DEP) to address increased runoff from UConn 2000 construction. The rationale for the Swan Lake diversion is not to improve water quality in Eagleville Brook, but to reduce the volume of runoff into it.
- Miller indicated that water quality issues will be addressed before water is diverted to the Fenton watershed. It may be possible to avoid the Swan Lake diversion entirely by improving infiltration at W-lot, but this would require amending the MOA. {Presumably, if DPH vetoes the discharge, the MOA would have to be amended.}
- The northern part of W-lot now drains, via drains and pipes, to the Fenton watershed, although this lot is in the Eagleville Brook watershed. This portion of W-lot is not included in the %IC assessment of the Eagleville Brook watershed, because it has been engineered out of it.

Sent Sunday, June 06, 2010 7:19 AM

Well done, Scott. This is not easy stuff to grasp, especially on your first pass.

I wonder if I could amend my comment (in your next to last bullet) to read "...this may require an addendum to the MOA..." instead of "...this would require an amendment to the MOA..." It's possible that DEP could significantly scale down the stormwater diversion project through the individual flood management certification (permitting) process, which we're still about 3 or 4 years away from commencing, based on significant changes to the actual drainage calculations. These calculations are the technical basis for an individual FMC. And, it's my understanding that these drainage calculations could be significantly changed by the TMDL projects, especially the proposed "W-Lot improvements project" that is already identified as one of our top 10 TMDL projects (I'll try to make it our highest priority). There was some discussion during the meeting about whether this would hold true for larger storm events (e.g., 50- and 100-year storms), which is part of the required FMC drainage analysis. For example, we now know that the area of stormwater to be diverted is actually 43 acres, not 55 acres, based on the finding described in your last bullet. So the MOA is already inaccurate in that respect.

Regards,  
Rich

TOWN OF MANSFIELD  
FINANCE COMMITTEE MEETING  
MINUTES OF JUNE 14, 2010

Members Present: W. Ryan, C. Schaefer

Council Members Present: M. Lindsey

Staff Present: M. Hart, C. Trahan

Meeting called to order at 6:00pm.

1. Minutes from 05/10/10 meeting approved as presented
2. The committee reviewed the memo from Cherie Trahan regarding revaluation contracted services. Bill Ryan requested that the memo be included as a communication in the next Town Council packet. Bill noted the receipt of a citizen's communication on the subject.
3. Cherie reviewed her memo regarding the use of a tax sale vs. foreclosure. We will be moving forward with a tax sale on a number of properties. A change to the memo – there are (3) properties which are owner-occupied that will now be on the list. Numerous attempts to set up a payment plan have been unsuccessful on these properties. Based on past experience, it is very likely that the taxes will be paid before the property goes to auction. The estimated cost to the town for a foreclosure assuming it is totally uncontested is between \$8,500 - \$10,000 vs a tax sale in which all costs are recuperated from the proceeds of the sale.
4. Cherie provided a memo and chart regarding the conditions under which compensatory time is earned, used and paid out/carried over. The Public sector is the only group who can offer non-exempt employees the option to take comp time rather than pay. Cherie will provide additional information regarding the extent of the town's liability for the hours on the books.
5. A draft Finance Ordinance was provided to the Finance Committee for their review. Supporting information was included in the packet for the meeting. The committee decided to present the ordinance to the Town Council at an upcoming meeting. A public hearing will need to be held as well.
6. The next steps in the bond authorization process for the 4 Corners Water & Sewer design were reviewed.
7. Other business included a discussion on the status of the Management Services Fund. Cherie also informed the Finance Committee that Paula Jeffers, Controller, has submitted her resignation. Paula has done a good job for us and we wish her well in the future. Future agenda item – revaluation consulting services.
8. Adjournment. The meeting adjourned at 7:00pm.

Motions:

Motion was made to accept the May 10, 2010 minutes by Carl Schaefer. Seconded by Bill Ryan. Motion so passed.

Motion was made to present the draft Finance Ordinance to the Town Council for their review at an upcoming meeting by Carl Schaefer. Seconded by Bill Ryan. Motion so passed.

Motion to adjourn.

Respectfully Submitted,  
Cherie Trahan  
Director of Finance

**TOWN OF MANSFIELD  
PERSONNEL COMMITTEE**

**Monday, June 14, 2010  
Beck Municipal Building, Conference Room B  
Minutes**

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

Other Council Members Present: Meredith Lindsey

Staff Present: Maria Capriola, Assistant to Town Manager, Matthew Hart, Town Manager

The meeting was called to order at 6:35 p.m.

**1. APPROVAL OF MINUTES**

The meeting minutes of 4/26/10 were adopted unanimously, by consensus, and without objections.

**2. ETHICS CODE**

The Committee commented on the May 24, 2010 Council discussion of the proposed revisions to the Ethics Code. The Personnel Committee will refer the draft revisions to the Town Attorney for further revision.

**3. OPEN AND TRANSPARENT GOVERNMENT POLICY**

By consensus the Committee moved agenda item #4, open and transparent government policy to agenda item #3. The Committee reviewed the Mansfield Board of Education adopted policy on accountability and transparency. The Committee has asked Ms. Capriola to prepare a revised draft (for the Committee's review) based on the adopted version of the Board policy, along with provisions related to e-government and freedom of information statutes.

