To: Mansfield Town Council
From: Scott Lehmann (532 Browns Rd., Storrs 06268)
Re: Ethics Ordinance, Personnel Committee 01/24/12 Draft
Date: 02/13/12

I cannot attend tomorrow's hearing on the Personnel Committee Draft of the Ethics Ordinance, but I have a few comments on it, which I request be included in the record of the hearing. (Perhaps in virtue of Sec 25-7 L, I should also observe that the proposed ordinance promotes me to "public official" in virtue of my serving on the Conservation Commission and disclose this affiliation for the record.)

I realize that the Draft has a history that I don't know much about and which may rationalize its provisions. Nonetheless, some of them strike me as odd or unfortunate.

My main reservation is that the Draft sometimes appears to assume that attention to detailed rules or conditions can replace good judgment, impartiality, and probity. This tendency is most apparent in the conditions governing gifts (see definition of Gift and Sec 25-7 B) and membership on the Board of Ethics (particularly restrictions on political activity in Sec 25-5 E).

Detailed conditions encourage people to think that they are definitive, leading some to look for loopholes and the others to avoid critical thinking. The aim of Sec 25-7 B (Gifts) is fine. Public employees & officials should not accept gifts from persons with an interest in some pending matter before them *if there is good reason to think those gifts would not have been forthcoming in the absence of this interest.* However, rather than saying this and leaving it to the judgment of the employee or official – in the knowledge that the ethics board might take a different view, the provision prohibits taking any 'gift' from interested persons, where 'gift' is defined in a tortured way that appears designed to exclude gifts that should not trouble us. I would not want to bet any money that this definition in fact captures these cases. For example, receiving, out of the blue, a gift certificate for $500 to "Babies 'R Us" from a developer with an application before the PZC ought to be a red flag for a Commission member with a new baby, despite falling under the "life-event" exclusion.

I have similar misgivings about Sec 25-5 E's restrictions on the political activity of appointees to the Board of Ethics, which seem neither necessary nor sufficient to secure a Board that will do its job conscientiously and well. I don't see why endorsing a candidate for Town office or driving people of one's party to the polls should disqualify anyone from serving on the Board – particularly when very similar things appear to be permitted by Sec 25-5 E (such as posting a sign on your property saying "Save Mansfield, Vote Democratic" – or "Raise Taxes, Vote Democratic!" – or lending your car for use in transporting the party faithful to the polls). It is more than a little insulting to suggest that because someone has publicly endorsed or worked for a candidate, he or she will *of course* be partial and can't be trusted to judge an ethics case involving that person conscientiously on its merits. I suggest eliminating Sec 25-5 E and leaving it to the Council to appoint people to the Board who are conscientious, fair-minded, and capable

of deciding when bonds of friendship or loyalty demand that they recuse themselves.

Here are a few additional thoughts, for what they are worth.

1. The definition of Gift is self-contradictory as it stands; it needs some qualification like "Unless excluded below, anything of value...." The fourth exclusion ("A gift received from an individual's spouse...") appears designed to exclude gifts from close family, but the referent of "an individual" is not clear. It would be clearer – though not pretty – if the exclusion read "A gift to a public employee or official from his or her spouse,..." replacing "individual" in what follows with "employee or official".

2. Sec 25-7 G (Use of Town Property) seems anomalous – how exactly does it advance the purposes of 25-3? Moreover, as written, the provision forbids public employees such commonly accepted practices as adorning your workspace with a piece of your kid's artwork, surfing the internet on your office computer during your lunch break, using a slideshow of family photos as a screensaver, using the copier for personal business at a per-page rate, etc.—unless permitted "by official Town policy." Do we really want to get into writing official Town policies to cover this kind of thing? I'd prefer to see this section excised. If not, I suggest changing "request" in the first sentence to "use" so that it is clear that public employees are not prohibited from requesting use of Town property by asking for a policy that permits it.

3. Sec 25-7 L (Disclosure). It is not clear to me why public employees & officials should be required to disclose their "Town of Mansfield public affiliation" when they speak during the public comment section of meetings on an issue to which their affiliation is irrelevant. The provision is not onerous, but it seems to serve no useful purpose.