**4. RULES OF PROCEDURE**

The Committee reviewed and discussed Committee appointments and the pledge of allegiance as a standing agenda item. General consensus amongst Committee members is that they are in agreement with the Council resolution adopted in the early 1970's that establishes the 3 standing Council committees and identifies the Mayor as the appointing authority for standing committee appointments. The resolution has not been rescinded. The Committee is comfortable with the Mayor making recommendations for Council appointments to non-standing committee committees to the Council as a whole for consideration. The Committee has asked Ms. Capriola to prepare draft language (for the Committee's review) regarding committee appointments.

Discussion occurred as to whether or not the pledge of allegiance should be added as an agenda item. No action was taken on this topic.

The Committee agreed to further review and discuss the merits of the second public comment opportunity and standing agenda items during regular Council meetings.

The meeting adjourned at 7:31 p.m.

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

**MANSFIELD DOWNTOWN PARTNERSHIP  
FINANCE AND ADMINISTRATION COMMITTEE**

**THURSDAY, MAY 27, 2010**

**MINUTES**

Present: Tom Callahan (Chair), Michael Allison, Phil Barry, Harry Birkenruth, and Matt Hart

Staff: Cynthia van Zelm

Guest: Howard Kaufman and Macon Toledano of LeylandAlliance

**1. Call to Order**

Chair Tom Callahan called the meeting to order at 3:12 pm.

**2. Approval of Minutes from March 25, 2010**

Phil Barry made a motion to approve the April 22, 2010 minutes. Harry Birkenruth seconded the motion. The motion was approved unanimously.

**3. Review of March 31, 2010 Financials**

After discussion, Mr. Callahan made a motion to approve the March 31, 2010 financials. Mr. Birkenruth seconded the motion. The motion was approved unanimously.

Phil Barry 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).

Harry Birkenruth seconded the motion.

The motion was approved unanimously.

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

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

Also Present: Mr. Kaufman, Mr. Toledano and Ms. van Zelm

**5. Old Business – Review of Budget and Personnel**

Mr. Hart said the Town has not come to agreement with the unions on any wage increase. He reminded the Committee that a wage freeze was in effect for all employees until June 30, 2010.

Mr. Callahan recommended that the fund balance be used to fund an addition in fringe benefits and salary for this coming fiscal year. He said it is important to plan for next year's budget as the funding of the benefits is coming from fund balance. Mr. Callahan asked Ms. van Zelm to prepare information showing this year's salary and health benefits cost with the proposed increase for the fiscal year that begins July 1, 2010.

**6. Update on Four Corners Sewer and Water Advisory Committee**

Ms. van Zelm said the Four Corners Sewer and Water Advisory Committee is meeting with the Partnership's Planning and Design Committee on June 15 to review and discuss the Four Corners draft design guidelines.

Ms. van Zelm said the Four Corners Sewer and Water Advisory Committee will meet on June 1 with a potential town meeting to approve funding for the design of the water and sewer system on June 28.

**7. Adjourn**

The meeting adjourned at 5:45 pm.

*Minutes taken by Cynthia van Zelm*

**MANSFIELD DOWNTOWN PARTNERSHIP  
FINANCE AND ADMINISTRATION COMMITTEE**

**THURSDAY, JUNE 24, 2010**

**MINUTES**

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

Staff: Cynthia van Zelm

Guest: Howard Kaufman (by telephone)

**1. Call to Order**

Phil Barry called the meeting to order in Tom Callahan's absence at 3:05 pm. Mr. Callahan arrived shortly thereafter.

**2. Approval of Minutes from May 27, 2010**

Harry Birkenruth made a motion to approve the May 27, 2010 minutes. Matt Hart seconded the motion. The motion was approved unanimously.

Frank Vasington 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).

Mr. Birkenruth 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. Allison, Mr. Barry, Mr. Birkenruth, Mr. Callahan, Mr. Hart and Mr. Vasington.

Also Present: Mr. Kaufman and Ms. van Zelm

**4. Old Business – Review of Budget and Personnel**

Mr. Callahan referenced a handout with the expected cost of adding health insurance coverage for staff. He also noted that there is additional need for the professional services of AECOM (formerly ERA) to assist the Town with its development agreement and further financial analysis of Storrs Center. Mr. Hart estimated a \$20,000 cost. Mr. Callahan said he is comfortable with these additional expenses which would need to come from the Partnership's fund balance. Mr. Callahan noted that it will be important to review the Partnership's long term operating budget vis a vis the additional costs.

Mr. Callahan made a motion to recommend to the full Board of Directors that an additional estimated \$11,868 be provided from fund balance for health insurance and \$20,000 be held as a contingency for potential professional and technical costs. Mr. Barry seconded the motion. The motion was approved unanimously.

#### **5. Update on Four Corners Sewer and Water Advisory Committee**

Ms. van Zelm said the Town Meeting on a bond to approve design of a sewer pump station at Four Corners and continued study of water supply at Four Corners was approved. The next step will be for Town staff to prepare and release requests for qualifications for the work.

#### **6. Adjourn**

The meeting adjourned at 4:52 pm.

*Minutes taken by Cynthia van Zelm*

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TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER

Item # 10



AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599

July 30, 2010

**Re: Bergin C.I. Community Notification System**

Dear Mansfield Resident:

You are currently on the call list to notify you in the possibility of an escape at the Donald T. Bergin Correctional Institution located on Route 44 in Mansfield. We plan to test the community notification system on **Wednesday, August 18, 2010 in the morning**. The test should take from one half-hour to 45 minutes to complete.

The notification system is designed to handle answering machines. When the test begins, your residence should receive a phone call with a recorded message indicating that the call is a test. If you have any difficulties (unclear message, etc.) receiving the information you should contact the Mansfield Resident Trooper's Office at 429-3360 (between the hours of 8:15am – 4:30, Monday- Wednesday, 8:15am – 6:30pm, Thursday or 8am –noon, Friday) or via email at [wendy.parker@mansfieldct.org](mailto:wendy.parker@mansfieldct.org). Please also contact us if you do not receive a call. When you call or email the office, kindly provide your name, address and telephone number so that we can verify that we have the correct information.

Thank you for your cooperation in this matter.

Sincerely,

*Maria E. Capriola*

Maria E. Capriola  
Assistant to Town Manager

C: Matthew Hart, Town Manager  
Mansfield Town Council  
Warden Monica Rinaldi, Bergin Correctional Institution  
Mansfield Public Safety Committee  
Sgt. James Kodzis, Resident State Trooper, Connecticut State Police

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**LEGAL NOTICE**

Mansfield Planning and Zoning Commission

On 7/19/10, the Mansfield PZC approved, effective August 15, 2010, revisions to Mansfield's Zoning and Subdivision Regulations, including:

1. Replacement of existing zoning standards for political signs.
2. Replacement of existing zoning definitions of Boarding House and Family. The new provisions refine existing provisions with respect to blood relations, incorporate new provisions that authorize "functional families", incorporate new provisions that authorize legally recognized living arrangements that qualify as "reasonable accommodation" and reduce the number of unrelated individuals who automatically qualify as a family from four (4) to three (3).
3. Revisions to numerous sections of the Zoning and Subdivision Regulations to clarify and strengthen submission and approval criteria regarding aquifer and public water supply well protection.
4. Revisions to numerous sections of the Zoning and Subdivision Regulations to specify that plant species identified by the CT Dept. of Environmental Protection shall not be used.

Details of these actions, including exact wording of the regulation revisions, are available in the Planning and Town Clerk's Offices.

R. Favretti, Chair  
K. Holt, Secretary

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# Writer used position, talent to advance agenda

By BOB HANNAFIN <sup>7/21</sup>

## Community voices

Reading the letters leading up to the July 12 vote on Mansfield's ordinance to regulate parking for rentals, I mistakenly thought that the issue was parking. But, thanks to David Morse's July 7 column, I learned the insidious truth.

At stake was not parking, but the fabric of our town, our very well being and safety. Thanks to Morse, I am forewarned that there is a landlord lurking on every corner, waiting for a chance to either eat your small pet or force an unsuspecting elderly woman to sell her house to him.

Thankfully, the intrepid Morse uncovered a secret and well-organized landlord conspiracy to oppose ("attack" actually) this ordinance. He then urged all voters to turn out and rebuff these greedy, Libertarian (tea-party) wing nuts who are absconding with our town and "profiting from the existing chaos."

While landlords are the main threat, he also warned against anyone who opposed the ordinance, as they tend to be either "insulated" (and by insinuation disinterested) in an enclave of \$600,000 homes, or have little sense of "neighborhood" (perhaps only a venial sin).

I don't know Morse and I mean him no ill will. I understand he is a well-intentioned man, with obvious passion and willingness to participate in the public discourse. I applaud him for all of that. And I love a well-written persuasive essay. But his attempt to persuade went too far.

Consider the following excerpt, for example: "...the most vulnerable neighborhoods are among those least equipped to make their voices heard. The owners are elderly. They do not live in expensive homes. They are husbanding their energies and in many

cases, they're afraid ... sometimes of physical violence ... of losing their nest egg and their quality of life ... (of) being forced to sell to investors and contributing to the decay."

Huh? Morse raises serious and complex issues that deserve our best thinking and attention. But to suggest they are caused by a parking problem is cheap and pandering. Morse is better than that.

Many people "stretched" the truth in this debate. So why single out Morse?

Two reasons.

First, he is a member of the Quality of Life Committee that helped craft the ordinance. In that role, he listened to residents argue both sides of the arguments. In this role, I believe he should have shown restraint in the public discourse out of respect for both his fellow committee members and for the residents who spoke for and against. At the time I spoke to the committee, I believed the members were trying to be open-minded. I still believe most were. But I am now pretty sure, based on his column, that Morse was not.