4. Sec 25-7 M (Political Activity). Public employees & officials are not supposed to engage in political activity "while on duty for the Town." Are public employees "on duty for the Town" outside of working hours? I hope we are not proposing to make public employees less than full citizens by prohibiting their engaging in political activity on their own time – though explicitly making an exception of voting at Town Meeting certainly does not inspire confidence on this point. What, if anything, counts as being "on duty for the Town" in the case of public officials? If the Board of Education voted to put itself on record as supporting a bond issue for school construction, would that violate this provision? If so, there is again something seriously amiss here, in my view.

M. Sikoski submitted 2/14/12

As I have stated to you all many times before, I am not pleased with what you did to the board of ethics, They, myself included as a former member, presented a draft code to you in January 2010. We had spent nearly 18 months on what we presented. You then allowed the Assistant Town Manager and the Town Attorney to throw it out and design their own. So I dont waste my 5 minutes explaining whats wrong with that in itself I will get into a few of the items

Definitions... When you get into gift you should have just left the first part of the definition and skipped all the exclusions. One thing that was in the ethics boards draft code, ***Gifts of property,***
money, or services received by an official or employee and given nominally to the town must be accepted by a resolution of the council.
I just wonder why this was not put in by the drafters of this code.

Heres one, why is this exclusion even written in here. A gift received from an individual's spouse, fiance or fiancee, the parent, brother or
sister of such spouse or such individual, or the child of such individual or the spouse
of such child;
You throw out such things as disclosures, whistleblower protections,personal interest, nepotism,special treatment, recusal, and many others,, but you want to be sure that family gift giving is documented in the code. Do you think a resident would care if the Mayor got engaged and recieved a diamond from her fiance. Do you think a board of ethics would consider such a complaint. I really dont know what something like that is doing in this code.Maybe someone could explain it to me....

Get rid of most of the exlusions, Political contributions are spelled out in state statutes, Services by volunteers is silly as all you councilors are volunteers, as is any other board or committee member, If someone volunteers to help build a playground for the town but in return wants the town manager or someone to help push through a building permit there is a problem. But having this in here it says that is not considered a gift.

Why is it we need certificates or awards, are we just looking for words to fill up a code of ethics. Printed or recorded informational material. Items of nominal value not to exceed 20 dollars containing or displaying promotional material. And we end it all with a gift of $500 or less for a life event with no real defintion of life event. If your going to leave that in there I am sure you can come up with what life events are acceptable.

Under the definition of public official, the board of ethics recomendation was to include all boards, committees,commissions,employees agencies etc. Your draft scraps "advisory boards" "the downtown partnership when not acting as the Municipal Development agency".When would it not be acting as the town MDA. Would an argument against a violation complaint be " I dont have to follow the Mansfield Code of Ethics I was not acting as the Development agency".....Would they have to put on a special hat to signify when what actor they are.....In

Mansfield you appoint special committees to do the real work and advise you to there findings, these committees like the four corners committee carry alot of clout and we had felt should be covered under an ethics code.

AND now for the infamous use of town property.....There was heated discussion...of course I was the fire..... during Board of ethics draft of the code. It was left that we would include " written town policy" in our draft, This was because the assistant town manager was there to advise the board that PAST PRACTICE was law... Well laws can be changed, is'nt this code a law, and your working on changing it.....

The argument I presented to the board and to the personell committee was PAST. we can change this now and in any future negotiations with unions etc. , It might take several years, as contracts run out, but these things could have been elimanted.
As it stands in this draft you have just allowed past practice to continue as long as it written down somewhere..

Heres a suggestion, Eliminate the last sentence of 25-7h and add "or are provided by a policy thats approved by a resolution of the town council for the use of such employee or official..Therefor you all,,,, as well as the public will know of these policies...
When ever I had spoken to other residents regarding some of these policies, use of town equiptment. use of the firehouses, use of town garage, use of plows, they knew nothing about them and some did not even believe me. Having the Town council publicly approving these policies would require management to really really believe in them.....

2/14/2012

After two and a half years of modifying the ethics code, the ethics board submitted the code to this town council. The council shuffled it off to the Personnel Committee for review, I suppose to see what conflicted with our personnel policies. No where could I find a definition of "review" to be revamp or replace. But the personnel committee proceeded to cut the portions of the code "they" did not like, for whatever reasons, and finally out of frustration assigned the task of rewriting the code to the town attorney and the assistant town manager.

Where was the consideration for the people of Mansfield? If the purpose of a good, well written ethics code is to assure the townspeople our officials and employees are acting in OUR interest and not in a personal or financial interest unto themselves, where is that code? It certainly is not this document presented to you tonight.

Although others have rightfully pointed out problems with this code, I will talk to the issue of exclusion. Any exclusion or exceptions are wrong and will make Mansfield unique in the state. No other towns in Connecticut or even the Model Code for the state of Connecticut allows the exclusion of an entire employee base.

This code allows exclusion for the Board of Education employees and administrators. I constantly hear talk about "our children are our future" especially when paying for education yet we exclude our teachers and administrators from the new and improved ethics code?

This code also excludes, in part, the Mansfield Downtown Partnership Board and employees, except when acting as the towns' municipal development agency. Have they ever acted as the "municipal development agency"? Certainly the partnership has the greatest potential to usurp the code of ethics yet you are willing to turn a blind eye to that potential.

Ethics concerns the not only the acts of impropriety but the appearance of such.

This code fails to provide the assurances to the townspeople that it is intended to do and therefore I request you do not vote to accept this code and return the rewrite function to the ethics board, as was originally requested by this council.

Ruth Hossack
Storrs, CT.

This request will be presented to the Town of Mansfield Town Council at a Public Hearing to be held at 7:45 pm on Tuesday, February 14th

This proposed Code of Ethics is a bad code for many reasons. Some of these are:

1. It specifically excludes all Board of Education administrators and other employees.
2. The Downtown Partnership is excluded.
3. It does not provide for financial disclosure for elected officials; there is no way for the public to ascertain conflict of interest.
4. A new code should provide for "Whistleblower Protection"; this proposed code provides protection only in a very limited situation.
5. The clause regarding "Use of Town Property" still allows for town management to override the ethics code.

There are other problems as well.

We, the undersigned, request that the Council dismiss this proposed code and refer the preparation of an updated code of ethics back to the Board of Ethics.

Joan Joffe Hall JOAN J HALL	64 Brookwood Rd 06268
Jane F. Blanchard (Jane F. Blanchard)	13D Sycamore Drive, Storrs
Mary C. Gawlicki MARY C. GAWLICKI	132 Lorraine Dr. E., Storrs, 06268
Nancy A. Wengel	10-A Sycamore Dr., Storrs
Eric Helinko, Eric Helinko	50 Middle Tpk. Mansfield Ctr, CT

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Robin Weiner 70 Birchwood Hgts. Storrs CT Feb 11, 2012 860-429 569

[Ruth B. Moynihan, 37 Farrell Rd., Storrs 2/13/2012]

Dorl Morse 64 Birchwood Hts., Storrs 2/13/2012

[Nancy McDowell 605 Pudding Lane, Mansfield CTR 2/13/2012]

[Tom Nielson, 41 Birchwood Hts, Storrs 2/14/2012]

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Kelly Chicoine

[illegible]

Richard [illegible]

Richard Dennis

Judy [illegible]

[illegible]

John Fratello Jr.

Mary S Lent

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Tulay Luciano	Tulay Luciano	808 Warrenville Rd. Mansfield Ctr. CT 06250
LARRY NORFOLK	Larry Norfolk	784 Warrenville Rd Mansfield Ctr CT 06250
Margaret Norfolk	Margaret Norfolk	784 Warrenville Rd. Mansfield Ctr. CT 06250
MICHAEL SIKOSKI		WINDHAM CT
Bonnie Sikoski	Bonnie Sikoski	Windham CT

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	Gurleyville Rd Storrs
	Gurleyville Rd Storrs
	441 Gurleyville Rd Storrs CT
	Gurleyville Rd, Storrs CT
Ronald Kelly	29 Bundy Lane
	29 Bundy Lane
	89 Lorraine Dr., Storrs
	52 Middle Tpk Mansfield Depot CT.