Clearly, his mind was made up the day he began to serve, which in hindsight (unfairly perhaps) calls into question the fairness of the committee's deliberations. It's OK to have an opinion. It is not OK to be dogmatic and unwilling to consider other points of view.

The second reason I am picking on Morse is that he is clearly a very able writer who knew the facts, so his fear mongering was very likely intentional, calculated and carefully planned for maximum effect.

His column was, in places, fair and balanced. But then he resorted to the time-tested political tactic of painting everyone who disagrees

with him with a broad brush, characterizing the entire group as bad actors (greedy, isolated). He stooped to the same bunker mentality we see in national politics — Us vs. Them. He knew better, yet he reduced complex issues into sound bites, creating division rather than common ground.

Interesting too, is how he finesses his own place in this debate. He concedes he is one of them (landlords). But no, he's special. He is a benevolent and loving lord, who treats his property with respect and requires his subjects do the same. The implication is clear — other landlords are morally inferior and are therefore greedy pariahs trying to siphon the life out of town. Paint your adversary as a caricature. Black or white. Distance yourself. Classic.

I voted against the ordinance, but at the end of the day, Morse and I want the same things: Safe, clean and quiet residential neighborhoods and an orderly plan for parking. And I empathize with residents who live near noisy overcrowded rental houses subjected to rude and sometimes illegal behavior. I personally welcome common-sense regulations to address those concerns. I question the remedy. Will this ordinance abate problems where existing ordinances have failed? What does discretion in enforcement mean? How is that different from selective or inconsistent enforcement?

I was generally pleased to see the process play out, and accept the outcome. The issue was aired, vetted and decided. It is time to move on and as we do so, let's acknowledge and value others' opinions, and work seriously to find common ground in a constructive, civil dialogue.

*Hannifin owns rental property in Mansfield.*

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# School plan won't go to polls

## Referendum delayed as council wants more info

By MIKE SAVINO 7/21  
Chronicle Staff Writer

MANSFIELD — With the town council still seeking more information on possible options for the town's schools, a referendum for any school building project will need to wait until next year.

Last week, the council agreed by consensus during a workshop session that it wants still more information on possible projects and is not ready to send a school building project to referendum in November.

Any questions attached to the November elections ballot would need

to be submitted to the Secretary of the State's Office by Sept. 2.

"There are too many unanswered questions," Mansfield Mayor Elizabeth "Betsy" Paterson said.

The council held the workshop sessions to discuss the future of the schools for the town's students in grades kindergarten through eighth grade.

The school board voted in May to endorse a proposal to build two new elementary schools for as many as 350 students each and renovate to Mansfield Middle School.

The current estimate for the project puts the cost at roughly \$59.58

million. The state will reimburse an estimated 54.9 percent of the cost, leaving the town to cover \$26.9 million.

But Paterson said the council wants to wait until after the November election to see if a newly elected governor and state legislature place a different priority on education projects, possibly increasing or decreasing available grants.

"Given the state of the economy for Connecticut," the council wanted to wait and see how the state handles education funding in the future, she said.

(School plan, Page 4)

# School plan won't go to polls in November

(Continued from Page 1)

Paterson also said the council needs to see if the town sees any changes in state funding before deciding what options the town can afford.

She said Mansfield is "heavily dependent" on state funding, including Pequot-Mohegan grants from casino revenue, Education Cost Sharing grants and Payments in Lieu of Taxes — or PILOT — payments made to towns that have state-owned property that cannot be taxed.

Town officials are currently examining three options to address its schools and, depending on the extent of each project, the two-school option could be the most expensive.

Mansfield could also build one elementary school with a capacity for 700 students and renovate MMS, a proposal that is projected to cost local taxpayers \$19 million.

The town could also simply repair or renovate each of the three existing elementary schools and MMS, and the cost would depend on the scope of the project.

Earlier projections, which called for renovations to each of the buildings, were as high as \$81.2 million, with the town responsible for roughly \$45.2 million.

But Paterson said a scaled-down option could focus more on necessary repairs to each of the four schools, and would cost the town an estimated \$20 million.

Each of the three plans has drawn plenty of supporters and critics among residents, with concerns raised about cost, class sizes

and the quality of the buildings.

Many residents during a public hearing in June voiced support for the one-school option, saying the town should seek to minimize the cost to taxpayers.

But other residents, most recently at the council's July 12 meeting, favored maintaining the current schools because it would allow the town to maintain smaller schools, allowing officials to give more attention to each student.

The council has also heard from residents who prefer the two-school option because two elementary schools would be smaller than one large one, but the new schools would also have more modern features than current buildings.

Some residents supported efforts to maintain the current schools.

They raised concerns that the town would still have to pay to maintain current facilities, which would still be town-owned even if new schools were built.

The council, though, agreed it needed more information before moving forward, including the extent and cost of short-term repairs needed at each school to keep it serviceable for the next five years, as well as possibly for the next 10 years.

The council also wants to meet with the project's architect to discuss the plans for each of the schools, including repairs and renovations at MMS.

Along with future revenue projections, the council also wants to examine its current debt and tax burdens to determine how large a project the town can handle.