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[illegible]	432 Middle Tpk.
Colleen Hossack	432 Middle Tpk.
Xavier Swaley	444 Middle Turnpike.
Ashley Hossack	444 Middle Tpke
Mike Guerrieri	444 middle turnpike
Janet Roach	362 Hunting Lodge RD.
Jack Roach	" " " "
Shauna Hossack	444 middle tpke
Julie Melichar	Thomas Drive
Charles Vermilyea	923 Middle Tpke.

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CT Wassmundt 54 Old Tpke Rd Storrs

Bob Hunley 112 Stafford, Rd. Mansfield, CT.

Irene Burke 158 Moulton Rd, Storrs CT

Lillian Freudmann 22 Eastwood Rd, STORRS, CT

David Freudmann 22 EASTWOOD RD. STORRS, CT

Richard Pellegrino 269 Clover Mill Rd Storrs, CT

Barbara Rich 42 Fern Rd Storrs, CT 06268

Peter W. Rich 42 Fern Rd, Storrs CT 06268

[illegible] 29 Woodmont Dr. Mansfield Center CT 06250

Kim Parker-Girard 29 Woodmont Mansfield 06250

[illegible] Roberto 22 Woodmont Mansfield 06250

[illegible] 22 Woodmont Mansfield 06250

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Emmanuel Hilding Saloria

Abraham Hilding Saloria

Winthrop E. Hilding

Alison Ann Hilding

DOLORES J. HILDING

February 14, 2011

To: Town Council
From: Betty Wassmundt

Re: Public Hearing Ethic Ordinance

This ordinance is so bad it really isn't worth discussing but your definition of Public Employee requires PUBLIC comment. Who came up with that cutesy definition? It really is a Tricky Dicky or should I call it a Tricky Toni. By defining Public Employee in terms of the "legal entity" of the Town of Mansfield etc, you have shown the ultimate disdain for the people of this town. You know that the average citizen is not going to understand the implication of this definition. You are being scornful of the public. Is Tricky Toni saying: "Ha ha; I found a way to exclude all the Board of Education employees, teachers and administrators, from this code and the general public will never know it."

I want to point out to you that Tolland and Glastonbury specifically include Board of Education employees in their Code of Ethics. Give the public a very good reason why Mansfield should exclude this group.

I must tell you, I phoned a few council members this morning and they, who will vote on this mind you, didn't understand the implication of this definition. What else is there in this code that our council members don't understand? I suspect there's more than one item; I suspect as well, that all the loyal democrats are prepared to do what they are told and vote yes. I say, don't vote on this code; send it back to the Board of Ethics.

It's well known that Councilor Moran plans to ramrod this code through tonight. I question why. What's the reason? What's going on that we, the public, don't know about? I see you've excluded the Downtown Partnership from this code. That's scary. That's exactly where we need the code to prevail; that's where the money is. Along with this you are adamant that there be no financial disclosure – even minimal disclosure. What is it Councilor Moran? What's being hidden from the public?

Send the preparation of a Code of Ethics back to the Board of Ethics. Not this code – the preparation of a code.

Mansfield, Connecticut Public Hearing Feb. 14, 2012

Public comment by David Freudmann, 22 Eastwood Rd.,
Storrs, CT 06268, 860-429-0763, davidf235@yahoo.com

Topic: Ethics Code - Whistleblower Protection

The Ethics Code proposed by the Ethics Board, per its January 7, 2010 recommendations, contained robust whistleblower protections. Section 25-4, paragraph D.(1) read: "If an official/employee suspects that someone has violated this Code, he or she is required to report it to the relevant individual, either the employee's supervisor, appointing authority or the Ethics Board. Anyone who reports a violation in good faith will be protected by the provisions of Section 25-4D(2)."

Shortly thereafter, work on the Code was pulled from the Ethics Board and given to the Personnel Committee. The above provision was reduced to "No person shall take or threaten to take official action against an individual for such individual's disclosure of information to the Board of Ethics..." (Section 25-8, para. J; on pg. 51 of the packet of this evening's meeting).

Gone is the requirement to report unethical behavior. A key characteristic of an ethical workplace is the knowledge that not only is the employee required to act ethically, but that he or she will not tolerate unethical behavior of co-workers, and must report it. Gone too is the protection from retaliation by one's supervisor or appointing authority. All that is left is the relatively weak assurance that the Board of Ethics won't retaliate.

It is shameful indeed that the tough Ethics Code being crafted by Mr. Michael Sikoski and Rev. Nancy Cox and others on the Board of Ethics was unceremoniously yanked from them, only to be given to the Personnel Committee to be watered down.

We can do better.

I urge you to return the draft Ethics Code under consideration to the Ethics Board so that we can have an Ethics Code of which we can all be proud.

DF

Patricia A. Suprenant

441 Gurleyville Road
Storrs, CT 06268

February 14, 2012

Mansfield Town Council
Eagleville Road
Mansfield, CT 06268

To Whom It May Concern:

A poor ethics code is worse than none at all.

What you have before you, here, tonight is a poor ethics code lacking in one or more of the essential elements of a reputable code of ethics and misleads the public into thinking the Town of Mansfield will have an effective code of ethics, if adopted.

A good code should be clear, comprehensive, and provide guidance to Town officials, Town employees, contractors and the citizens of Mansfield. This proposed code of ethics does none of that. It is filled with contradictions, loopholes and exceptions.

For example, under Section 25-7 Rules, Item (C.) **Conflict of Interest**, (1) *A public official or public employee* ***shall not vote*** *upon or otherwise participate to any extent in any matter on behalf of the Town of Mansfield if he or she, a business with which they are associated, an individual with whom they are associated, or a member of his or her immediate family has a financial interest in the transaction or contract*, including but not limited to the sale of real estate, material supplies or services to the Town of Mansfield.

However, under item (3) of Section 25-7 (C) the proposed code reverses itself and states: "Notwithstanding the prohibition of section (C) (1), a public employee or public official ***may vote*** or otherwise participate in a matter if it ***involves a determination of general policy and the interest is shared with a substantial segment of the population*** *of the Town of Mansfield.*"

Exactly how does the Town's leadership determine a "**substantial segment** of the population" before it votes on a matter? How does it "determine **shared interest**"?

And again, under Section 25-7 Rules, Item (G) **Use of Town Property**. No public employee or public official shall request or permit the use of Town funds, services, Town owned vehicles, equipment, facilities, materials or property for personal use, ***except when such*** *are available to the public generally or* ***are provided by official Town policy*** *or contract for the use of such public employee or public official. Enforcement of the provision shall be consistent with the Town's legal obligations."*

Town residents made it clear that they disapproves of the use of Town Equipment, including plows and other Town property, for personal use. Even the Willimantic Chronicle's Editorial staff gave Mansfield a *Needle* for this practice. You have misled the public into thinking this behavior has ceased, when it has not and will not under this

code. In fact, this proposed ethic ordinance condones the behavior through the instrument of internal policy decreed by the Town's Manager.

These are just two of the many exceptions and exclusions buried within this proposed code of ethics. Such close scrutiny of this document should not fall to the citizens of Mansfield, but to those of you charged with maintaining the highest standard of ethical behavior for our Town employees and officials.

This code, as you have proposed is a stain on Mansfield's reputation and good character. An effective ethics code is the centerpiece of an ethical environment. And that ethical environment begins with *who* drafts this code. The Town Council must send this code of ethics back to the citizen Board of Ethics not to its own Personnel Committee whose members are themselves subject to this code.

This code must not be voted on tonight or anytime in the future.

Sincerely,

Patricia Suprenant

269 Clover Mill Road
Storrs, Ct 06268
February 14, 2012

Members of the Mansfield Town Council:

There are two major aspects of the proposed Mansfield Code of Ethics that must be changed, both are in Section 25-7 Rules.

The first concerns the paragraph C, **Conflict of Interest.** I recommend that this entire paragraph be replaced with the following:

> ***Conflict of Interest: No official or employee shall participate in any town or board matter in which he or she has a financial interest or a personal interest.***

The first sentence of paragraph C does more or less say that, but not simply. But then the paragraph goes on to negate it almost entirely by providing item (3) "Notwithstanding the prohibition in subsection C (1), a public employee or public official may vote or otherwise participate in a matter <u>if it involves a determination of general policy and the interest is shared with a substantial segment of the population of the Town of Mansfield."</u>

This "addendum" does not address **<u>Who</u>** or **<u>How</u> it** can be determined that an interest is "shared with a substantial segment of the town population"? Can't this only be determined if a town-wide vote was taken on the issue and over 50% of the population approve it? I would urge you to replace this entire paragraph with the one I have suggested which I took from another town's Code of Ethics.