# Even Waldo can't find Storrs Mansfield

By CYNARA STITES <sup>7/22</sup>

Storrs? Storrs Mansfield? Mansfield?  
Mansfield Center?

More than fifteen years after the U. S. Postal Services made a simple change in the postal addresses for the Storrs area of Mansfield, confusion and noncompliance abound.

The postal address "Storrs, CT 06268" was changed to "Storrs Mansfield 06268." A new postal address - "Storrs, CT 06269" - was created solely for UConn on-campus addresses. It's simple, really.

Mansfield has four postal addresses: "Storrs Mansfield, CT 06268," "Storrs, CT 06269" (UConn), "Mansfield Center, CT 06250," and "Mansfield Depot, CT 06251." There is not now and never has been a "Mansfield, CT" postal address.

Many Storrs residents still deliberately use the outdated "Storrs, CT 06268" postal address. Some people can't be bothered with

## Community voices

change. For varying reasons, others object to adding the word "Mansfield" after the word "Storrs."

Even though the Mansfield town hall is only a block from the Storrs Mansfield Post Office, three town offices, including the town clerk, still list the town hall's postal address as "Storrs, CT 06268." Eleven other town offices, including the town manager, use a non-existent postal address: "Mansfield, CT 06268."

The State of Connecticut is also non-compliant. My repeated efforts to enter the postal address "Storrs Mansfield, CT 06268" into a State Election Enforcement Commission online form last month consistently produced a pop-up message that stated (inaccurately): "There is no such address as Storrs Mansfield

in Connecticut."

The Connecticut Department of Motor Vehicles still clings to "Storrs, CT 06268" on my driver's license and car registration. Yet, the DMV inexplicably mailed my car registration renewal notice to "Mansfield, CT 06250" last month. The misaddressed letter was delivered to my house in Storrs because, I imagine, the postal workers in the Storrs Mansfield and Mansfield Center post offices frequently sort out these errors. The DMV form inside the envelope had "Storrs, CT 06268" as my postal address. I changed it to "Storrs Mansfield, CT 06268" before I mailed it back with my car registration fee. The DMV returned my new car registration to "Storrs, CT 06268." I give up.

I wonder if it will take another 15-plus years to implement the simple change.

*Cynara Stites is a resident of the Storrs section of Mansfield.*

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# Masonicare still committed to project

By MIKE SAVINO  
Chronicle Staff Writer

7/24

MANSFIELD — The preferred developer for a senior living complex plans to continue its ownership in the near future for a possible site while it waits for economic conditions improve.

Margaret Steeves, vice president of marketing and communications for Masonicare, said the health-care provider plans to pick up an option it has in a purchase agreement for a site on Maple Road.

She said she is not sure exactly when Masonicare would do so, but Town Manager Matt Hart said talks indicate the move would happen before the end of the year.

The town selected Masonicare, a not-for-profit health-care provider based in Wallingford, as its preferred developer for a senior living complex in July 2008.

Steeves said the company is looking to build a complex with a combination of assisted-living and independent-living units.

But with a struggling economy, Steeves and Hart said the project has been put on hold while the developer waits for conditions to improve.

"It's been a difficult time for that industry because its been directly impacted by the economic downturn," Hart said about senior housing projects.

While some people may be willing to hold onto

their houses when moving to a new home to get their asking price, Hart said seniors often cannot afford to do so and a poor housing market can make it more difficult to move.

But while the project has been on hold, Hart said Masonicare has a "genuine interest" in Mansfield and considers the decision to extend its ownership of a site a "positive sign."

Steeves said Mansfield has a lot of "complementary" pieces to go along with any development, noting the town's senior center and the Mansfield Center for Nursing and Rehabilitation are also on Maple Road.

She said the development would provide multiple levels of care because some seniors can live independently, but may need assistance briefly when suffering an injury.

Steeves said Masonicare also offers other services, including in-home visits and would bring be able to offer residents "a lot of things."

"All of these would be pieces that would be brought to bear in Mansfield," she said. Steeves gave a preliminary estimate of between 50 to 100 units, but also said the figure could change because Masonicare would likely conduct a second feasibility study once the project begins to move forward.

Hart said Mansfield's role is to be a facilitator instead of a partner, and the town has not invested any of its own funding towards the project.

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**Opinion**

7/26

**Chronicle**

Lucy B. Crosbie  
*President*

Kevin Crosbie  
*Publisher*

Charles C. Ryan  
*Editor*

**Editorial**

# We offer these threads, needles

**Threads to the Mansfield Planning and Zoning Commission** for approving new regulations governing political signs. The new ordinance takes effect Aug. 16. It comes with the American Civil Liberties Union's blessing. Previously, the ACLU's Connecticut chapter criticized Mansfield's old signage rules that set time limits for political signs and defined them narrowly to include only signs in support of particular candidates or issues up for a vote. The newest rules are more open and, according to the ACLU, more in line with the spirit of free speech as defined the Constitution. In Mansfield's defense, it never really enforced its previous signage rules, but now the signage law has been revised, practice and the letter of the law are in tune with one another.

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, Conn., Tuesday, July 27, 2010 3

## Mansfield planning discussion on ethics

By MIKE SAVINO  
Chronicle Staff Writer

MANSFIELD — The town council Monday agreed to conduct talks about the ethics board, while it looks into the steps needed should members vote to disband the commission.

Councilman Gregory Haddad suggested the council table the talks while it looks into the steps necessary for disbanding the ethics board, whose members are appointed by the council.

Haddad, who urged the council to hold a vote of confidence on the commission, also said he is not advocating for disbanding the board, which he called an "extraordinary step."

He said he simply wants the town council to have a better understanding "of what we can do and how we can go about doing it."

The other councilmen agreed to table the talks and said they want information in time to have a vote at their next meeting, which will be on Aug. 9 at 7:30 p.m. at the Audrey P. Beck Municipal Building.

'(There) comes a time when the council needs to respond.'

— Gregory Haddad

Haddad originally called for the vote of confidence during the council's July 12 meeting after a few residents criticized the ethics board.

Ethics board criticism came during both public comment portions at the beginning and end of the July 12 meeting and even included calls to disband the board.

Three residents, including current board member Michael Sikoski — who did not call for disbanding the board, said they were concerned about recent Freedom of Information Commission hearings.

Complaints to the FOIC allege the ethics board did not give proper notice for an executive session, added an agenda item at a special meeting and other FOI violations.

The FOIC did find the ethics board at fault in some of the charges, but cleared the board of other allegations and did not issue any penalties.

But the during the discussions, one of the residents also said the ethics board has failed to help revise the town's code of ethics since the council re-instituted the board in October 2008.

But Haddad said the board did a "thorough" job by recommending changes and the council needs to re-enact the revisions.

He also said after the July 12 meeting that there "comes a time when the council needs to respond," prompting him to call for a vote of confidence.

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Editor:

7/28

Cynara Stites did a splendid job describing the entangled web of post office names in Mansfield in her "Community Voices" piece in the July 22 *Chronicle*. However she made one mistake in her statement: "There is not now and never has been a 'Mansfield, CT' postal address."

The first post office in Mansfield, and one of the first in the area, was established in 1808 and housed in the Fuller Tavern (torn down in 1961), which stood roughly between the former Zenny's Restaurant and the gas station to the east. It was called the Mansfield Post Office. (This part of Mansfield was not called The Four Corners then.)

The Mansfield Post Office remained in the Fuller Tavern until 1925, when it was then moved to the George Levi Fish house to the east (677 Middle Tpke.) It closed on Feb. 29, 1952. I remember it well when I was a student at the University of Connecticut.

Mansfield has a fascinating post office history that was carefully researched and documented by the late Victor Scottron and is now filed in the Mansfield Historical Society archives.

Rudy J. Favretti  
Storrs

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# Mansfield Town Council will discuss pledge again

By MIKE SAVINO  
Chronicle Staff Writer

7/28

MANSFIELD — The town council will discuss the possibility of reciting the Pledge of Allegiance — a controversial matter earlier this year — on special occasions at its next meeting.

Council Vice Chairman Gregory Haddad, chairman of the council's personnel committee, made the recommendation at Monday's meeting, but the council voted 5-3 to table the discussion because not all councilmen were present.

Councilmen Christopher Paulhus, Denise Keane and Meredith Lindsey voted against tabling the issue.

The council did approve some other changes recommended by the personnel committee, now limiting comments

during a public hearing to five minutes per person and eliminating the second public comment portion of each council meeting.

The issue of reciting the pledge was referred to the subcommittee after a disagreement in February over whether the council should do so.

Councilman Antonia Moran, who was not present Monday, voiced opposition to the change during the February discussion.

The council currently does not recite the pledge at the start of its meetings, but Haddad recommended the council do so at meetings when councilmen are sworn into office.

The council would also recite the pledge at meetings around Presidents Day, Memorial Day, Independence

Day and Memorial Day if the council approves the recommendation, which was made by consensus of the three-member committee.

Councilmen said they wanted to give Moran the opportunity to be present, noting her strong opposition the last time the council discussed the issue.

Moran said in February she opposed the change because she did not want to recite "something that may or may not be true," citing the country's history of racial tension and inequality.

Paulhus, also on the personnel committee, said he requested the change in February because he was a veteran and wanted to see the pledge added to the regular agenda.

But Councilman Carl Schaefer ag-  
(Mansfield, Page 4)

## Mansfield Town Council to discuss pledge again

(Continued from Page 1)

reed with Moran and said councilmen show their dedication to the community and the country by serving on the council.

The council did make some other changes Monday, including removing the second opportunity for public comment from the agenda.

The change was approved with a 5-3 vote — only seven months after rejecting the change with a 5-3 vote, with Paulhus, Keane and Lindsey voting against the recommendation Monday.

Previously, some members of the council had said the council

needs to find ways to shorten meetings, but two residents voiced their opposition to the change Monday.

The council also unanimously approved placing a five-minute limit on each individual speaking during a public hearing, a rule that already exists for those speaking during the public comment portion of the meeting.

The personnel committee also recommended frequently discussed items, such as water/wastewater issues and town/campus relations, only be added to the agenda when the town manager has an update, although it was not made a rule.

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# The "studentfication" of Mansfield

By RICHARD MEEHAN 7/30

## Community voices

Perhaps to inform Robert Hannafin and add substance to the statements by David Morse, let me share my experiences as a "elderly homeowner afraid of physical violence" and "losing our nest egg" to the impending "decay" attendant to student housing in our neighborhoods.

My wife and I live in a neighborhood that is, if not "under siege," is certainly in flux, rapidly becoming an enclave for student housing owned by absentee landlords, some good, some OK at best.

I avow at the outset that individual students per se are not necessarily problematic. However, despite the efforts (or lack of effort) by their landlords, most of our new student neighbors tend to be not "neighborly" in any traditional sense of the word and unfortunately can be (and attract) an overtly hostile and unwelcome element.

Recently we were awakened around 2 a.m. by a commotion. A group of drunken young men had spilled out from a "little" party down the street and were engaged in a argument on our front lawn. They were obviously on the threshold of violence.

As would any property owner (maybe even Hannafin) might do, I opened our door and snapped on the light only to be met by a suddenly unified mob telling me to "turn off that (expletive deleted) light, mother-(expletive deleted). I stood my ground and threatened to call the police and, fortunately, they grudgingly complied.

Although chronologically "elderly," I consider myself able and prepared to defend my home. Nevertheless, when did that become a prerequisite for living in Mansfield? Am I "elderly?" Yes. Did I feel threatened? Absolutely.

Do I think that such an episode or having to tolerate rowdy and unfortunately "typical" student behavior in our formerly quiet family neighborhood has an adverse effect on our property rights and value? No doubt.

(Point of information: There is a house party going on across the street as I write this and there are groups of boisterous young men and screaming young women parading to and fro.)

No homeowner, elderly or not, should be subjected to that on a regular basis. We were a quiet and safe neighborhood, not a playground for drunken "guests" of student tenants. I invite Hannafin to try to sleep a night in our beds and then query him on his notion of the concept of studentfication of neighborhoods.

He seems a bright and sincere young man. I am hopeful, although not certain, that a couple of sleepless nights dealing with the issues we now experience might temper his erudite and absolute enthusiasm for the rights of landlords.

Bottom line: we are certain that these off-campus student dormitories in our neighborhoods have diminished the value of our property and will lead to the sad situation where the only viable buyers for our nest egg will be investors, not the families who built or contributed to the "fabric of community" that attracted us here in the first place.

These dormitories are businesses that should be regulated as such and we welcome any initiative that will move our town government towards protecting our safety and our investment in our community.

*Meehan has lived in Mansfield since 1986.*

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7/30  
Editor:

Mansfield residents should be proud of their public schools. Results of the 2010 Connecticut Mastery Test and the Connecticut Academic Performance Test for area towns were published in *the Chronicle* on July 16 and 17.

Mansfield's elementary and middle school students solidly beat out test-takers from Windham and (by a much smaller margin) Brooklyn on the CMTs. Beyond that, Mansfield's performance was on par with area towns — better on some tests in some grades,

lower on others.

At the secondary school level, E.O. Smith, the regional high school serving Mansfield, Ashford and Willington, outscored all other high schools on the CAPT but one. Just as Andover and Hebron slightly edged out Mansfield on the CMT.

Likewise, their regional high school, RHAM, bested E.O. Smith by a narrow margin. The differences are small and probably not statistically significant. In sum, Mansfield's schools (of which I am a graduate) are fine but not outstanding when judged by available, objective criteria. Nor need they be, I might add.

However, Mansfield does excel in one thing. State Department of Education data place Mansfield at 21st out of the state's 169 towns in expenditures per-pupil per-year.

As education takes up almost three fourths of the town's budget, that counts. On a per-student basis, Mansfield outspends all but two of the other 15 towns in the newspaper's survey. (Chaplin and Hampton have particular per student cost issues due, perhaps, to low enrollment).

Specifically, cost data and test results show that Andover and Hebron perform their duty of providing a solid education for, respectively, \$3,746 and \$4,540 per-student per-year less than Mansfield.

I say that Mansfield is being overcharged.

Where is the fiscal oversight?

David Freudmann  
Mansfield

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# Mansfield needs input on fire fee plan

By MIKE SAVINO  
Chronicle Staff Writer

MANSFIELD — The town council's ordinance development and review committee is getting close to proposing changes to the fee schedule for fire prevention services.

But the committee is hoping for more public comment first.

Councilman Denise Keane, who is chairman of the committee, said the committee has only heard from one member of the public, including no comments from residents during a public hearing July 12.

The committee is looking at proposed revisions to a fee schedule the town enacted last year for fire prevention services, including required building permits and inspections.

The ordinance and the proposed revisions apply to people looking for permits for commercial properties and multi-family homes. One- and two-family homes are exempt.

The proposed fee schedule, which is avail-

able at the town hall or on the town's website, would charge for approval permits and occupancy certificates — which would range from \$60 to \$415 based on the size and usage of the building.

People who violate the ordinance and begin construction without approval from the fire marshal would be subject to a \$250 fine, while those conducting an operation without a permit would need to pay double the permit fee for the usage.

But Keane said the committee has not received comments from the public and she is concerned the public is not aware of the proposal.

She added she is worried people will not become aware of the ordinance until they apply for permits subject to fees and would only raise complaints at that time.

"I would really love to have more public comment," she said.

Ron Baker, pastor of the First Baptist Church

in Storrs, did tell the council Monday he had a concern about some of the fees that could apply to religious organizations.

He said the proposed revisions would require the church to pay \$60 for a permit for church events that include candles, as well as a renewal for the permit.

"That's not going to go over very well" with church members, Baker said, adding he was more opposed to the principal than the fee amount.

He also asked the council to consider exemptions for churches and other businesses that have been in town for 200 years, such as his church.

Keane said Baker's comments were the first the council has received from residents.

*Those looking to comment on the proposed fees are asked to come to future town council meetings and speak during audience of citizens and/or email comments to [towncouncil@mansfieldct.org](mailto:towncouncil@mansfieldct.org).*

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## Chronicle

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*President*

Kevin Crosbie  
*Publisher*

Charles C. Ryan  
*Editor*

Editorial

8/2

# We offer these threads, needles

Threads to the Mansfield Town Council for opting against putting a massive, \$59.58 million school project to vote this November. Saying there were too many unanswered questions, town officials were correct to postpone a referendum on the project. While the school board has endorsed building two new elementary schools (along with middle school renovations), there is a less costly option: one big elementary school. Counting state reimbursements, a large elementary school would cost taxpayers \$19 million. The two-school option would cost Mansfield \$26.9 million. The bigger question, though, is whether Mansfield voters are up to spending this kind of money during this economy, especially with state funding in flux. Mansfield councilors appear to recognize that and, to their credit, have nixed any action sending this proposal to a vote this year.

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courant.com/community/mansfield/hc-ap-ct-lawnsignsjul20,0,7270317.:

## Courant.com

### Conn. town repeals restrictions on political signs

Associated Press

Associated Press Writer

4:12 PM EDT, July 20, 2010

MANSFIELD, Conn.

The Eastern Connecticut town of Mansfield has repealed decades-old restrictions on the content and placement of political lawn signs after the American Civil Liberties Union challenged them as unconstitutional.

The regulations, which town officials say were written sometime before 1980, had allowed the signs only for 30 days before an election and five days after, and limited the number and size of those signs on private property.

They also required that the temporary signs pertain to the election or defeat of a specific candidate or the passage or defeat of a specific measure.

ACLU attorney David McGuire said the restrictions were a clear violation of federal and state free speech rights. He contends the regulations outlawed more general political signs, such as those calling for universal health care or the abolition of abortion.

"They may not have intended that, but that's how it could fairly be read," McGuire said. "We're really glad they did the right thing and allowed speech to prevail."

Town planning director Greg Padick said the restrictions were meant to address only political signs associated with elections, and were put in place to limit the impact of those signs on local aesthetics and traffic.

The town, which is home to the University of Connecticut's main campus, had not enforced the regulations for several years, he said. The Planning and Zoning Commission voted Monday to drop them after discussions with the town attorney, he said.

New regulations, which go into effect on Aug. 15, allow political signs on private property, and on town or state rights of way with the consent of the abutting private property owner.

advertisement

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"Often the town owns more than the paved area, and often these signs are placed close to the road," Padick said.

Signs that block traffic sight lines at intersections or driveways will not be permitted, he said.

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## State Rep. candidate Haddad qualifies for 'clean election' funds

by: Submitted Press Release Sunday, July 25th, 2010



Gregory Haddad of Mansfield, a Democrat, is running for State Representative for the 54th District. Courtesy photo

Democratic candidate for State Representative, Gregory Haddad has been approved by the State Elections Enforcement Commission for Connecticut's Citizen Election Program.

He is the first candidate for the 54th House seat ever to apply for and be accepted into the innovative program.

"I'm honored to have earned the grassroots support of people who live right here in Mansfield and Chaplin. Their help has enabled me to qualify for the clean election program and to run a campaign without special interest funds and monied campaign contributors," said Haddad.

To qualify for the program, participants must -

- agree to limit their campaign expenditures,
- accept no contributions greater than \$100,
- raise \$5000 in small dollar amounts
- and receive contributions from at least 150 different contributors who reside in the district.

A candidate running for the State House receives \$26,000 in addition to the \$5000 he or she raised to qualify.

The State Elections Enforcement Commission approved the grant at its July 14 meeting in Hartford.

"Connecticut's Citizen Election Program is the best program in the nation for ending corruption and influence in campaigns. It increases voter participation and restores trust in government," said Haddad.

He added, "I intend to use the resources provided by the system to share my ideas for reviving the economy, creating jobs and ensuring that educational opportunities are accessible to Connecticut students."

Gregory Haddad is the Democratic candidate for State Representative in the 54th District which includes Mansfield and Chaplin. He has been Mansfield's Deputy Mayor and a member of the Town Council for 11 years.

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