My second concern is under **G. Use of Town Property.** I ask that you replace your proposal with the following:

> ***Use of town property: No official or employee shall use, or permit the use of town property of any nature, including vehicles, supplies and real property, for the benefit of himself or herself, except when such property is made available to the general public and then only on terms and conditions not more favorable than those available to the general public.***

My understanding is that there are certain employees who may take equipment home/out of town, after hours for their personal use as provided through a negotiated contract. My question is who is liable for damages done to this equipment when it is in the hands of these employees, after hours, out of town? What happens if an employee plows his neighbor's or his own driveway in Wethersfield and knocks down his neighbor's or his own wall? Who pays for the repair of the wall and the repair of the plow? What if a town employee borrows a weedwacker and the weedwacker is stolen from the employee's home? Who is responsible for the replacement of this equipment? Is there accountability associated with this privilege? Is a list kept? Do we provide the gas to power these pieces of equipment? The list goes on.

Not too long ago we were asked to bond the purchase of certain trucks that will not live through the bonding period. Are these vehicles available to employees and are they being driven out of town thus causing a decrease in their useful life in town? What has the history been with this policy in the past? How would our liability insurance be lessened with out this policy? If this is a policy of the town I strongly encourage the Council to immediately re-negotiate that contract and further remove any reference to this "special arrangement" in the Code of Ethics.

Carol Pellegrine
860499598

Good evening. Nora Stevens, 143 Hanks Hill Road, Storrs.

I currently chair the Ethics Board. I am, however, speaking only as an individual member of the Board.

I would like to thank present Board members: Lena Barry John DeWolf, James Raynor, Saul Nesselroth, and Winthrop Smith; and former members: Nancy Cox, David Ferraro, Eleanor Plank, and Mike Sikoski for their diligence and contributions to our development of the proposed new code.

When we began our examination of the existing code in the fall of 2008, we didn't anticipate the challenges we would face nor the time and effort that would be required to update it. Individual members held strong opinions about the content and wording of the code. Fortunately we recognized the need for compromise and guidance. We examined codes from other towns; attended a presentation by the Connecticut Conference of Municipalities on ethics, accountability, and conflicts of interest; reviewed a

report on municipal ethics from the Connecticut Office of State Ethics; invited the Town Clerk to meet with us to discuss freedom of information and executive session issues; sought advice from Attorney O'Brien; and had a work session with your Personnel Committee.

Throughout our work we kept in mind that the Board acts only in an advisory capacity and that future changes to the code will probably be not only advisable but also necessary. It is important to note that during the revision process several specific issues brought to the Board were satisfactorily resolved using the present code.

I support the proposed code and hope that the Town Council will adopt it.

February 14, 2012

Arthur A. Smith
74 Mulberry Road
Mansfield Center, CT 06250

February 14, 2012

Mansfield Town Council
Audrey Beck Municipal Building
4 S. Eagleville Road
Mansfield, CT 06268

Re: Ethics Ordinance for the Town of Mansfield Presented On January 24, 2012

Dear Town Council Members:

On November 27, 2011, Town Councilperson Attorney Toni Moran stated during a Town Council meeting that the model ethics code was not used in the drafting of the proposed code because it used legal terminology and numerous legal cites that would confuse the average reader.

Consequently, model code language was not incorporated to address the unique role of consultants, nor injunctive relief, if the Ethics Commission fails to act in a timely manner, nor additional penalties for code violations to fully compensate the town for monetary loss. No language, confusing or otherwise, is present in the proposed Ethics Ordinance to address these issues raised.

What is present is language that minimizes the definition of "interest" in assessing obligations to the public. When Mayor Cazel was serving as mayor, in 1995, the language of service had its broadest application; "interest" was defined as both personal and/or financial.

The currently existing 1995 Ethics Ordinance references the phrases used in Sections 8-11 and 8-21 of the Connecticut General Statutes; "[N]o member of any planning commission

shall participate in the hearing or decision of the commission of which he is a member upon any matter in which he is directly or indirectly interested in a person or financial sense."

The proposed language, "[A]ny interest representing an actual or potential economic gain or loss, which is neither de minimis nor shared by the general public," could allow Town Council members to be paid by the University of Connecticut, or the University of Connecticut Foundation, for consulting services, on town issues relating to the usage of water, with immunity.

What is also present is language that obfuscates and limits the definition of 'Public Employee." Under the current 1995 Ethics Ordinance, employee is defined as [A]ny person receiving a salary, wages or compensation from the town for services rendered." Under the proposed Ethics Ordinance, "Public Employee is limited to "[A]ny person receiving a salary, wages or other compensation from the legal entity of the Town of Mansfield as defined by its federal employer identification number, for services rendered."

Moreover, the Town of Mansfield has recently hired Attorney Dennis O'Brien and his firm, on a fixed salary, to protect the town's interest. Since a member of Attorney O'Brien's law firm, Susan Johnson, is a state representative and also Attorney O'Brien's wife, representing the 49th Assembly District that includes the towns of Windham and Willimantic, will it be necessary to know if she is paid under the town's federal employer identification number to know whether there is a conflict of interest under the proposed code if Willimantic and the Town of Mansfield contest water rights?

The language of the proposed Ethics Ordinance also grants current members, under the Conflict of Interest Section 25-7 C, the authority to determinate the public obligations imposed under the 1995 Ethic Ordinance when they may have a personal and/or financial interest in the more lenient revised Ethics Ordinance without necessitating a recusal on the issue. There is no provision in the 1995 Ethics Ordinance for allowing this expansion of privilege. All Town Council members that have a personal or financial interest, as defined under the current Ethics Ordinance, are compelled to recuse themselves

from voting on this proposed Ordinance. The Town Council can not grant themselves powers that are limited by current law.

This draft Ethic Ordinance should be revised, after due consideration, following the Town's practice of two weeks consideration before it is voted upon. Before hand, all members of the Town Council should be vetted to determine whether they have a personal and/or financial interest, silent investments in the Storrs Downtown Partnership included, that conflict with their public obligation to the Town of Mansfield.

Thank you for your consideration of my objections to the Draft Ethics Ordinance of January 24, 2012.

Sincerely,

Arthur A. Smith

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February 14, 2012

Dear Members of the Mansfield Town Council,

My name is Adam N. Rabinowitz, chair of the Mount Hope Montessori School Board of Directors. I am here to speak on behalf of the Board of Directors of the Mount Hope Montessori School on Bassetts Bridge Road in Mansfield Center regarding the Connecticut Light and Power Interstate Reliability Project. As the Council is well aware, Mount Hope recently celebrated its 50th anniversary of instilling a life-long love of learning and individual exploration through the cultivation of social skills, responsibility, and moral and intellectual growth. The Board appreciates the Council's recent proclamation in honor of our 50th anniversary and recognition of our role as a vibrant member of the Mansfield community.

Today we come before you to express our concern about the proposed changes and the addition of power lines as part of CL&P's Interstate Reliability Project as well as to clarify our direct interactions with CL&P on the issue. An agenda item summary from Town Manager Matt Hart to the Town Council on January 23, 2012 indicated "that CL&P is working with the Mount Hope Montessori School ... to address their concerns with the proposed lines." While the school has had discussions in the past with CL&P related to the proposed project, those discussions have not addressed concerns we have with the proposal.

Given that we are responsible for educating children ages 3-6, when they are still developing and more susceptible to influences from the environment, and given that studies about the effects of electromagnetic fields on children have been inconclusive to date, we state our concern about this plan and the potential health effects on the children we educate. Furthermore, even if one were to document no change or a decrease in magnetic field levels as a result of this project, as CL&P has done in its application to the Connecticut Siting Council on December 2011, the psychological effects and perception of danger remains a reality. Consider how a prospective family would think about their child spending between 3 and 10 hours, up to 5 days per week, at our school with additional transmission lines in closer proximity to our property. For these reasons, the Board at Mount Hope has grave concerns about the effects on our business during construction and after the completion of the CL&P project.

Thus we are asking the Town Council to recognize that we are not currently negotiating with CL&P to address these concerns and that the Town Council consider the needs of our students and our school in any actions taken regarding this project.

Sincerely,

Adam N. Rabinowitz, Chair
Mount Hope Montessori Board of Directors

Mt. Hope Montessori School is a (501c-3) non-profit organization.Federal EIN is 23-7050693; State ID is 0057501; State License No is 12892.

Mansfield, Connecticut Town Council Meeting Feb. 14, 2012
Public comment by David Freudmann, 22 Eastwood Rd.,
Storrs, CT 06268, 860-429-0763, davidf235@yahoo.com
Topic: Storrs Center Parking Management Plan

The Parking Steering Committee was established by the Town Council on August 10, 2009. Its charge was to produce a Parking Management Plan that provides an "evaluation of the cost of operational and enforcement systems" for the Storrs Center parking garage, intermodal facility, and surface parking. The Plan submitted for your approval is only a "cooperative agreement" which outlines some parking enforcement provisions. It contains no operational cost information whatsoever.

Operational costs for a parking garage, as for any town building, include costs of utilities, insurance, maintenance, deferred maintenance ("repair and reserve fund"), personnel, administrative overhead, as well as the costs of equipment leases and service contracts for the hardware and software systems in the garage and intermodal facilities. The Parking Steering Committee has not included any projections for these costs in its draft Plan.

On March 23, 2009, the town's parking consultant predicted that the cumulative 5-year net operating income from the garage would be $906,430. (Please see packet of 4-13-09, page 260.) Perhaps this pleasing prediction from a credentialed professional has lulled our leaders into complacency. On numerous occasions I urged the Council and the Parking Steering Committee to do market research and develop a real business plan. This was not done.

This Council approved the Development Agreement with the Storrs Center developers on Jan. 4, 2011. You put this town on the hook to own that garage for at least fifty years. And you know that I predict that it, and everything associated with controlled parking, will be a money pit.

The Plan before you is just a cooperative agreement for parking enforcement and addresses the concerns of the owners of Storrs Commons and University Plaza. That is all. If it were titled "Cooperative Agreement" I would not object to you voting on it.

But, it is titled "Parking Management Plan". You asked for a delineation of operational costs. This plan does not do that. For you to adopt this plan would make a mockery of the charge you gave the committee.

I urge you to either have this draft document retitled "Cooperative Agreement", or send it back to the Parking Steering Committee and wait for the Parking Management Plan you asked for.

DF

Meeting 9-14-09

WHEREAS, the Town Council desires to establish a Steering Committee to assist in the coordination and planning for parking at Storrs Center:

NOW, THEREFORE BE IT RESOLVED THAT:
A Parking Steering Committee is established for the Storrs Center project and is authorized to perform the following charge:

- Oversee development of a parking management plan for Storrs Center (intermodal facility, surface parking, on-street parking, and adjacent parking areas) including but not limited to an evaluation of parking management strategies; parking operational systems; development of access control and enforcement strategies; evaluation of the cost of operational and enforcement systems; creation of regulatory and wayfinding parking signage; creation of a public communications strategy about parking options;

- Assist Town of Mansfield staff and the Town Transportation Advisory Committee with public transportation issues;

- Assist with information sharing and public input for the project amongst adjacent property owners, other interested parties and the Mansfield community;

- Present the management plan to the Mansfield Downtown Partnership's Board of Directors for its review and endorsement; and

- Present the management plan to the Town Council for its review and approval.

B. RESOLUTION TO APPOINT MEMBERS OF PARKING STEERING COMMITTEE FOR STORRS CENTER

WHEREAS, the Town Council desires to appoint a Parking Steering Committee for Storrs Center:

NOW, THEREFORE, BE IT RESOLVED TO:
Appoint a Storrs Center Parking Steering Committee with the following members:

1. Town Council (at least one member)
2. One representative from Regional School District #19
3. One representative from the University of Connecticut
4. One representative from the Mansfield Downtown Partnership, Inc. Karla Fox
5. Two Mansfield citizens including at least one adjacent private property owner, and one who is interested in public transportation as recommended by the Transportation Advisory Committee Mary Heidorn, Mike Taylor
6. One representative from a local public transportation provider Paul Ahern, Melinda Phelps

Staff and Ex-officio members: