



At 7:15 p.m. in advance of the regular Council meeting, the Council will hold a ceremonial presentation in honor of Independence Day.

**TOWN OF MANSFIELD
TOWN COUNCIL MEETING
Monday, July 9, 2012
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.**

AGENDA

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EXECUTIVE SESSION

ADJOURNMENT

REGULAR MEETING – MANSFIELD TOWN COUNCIL
June 25, 2012
DRAFT

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Freudmann, Keane, Kochenburger, Moran, Paterson, Paulhus, Ryan, Schaefer, Shapiro

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Shapiro seconded to approve the minutes of the June 7, 2012 special meeting as presented. Motion passed with all in favor except Mr. Ryan, who abstained. Mr. Paulhus moved and Mr. Ryan seconded to approve the minutes of the June 11, 2012 regular meeting as presented. The motion passed with all in favor except Ms. Paterson, who abstained.

III. PUBLIC HEARING

1. Neighborhood Assistance Act Program

Director of Planning and Development Linda Painter continued the public hearing from June 11, 2012 with an overview of the proposed projects to be submitted to the Department of Revenue Services for consideration. Director of Parks and Recreation Curt Vincente spoke on the benefits of water harvesting at the Mansfield Community Center as one of the proposed projects.

Betty Wassmundt, Old Turnpike Road, spoke against the entire program and urges the Council to reject this project. She feels funds would be better spent on educating students.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

April Holinko, Mansfield Depot, encourages the Council to take seriously any requests or recommendations received from the Planning & Zoning Commission regarding the School Building Project.

Pat Suprenant, Gurleyville Road, spoke on a discrepancy that appeared in the Willimantic Chronicle as to the authority of local zoning boards with regard to jurisdiction over building construction particularly at the University of Connecticut's proposed Tech Park. (Statement attached).

Ric Hossack, Middle Turnpike, would like to see the Community Center unified allowing all residents accessibility. He also voiced his concerns that the town should keep the taxpayers in mind when negotiating wage increases for personnel.

Roger Roberge, Woodland Road, expressed his willingness to act as a consultant for the town when negotiating wage increases.

Betty Wassmundt, Old Turnpike Road, agrees with the previous speaker and feels an outside negotiator should be consulted on potential wage increases for town personnel. She would also like issues addressed and the subjectivity removed from the transfer station.

V. REPORT OF THE TOWN MANAGER

The Town Manager presented his written report. In addition, Mr. Hart spoke on the Assistant Attorney General's Opinion regarding the UConn Farmington project and the proposed Tech Park.

In reply to an issue raised during public comment, Mr. Hart responded that the supervisor from the transfer station resigned from the town's employ.

Ms. Moran moved, that the letter from the Board of Education regarding the Code of Ethics be referred to the Personnel Committee for consideration and then brought back to the Council for recommendation. Mr. Paulhus seconded, the motion passed unanimously.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Ms. Paterson made a motion to appoint David Freudmann to the Finance Committee to fill the vacancy of Meredith Lindsey, Mr. Ryan seconded, the motion passed unanimously.

Ms. Paterson explained the benefits of having an energy efficiency audit done in their homes and encouraged members to take part.

Ms. Moran volunteered at the Tour de Mansfield recently held and was very impressed at the number of participants.

Mr. Paulhus attended the Downtown Partnership Annual Meeting and found it to be very informative.

Mr. Schaefer made a motion to move Agenda item #8 to 1A, Mr. Ryan seconded, motion passed unanimously.

Mr. Schaefer made a motion to move Agenda item #9 to 2B, Mr. Paulhus seconded, motion passed unanimously.

1A. – Agenda Item 8. Mansfield Public Library Services Update
Leslie McDonough, Library Director, thanked staff and residents for the warm reception she has received in the last four months. She feels the library is in great shape and is very functional. She is currently in the process of reviewing policy, and procedures in view of starting a 2013 Strategic Plan. The library is looking to the future in regard to technical aspects by expanding wireless networking; providing technological classes; adding computer labs to include five to 10 laptops and tablets; workshops on electronic-books (e-books) and the continuation with on-going children programs. Areas for further consideration include Sunday hours; creating quiet study areas and a small community room.

2B. – Agenda Item 9. Naming of Public Streets and Buildings in Storrs Center
Mr. Ryan reported that 35-40 names were submitted to the committee for consideration. The committee found it extremely difficult to distinguish who deserved recognition. The committee agreed that the names would be chosen from the town's ancient history as suggested by Roberta Smith Town Historian.

Mr. Ryan made a motion to name the circular area around the Intermodal Transportation Center, as presented on map dated June 25, 2012, Royce Circle.
The motion passed unanimously.

Mr. Ryan made a motion to name the Bolton Road Extension as presented on map dated June 25, 2012, Bolton Road.
The motion passed unanimously.

Mr. Ryan made a motion to name C. E. Smith Way as presented on map dated June 25, 2012. Ms. Moran requested the name be changed to Charles Smith Way.
Accepted as a friendly amendment the motion passed unanimously.

Mr. Ryan made a motion to name Village Street. Mr. Schaefer requested an alternate resolution, effective June 25, 2012, the formerly named Village Street, now be named Wilbur Cross Way as presented on map dated June 25, 2012. The motion was seconded. Accepted as an unfriendly amendment the motion passed with all in favor except Mr. Paulhus.

Mr. Ryan made a motion to name the Intermodal Transportation Center as presented on map dated June 25, 2012, Nash-Zimmer Transportation Center. The motion passed unanimously.

Ms. Moran requested a plaque be placed to identify the historical origin of the names chosen for the streets and buildings.

OLD BUSINESS

2. Neighborhood Assistance Programs

Mr. Shapiro moved, and Mr. Schaefer seconded, to approve the following projects for submission to the Division of Revenue Services for inclusion in the 2012 Neighborhood Assistance Act Program: water harvesting project at the Mansfield Community Center; community playground at the Mansfield Community Center; Sunny Acres Park improvements; open space acquisition and stewardship; ADA improvements to the Mansfield Community Center and Mansfield Public Library; the South Eagleville Walkway; and the energy efficiency/water conservation program for low and moderate income homeowners.

In accordance with this approval, the Town Manager is hereby authorized to submit applications for the above-referenced Town-sponsored projects.

Mr. Hart clarified an error made in the chart showing the Mansfield Community Center Playground funds to be private fundraising rather than the Sunny Acres Park Improvements.

The motion passed with all present in favor except Mr. Freudmann who opposed.

3. Mansfield Community Playground

Director of Parks and Recreation Curt Vincente briefly updated the Council on the proposed approved siting referral from the PZC. Mr. Grunwald, Director of Human Services spoke on the cost of the project through fund raising and private donations.

Mr. Paulhus moved, Mr. Schaefer seconded, effective June 25, 2012, to endorse the Mansfield Community Center site as the preferred location for the new Mansfield Community Playground.

The motion passed with all in favor, except Mr. Schaefer who abstained and Mr. Freudmann who voted no.

4. Proposed Revisions to Traffic and Parking Ordinance and Regulations

Mr. Shapiro moved, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on July 9, 2012, to solicit public comment regarding the proposed Motor Vehicle Traffic and Parking Ordinance and the revisions to the Motor Vehicle Traffic and Parking Regulations.

The motion passed with all in favor, except Mr. Schaefer and Mr. Freudmann who were not at the table to take part in the vote.

5. School Building Project

Mr. Hart, Town Manager reported on the vote (3-6) by the PZC which failed against the proposed resolution on the school building project. The project team would like to return to the PZC's at its' next meeting on July 16, 2012 so that they can better ascertain the PZC's concerns and respond to any questions they may have. The project team is also planning an educational program this summer designed to provide information and to publicize the project.

Town Attorney Dennis O'Brien spoke on the outcome of the PZC's decision. The time frame on which the PZC has on 8-24 referrals is 35 days from the date first presented to the PZC. The Council can also override the decision by the PZC by a two-thirds vote. Statutes require that the PZC state the reasons for the denial.

6. Storrs Center Update

Lon Hultgren, Director of Public Works gave an analysis on the Force Account Work (work performed by the town's public works staff) and estimated costs for labor/equipment and materials on the Storrs Center project. (memorandum attached - up-dated changes to road names formerly Village Street, now Wilbur Cross Way, formerly Post Office Road, now Charles Smith Way).

Mr. Hart reported on the Environmental Remediation Action Plan that involves four sites; the former publications building all remediation is done and monitoring wells have been installed; the former Storrs Automotive site is clear with no releases detected and the monitoring wells to be installed after Phase 1B; the print shop site will need soil and materials removed and some hot spots have been detected; Store 24 the developer is anticipating some expensive demo costs but not remediation cost. The developer is responsible for all the environmental remediation the monitoring cost going forward and demo cost.

VII. NEW BUSINESS

7. Proclamation Designation the Month of July as National Parks and Recreation Month in the Town of Mansfield

Mr. Ryan moved and Ms. Moran seconded, effective June 25, 2012, to authorize the Mayor to issue the attached proclamation designating the Month of July as National Parks and Recreation Month.

Motion passed unanimously.

10. Fiscal Year 2012/13 CSEA Professional/Technical Wage Re-Opener

Mr. Paulhus moved, Ms. Moran seconded, to ratify the tentative agreement between the Town and CSEA, Local 2001, Professional/Technical employees for a two-percent (2%) general wage increase effective July 1, 2012.

The motion passed with all in favor, except Ms. Keane and Mr. Freudmann in opposition.

11. Fiscal Year 2012/13 Wage and Benefits Adjustment for Nonunion Personnel

Ms. Moran moved, Mr. Ryan seconded, to approve the proposed recommendations to changes in compensation and benefits for regular non-union employees effective July 1, 2012, as presented by the Town Manager in his correspondence dated June 25, 2012.

The motion passed with all in favor, except Ms. Keane and Mr. Freudmann opposed.

VIII. DEPARTMENTAL AND COMMITTEE REPORTS

No comments.

VI. REPORTS OF COUNCIL COMMITTEES

No comments.

VII. PETITIONS, REQUESTS AND COMMUNICATONS

12. PZC re:LaGuardia Lane/Quiet Meadow Subdivision

13. Press Release: Mansfield Water Workshop
14. COST re: Major New Laws Affecting Towns – 2012

VIII. FUTURE AGENDA

No items suggested.

IX. EXECUTIVE SESSION

None

X. ADJOURNMENT

Mr. Kochenburger moved and Ms. Moran seconded to adjourn the meeting at 10:50 p.m.

Elizabeth Paterson, Mayor

Christine Hawthorne, Asst. Town Clerk

June 25, 2012

Mansfield Town Council
Eagleville Road
Storrs, CT 06268

Dear Councilors:

An article appeared in today's edition of the Willimantic Chronicle, which is misleading as to the authority of local zoning boards with regard to jurisdiction over the construction of buildings on state lands, and in particular, the University of Connecticut's proposed Tech Park.

Although the Director of Planning Linda Painter submitted a letter to the Mansfield PZC from Assistant Attorney General William N. Kleinman to Thomas Callahan Vice President and Strategy Officer for Bioscience Connecticut dated December 16, 2011 regarding a request for an informal opinion, she failed to provide page 2 in which the Assistant Attorney General states, "The office has consistently opined that in the absence of specific statutory authority, local zoning authorities have no jurisdiction over the construction of a building on state land, even if the building being constructed is owned by a private entity."

Now, in 1996 a bill was passed that gave the town of Mansfield specific statutory authority. The bill divided the University of Connecticut Educational Properties, Inc. known as UCEPI Project into two categories: those relating to UCEPI research and Technology and the second into the mercantile and trade uses. It established a mechanism for local review and comment on planning, zoning and wetlands, and it made the mercantile properties subject to local property taxes. It also added Mansfield's Planning and Zoning Chairperson to the UCEPI Board and it guaranteed Mansfield the right to be heard at any public hearing. If UCEPI waived any zoning and wetlands regulations and the town objected, the town could submit a complaint to a mediation panel. Any properties leased to a third party were taxable.

I ask that you set the record straight and correct this misconception with the Mansfield PZC and with the Willimantic Chronicle. I also ask that you champion these same rights that your predecessors fought for and won over 16 years ago.

Regards,



Pat Suprenant
441 Gurleyville Road
Storrs, CT 06268

Attachment: Letter dated December 16, 2011 to Thomas Callahan from Atty. Kleinman; Old Amended Bill Analysis, Page 7 of 9.



THE PUBLIC SCHOOLS OF MANSFIELD, CONNECTICUT

MARK LAPLACA, Board Chair

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268
(860) 429-3350
Fax: (860) 429-3379

To: Town Council, Matt Hart
From: Mark LaPlaca, on behalf of the Mansfield Board of Education
CC: Fred Baruzzi
Date: June 22, 2012
Subject: Code of Ethics

At our meeting on Thursday, June 14, 2012, the Board of Education by consensus directed me, as Board Chair, to communicate the following to the Town Council and Town Manager:

- The Mansfield Board of Education agrees with the Town Council that a Code of Ethics should be applied to all town employees, including BOE employees.
- Since the law is, at best, unclear as to whether or not a municipality has the authority to regulate BOE employees through an ethics ordinance, the Board, as previously communicated through our attorney, intends to adopt a parallel policy to the town's ethics ordinance.
- The Board's Policy Committee has reviewed the town's ethics ordinance and recommended to the full Board to adopt a policy identical to the town's new ethics ordinance with the following changes:
 - Minor language revisions where necessary to specify that the policy only applies to BOE employees and not all town employees.
 - Under the section Definitions, after the definition of Gift, there is a list of items entitled "a gift does not include" – the recommendation is to change the very last bullet point in that list to the following:

"Gifts in-kind of nominal value tendered on gift-giving occasions generally recognized by the public."

This difference from the town's ordinance is meant to accommodate long-standing, appropriate and educationally valued practices with regard to gift giving. It is important to note that the proposed ethics policy prohibits the solicitation of gifts, the acceptance of gifts intended to influence the judgments or actions of school employees, and gifts of inappropriately large value.

- The Board agreed, by consensus, to all of the above, and intends to vote on the policy at our next meeting on July 10th.
- The Board respectfully requests that the Town Council remove the language including BOE employees from the town ordinance in order to remove any possible confusion or potential legal issues.

INTEROFFICE MEMORANDUM

TO: TRANSPORTATION ADVISORY COMMITTEE

FROM: HUMAN SERVICES ADVISORY COMMITTEE, ADVISORY COMMITTEE ON THE NEEDS OF PERSONS WITH DISABILITIES, MANSFIELD ADVOCATES FOR CHILDREN

SUBJECT: PUBLIC TRANSPORTATION PLAN

DATE: 6/22/2012

CC: TOWN COUNCIL, TOWN MANAGER, DIRECTOR OF PLANNING AND DEVELOPMENT,
DIRECTOR OF PUBLIC WORKS

We are writing as advisory committees who all have constituents who are dealing with public transportation issues from a number of different perspectives. While each of the groups that we represent has unique needs, we believe that the core issue that they are struggling with relates to the lack of an integrated municipal policy on public transportation. While the Town successfully supports a number of valuable transportation initiatives including Dial-A-Ride, the WRTD fixed route bus, and the Senior Center's volunteer driver program, there is no single entity that coordinates these efforts and ensures that the broad public transportation needs of Mansfield residents are being met. We believe that as an advisory committee to the Town Council that is charged with addressing this area of public policy, you are the group that is in the best position to advance this issue. To that end, we would like to send representatives from each of our committees to meet with you to discuss our concerns and interests. Prior to that meeting we would encourage you to address the following questions:

1. To what extent does the Transportation Improvement Plan that is part of the Town's Plan of Conservation and Development serve as a guide to transportation planning, and how is this being monitored?
2. As a strategic plan, does Mansfield 2020 provide guidelines for public transportation initiatives, and if it does, who is responsible for implementing this?
3. How can we best work effectively with your committee to advance these concerns?

Thank you, and we look forward to hearing from you.

MEMO
6/25/12

To: Matt Hart, Town Manager
From: Lon Hultgren, Director of Public Works
Re: Force Account Work in the Storrs Center Project

As per Councilman Freudmann's request, here is summary of the force account work done or planned for the Storrs Center project. This work will be confined to the public aspects of the development as follows.

Work Description	Estimated Costs	
	Labor/Equip	Mat'ls
1. Install branch water line in Dog Lane (Due to the delays in getting a contractor to begin on Dog Lane, we had the first section of water line installed on Dog Lane by the Town crew.)	\$40,000	\$64,000
2. Install temporary drainage in the Village Street around the garage and TW-2 construction area. (Due to delays in getting the Village Street contract out to bid, we needed to have this "bypass" drainage installed to conduct storm water from Dog Lane through the project area.)	\$60,000	\$22,000
3. Plant some trees on Dog Lane and the Village Street (Considerable savings will be realized by purchasing and planting these trees ourselves.)	\$8,000	\$5,000
4. Reconstruct lower portion of post office road (Installing drainage and rebuilding the eastern end of the roadway/cul-de-sac with Town forces will also save a lot.)	\$75,000	\$25,000
5. Grading, seeding and planting trees in the Town Square (This work will be spread over two construction seasons, and hence does not lend itself to a landscape contractor, although some specialty work (hardscape) could still be contracted out.)	\$50,000	\$25,000
	----- \$233,000	----- \$141,000

As the work in Dog Lane, the Village Street, the Post Office Rd and the Town Square are items scheduled to be paid for from the \$3M tax abatement fund, the Town crew's participation will help lower the costs of this work so that funds are available to do more in completing the new streets and the Intermodal Center. For example, the site contractor's estimate for the Dog Lane water line work was \$150,000. Our crew installed it for about \$104,000. Similar savings are expected to have been realized in the Village Street temporary drainage work (contractor's estimate was also \$150,000) and are anticipated for the Post Office Road work and the construction of the Town Square. The Town's crew was available for this work this spring as a result of the 2011-12 winter's reduced clean-up work in repairing curbs, sweeping sand from town roads and restoring plow damage.

**PAGE
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LEGAL NOTICE
TOWN OF MANSFIELD
PUBLIC HEARING

The Mansfield Town Council will hold a public hearing at 7:30 PM at their regular meeting on July 9, 2012 solicit public comment regarding the proposed Motor Vehicle Traffic and Parking Ordinance and the revisions to the Motor Vehicle Traffic and Parking Regulations.

At this hearing persons may address the Town Council and written communications may be received. Copies of said proposals are on file and available at the Town Clerk's office: 4 South Eagleville Road, Mansfield, Connecticut. The proposed ordinance is also available on the Town's website (mansfieldct.org)

Dated at Mansfield Connecticut this 26th day of June 2012

Christine Hawthorne, Assistant Town Clerk

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *Matt H*
CC: Maria Capriola, Assistant Town Manager; Lon Hultgren, Director of Public Works; Storrs Center Parking Steering Committee
Date: July 9, 2012
Re: Proposed Revisions to Traffic and Parking Ordinance and Regulations

Subject Matter/Background

At Monday's meeting, the Town Council will conduct a public hearing regarding the proposed revisions to the Motor Vehicle Traffic and Parking Ordinance and associated regulations. This item has been placed on the Council's agenda as old business to allow the Council to debrief the public hearing.

As you will recall, Council received the proposed new parking ordinance and regulation changes at its February 14, 2012 meeting. The Council formed an ordinance development and review subcommittee to review these proposals, and the subcommittee met on March 7 and June 18, 2012. The subcommittee revised both the regulations and the ordinance and forwarded the provisions to the full Council for action.

With respect to the proposed parking ordinance (Chapter 182), the subcommittee recommended only minor wording changes.

For the regulations (Chapter A198), the subcommittee is proposed both minor wording changes and the following substantive changes:

- 1) The street names that define the Storrs Center area have been modified to account for the eventual renaming of the road to the post office.
- 2) Parking signs posted by a member of the Storrs Center Parking Cooperative have to be approved by the Town.
- 3) The appointment of special constables by the Town Manager has been strengthened to give the manager more control over the appointment and removal of these constables as well as their duties and area of jurisdiction.
- 4) Appointed special constables will be required to complete and submit a hold harmless document.
- 5) The period of time for paying parking fines has been shortened from 21 to 10 days.

Financial Impact

Fines collected through implementation of the regulations will help defray parking enforcement costs.

Legal Review

The Town Attorney assisted in the drafting of these proposals, and participated in the ordinance subcommittee review meetings.

Recommendation

Rule 6(d) of the Council Rules of Procedure provides that the Town Council may not amend, adopt or reject a proposed ordinance on the day the first public hearing is convened. The Council may suspend the rule by a majority vote.

Given the fact that the residential component of Storrs Center phase 1A and the parking garage will open in mid-August, staff recommends that the Council adopt the amendments to the ordinance and regulations as soon as the Council deems practical.

Once the Town Council is ready to approve the proposed revisions to the ordinance and the regulations, the following motion would be in order:

Move, effective July 9, 2012, to accept the proposed revisions to the Motor Vehicle Traffic and Parking Ordinance and the proposed revisions to the Motor Vehicle Traffic and Parking Regulations, which revisions shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Attachments

- 1) June 18, 2012 draft of proposed new parking ordinance
- 2) June 18, 2012 draft of proposed revisions to parking regulations
- 3) Minutes from the March 7, 2012 and June 18, 2012 meetings of the Ordinance Development and Review Subcommittee
- 4) February 7, 2012 draft of proposed new parking ordinance
- 5) February 7, 2012 draft of proposed revisions to parking regulations

Town of Mansfield, CT
Motor Vehicle Traffic & Parking Ordinance
Final Draft – June 18, 2012

Chapter 182, “Vehicles and Traffic,” is repealed and the following “**Motor Vehicle Traffic and Parking Ordinance**,” is substituted in its place as the NEW Chapter 182.

Chapter 182, Article I

Section 182-1. Title.

This Article shall be known and may be cited as the “**Motor Vehicle Traffic and Parking Ordinance**.”

Section 182-2. Legislative Authority.

This Article is enacted pursuant to the provisions and authority of Sections 7-148, 14-150, 14-307 and 14-312 of the Connecticut General Statutes.

Section 182-3. Parking Restrictions; Abandoned Vehicles.

A. No motor vehicle shall be parked on any public highway under the jurisdiction of the Town of Mansfield, or in any area designated as a municipal parking area, between the hours of midnight and 6:00 a.m., from November 1 through April 15.

B. Any motor vehicle parked in violation of the provisions of Section A, above, or in violation of any rule, regulation, order or other ordinance of the Town of Mansfield relative to or in connection with parking on public highways shall be deemed to be “apparently abandoned” as such term is used in Section 14-150 of the Connecticut General Statutes, as amended, and such vehicle may then be taken into custody, towed or otherwise removed, stored, and thereafter sold in accordance with the provisions of said Section 14-150.

C. The last owner of record of a motor vehicle found apparently abandoned, as shown by the files of the Department of Motor Vehicles, shall be deemed prima facie to have been the owner of such motor Vehicle at the time such vehicle was apparently abandoned, and the person who apparently abandoned the same or caused or procured its apparent abandonment.

Section 182-4. Fines for Offenses.

Any person who violates any provision of Section 182-3 of this Article shall be fined in accordance with the schedule of fines set forth in the Motor Vehicle Traffic & Parking Regulations authorized by Section 182-6 of this Ordinance. Said fines are payable to the Collector of Revenue of the Town of Mansfield within ten days of the date of issuance of

a parking violation citation ticket. Fines may be contested in compliance with the provisions of Article II of this Chapter, the **“Hearing Procedure for Parking Violations Ordinance,** below.

Section 182-5. Right of Towed Vehicle Owner to a Hearing.

As required by Connecticut General Statutes section 14-150, any owner of a motor vehicle towed or otherwise removed under the authority of Section 182-3 of this Article may request a hearing before a Motor Vehicle Towing Hearing Officer by filing a “Request for Hearing to Contest Vehicle Towing” form or a reasonable facsimile with the Office of the Resident State Troopers at the Mansfield Town Hall no later than ten days after the mailing date of the written notice to the owner that the motor vehicle has been towed.

Section 182-6. Traffic Regulations.

As authorized by Connecticut General Statutes Sections 14-307 and 14-312, the Traffic Authority of the Town of Mansfield is empowered by this Ordinance to make Motor Vehicle Traffic and Parking Regulations to supplement and enforce the parking restrictions and remedies permitted by this Article and Chapter 249 of the General Statutes pertaining to traffic control and highway safety, including parking policies and restrictions. Any such regulations shall be subject to the approval of the Town Council of the Town of Mansfield. Such authority shall include, but not be limited to the power of the Traffic Authority to establish and amend a schedule of fines for violations of this Article and said Traffic Regulations promulgated hereunder, including the fines authorized by Section 182-4 of this Article.

Chapter 182, Article II

Section 182-7. Title.

This Article shall be known and may be cited as the **“Hearing Procedure for Parking Violations Ordinance.”**

Section 182-8. Legislative Authority.

This Article is enacted pursuant to Sections 7-148, 7-152b, and 14-305 to 308, inclusive, of the Connecticut General Statutes.

Section 182-9. Intent.

This Article is designed to establish a hearing procedure for the appeal and enforcement of fines, penalties, costs and fees for violations of local parking ordinances, regulations duly promulgated hereunder and State of Connecticut parking laws enforceable by municipal authorities.

Section 182-10. Appointment of Hearing Officers

The Town Manager shall appoint one or more persons who are electors of the Town to serve as parking violation hearing officers to conduct hearings regarding the violation of parking ordinances and laws. No police officer or person who issues parking tickets or works in the police department may serve as a parking violation hearing officer.

Section 182-11. Notice of Violation

At any time within two years from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any alleged violation under any motor vehicle parking ordinance or regulation adopted pursuant to Connecticut General Statutes section 7-148 or sections 14-305 to 14-308, inclusive, except for Article II of Chapter 152 of this Code of the Town of Mansfield, "The Ordinance Regulating Residential Rental Parking," the Town may send notice to the motor vehicle operator, if known, or the registered owner of the motor vehicle by first class mail at their address according to the registration records of the Connecticut Department of Motor Vehicles. Such notice shall inform the operator or owner:

- A. Of the allegations against the cited person and the amount of the fines, penalties, costs or fees due;
- B. That the cited person may contest liability before a parking violations hearing officer by delivering in person or by mail written notice of demand for a hearing to the Office of the Mansfield Resident State Troopers at the address specified in the notice within ten days of the date thereof;
- C. That if a hearing is not so demanded, an assessment and judgment shall be entered against the cited person; and
- D. That such judgment may issue without further notice.

Section 182-12. Proof of Liability.

Whenever a violation of such an ordinance or regulation occurs, proof of the registration number of the motor vehicle involved shall be prima facie evidence in all proceedings provided for in this article that the owner of such vehicle was the operator thereof; provided that the liability of a lessee per General Statutes section 14-107 shall apply.

Section 182-13. Admission of Liability.

If a person who is sent notice pursuant to section 182-11 wishes to admit liability for an alleged violation. the cited person may, without requesting a hearing, pay the full amount

of the fines, penalties, costs or fees in person or by mail to the Collector of Revenue at the address specified in the notice. Any cited person who does not deliver or mail written notice of demand for a hearing within ten days of the first notice provided for in section 182-11, above, shall be deemed to have admitted liability, and the Office of the Mansfield Resident State Troopers shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by any applicable law or ordinance and shall follow the procedures set forth in section 182-14, below.

Section 182-14. Hearing Procedure.

A. Any cited person who requests a hearing shall be given written notice of the date, time and place of the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of such notice, provided the hearing officer shall grant upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by a police officer or other issuing officer shall be filed and retained by the Town, be deemed to be a business record within the scope of General Statutes section 52-180, and be evidence of the facts set forth therein. The presence of the police officer or issuing officer shall be required at the hearing if the cited person so requests. A person wishing to contest their liability shall appear at the hearing and present evidence in their own behalf. A designated town official, other than the hearing officer, may present evidence on behalf of the Town.

B. If the cited person fails to appear, the hearing officer may enter an assessment by default against the cited person by default upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from the cited person copies of police reports, Department of Motor Vehicles documents and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as the hearing officer deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce a decision at the end of the hearing. If the hearing officer determines that the cited person is not liable, the matter shall be dismissed and the decision of the hearing officer entered in writing accordingly. If the hearing officer determines that the cited person is liable for the violation, said officer shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable law or ordinances of the Town.

182-15. Notice of Assessment and Judgment.

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of the appropriate court, which is now the Superior Court for the Tolland Judicial District, together with the appropriate entry fee. The

certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment in the amount of said record of assessment and court costs against the cited person, in favor of the Town.

Notwithstanding any other provision of the Connecticut General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

182-16. Appeal.

A cited person against whom an assessment has been entered pursuant to this article is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to open assessment, together with an entry fee in an equal amount to the entry fee for a small claims case pursuant to General Statutes section 52-259, at the appropriate court, which is now the Superior Court for the Tolland Judicial District, which shall entitle such cited person to a hearing in accordance with the rules of the judges of the Superior Court.

MOTOR VEHICLE TRAFFIC & PARKING REGULATIONS
Chapter A198 Town of Mansfield Code
Final Draft – June 18, 2012

Chapter A198. TRAFFIC REGULATIONS is/are hereby amended as follows:

The Title of the Chapter is repealed and replaced as follows: **MOTOR VEHICLE TRAFFIC & PARKING REGULATIONS.**

Section A198-1A(2) is repealed and replaced, as follows: **Title 14, Sections 14-145, 14-150 and 14-297 through 14-314, inclusive.**

Section A198-1C(3) is repealed and replaced, as follows: **Chapter 182, Motor Vehicle Traffic & Parking.**

NEW Section A-198-5A is added, as follows:

Section A-198-5a. Storrs Center Parking Regulations

A. In addition to the restrictions listed in Section A-198-5 above, no vehicle shall be permitted to remain parked on any public roadway in the Storrs Center Development Area, which consists of the area in northern Mansfield bounded by and including the road to the post office (now or formerly known as the extension of South Eagleville Road) and South Eagleville Road to the south, the Town Office building, Region 19 (E.O. Smith High School), and the University of Connecticut's Fine Arts Complex to the west, Dog Lane and the University's Bishop Center to the north, the Center for Hellenic Studies Paideia, the new Village Street (paralleling Storrs Road) and the Storrs Post Office to the east, in the following manner:

(1) In violation of any sign posted by the Traffic Authority of the Town of Mansfield, or the Traffic Commission of the State of Connecticut or the Mansfield Downtown Partnership which limits or regulates the parking of vehicles within the Storrs Center Development Area.

(2) In violation of any sign regulating parking posted by a member of the Storrs Center Parking Cooperative within the above described Storrs Center Development Area. Any such sign must be approved by the Town Manager or his designee.

B. Vehicles in violation of any parking regulation herein may be subject to fines and towing. Owner/operators of violating vehicles will be responsible for paying both the fine for towing and the actual costs of towing. Except in instances where a vehicle is a hazard to pedestrians or vehicular traffic or impedes the delivery of emergency services, tow warning notices shall be placed on vehicles prior to towing. Vehicles may be towed for parking in violation of the parking infractions listed in Attachment 1, trespass on private property, parking while not being present on the premises or for exceeding the parking limits in designated parking spaces by 50 percent of the allowable time limit for said space in accordance with Sections 14-307 and 14-145 of the Connecticut General Statutes.

C. The Town of Mansfield, the Mansfield Downtown Partnership, the Storrs Center Alliance and their designated agents are hereby authorized to tow vehicles for parking violations in the above described Storrs Center Development area. Vehicles towed from private property shall be in accordance with Sections 14-307 and 14-145 of the CGS and at the request of the property owner who shall have both a

standing letter of trespass and an indemnification on file with the Town and the Mansfield Downtown Partnership.

D. In accordance with section 7-492 of the Connecticut General Statutes, the Mansfield Town Manager may upon request appoint special constables for terms of not more than two years to enforce parking laws and regulations in the Storrs Center Development Area. Any party to the "Cooperative Agreement for Parking Enforcement in and Adjacent to the Storrs Center Development" may file a standing letter of trespass with the Office of the Town Manager. Said letter may include a request that the Town Manager appoint any employee or other nominee of the party to be a special constable. The Town Manager shall have reasonable discretion to determine whether an individual is suitable for appointment and will be appointed as a special constable. The Town Manager may limit the geographical jurisdiction of any such appointee, and subject their appointment to such limitations, restrictions and conditions as the Town Manager deems appropriate. An Appointee shall have no property interest in their appointment, and shall serve at the pleasure of the Town Manager. Said constables shall be trained in parking enforcement by the Town and/or Mansfield Downtown Partnership prior to engaging in any enforcement activities. The services of any such special constable will be paid for by the requesting party, not by the Town of Mansfield. No such person may begin service as a special constable unless the requesting party has completed and submitted a "hold harmless" indemnification to the Town of Mansfield, Storrs Center Alliance, LLC, and to any Third Party Operator designated by said Town and LLC, to the satisfaction of said entities for any actions or liability of such employee or nominee of such party resulting from parking law or regulation enforcement in their role as special constable.

E. Penalties for Violations shall be in accordance with the Town's current Parking Violation Fine Schedule as listed in A-198 Attachment 1. Any person who violates any provision of these regulations shall be subject to the fines set forth herein. Any such fine must be paid to the Collector of Revenue within 10 days of the date on which the parking citation ticket is issued.

F. Any fine may be appealed as provided in Chapter 182, Article II of the Code of the Town of Mansfield, the "Hearing Procedure for Parking Violations Ordinance," and in Section A198-10 of these regulations, below.

G. Towing of vehicles from public parking areas shall be in accordance with Section 14-307 of the CGS. Towing appeals shall be made on DMV form A-25 "Request for Hearing Contested Tow" filed with the Office of the Mansfield Resident State Troopers. Towing of vehicles from private parking areas shall be in accordance with Section 14-145 of the CGS.

H. The cost of towing incurred by the towing party shall be paid prior to the release of the vehicle.

Section A198 Attachment 1

**Town of Mansfield
Parking Violation Fine Schedule**

(Amended effective 7-1-1994; 9-28-2009; ____-2012, effective _____)

<u>Infraction</u>	<u>Fine</u>
Parking on a sidewalk	\$25
Parking on a lawn, island or unpaved area	\$25
Parking in violation of a posted sign	\$30
Parking beyond specified time limits (except in the parking garage)	\$30
Any violation resulting in towing	\$25 plus the cost of the

original violation

Parking with a lost, forged or spurious permit/decal	\$30
Parking on the wrong side of the street	\$30
Parking more than 12 inches from the curb	\$30
Parking within 25 feet of an intersection	\$30
Parking within 25 feet of a stop sign	\$30
Parking obstructing a driveway/bikeway	\$30
Parking with no Town permit/decal	\$30
Double parking	\$30
Parking in a crosswalk/bikeway	\$30
Parking in a designated "no parking" area	\$30
Parking in a loading zone	\$50
Parking in a restricted or reserved space	\$30
Parking in a bus stop	\$50
Parking causing a traffic hazard	\$50
Parking in violation of snow ordinance	\$50
Parking in a fire lane	\$50
Parking within 10 feet of a hydrant	\$50
Parking in a handicapped space or zone	\$150

Section A-198-7 is repealed and replaced as follows:

A-198-7 Parking and Snow Removal.

No vehicle shall be parked on any public highway under the jurisdiction of the Town of Mansfield or in any area designated as a municipal parking area, with the exception of the Storrs Center Parking Garage, between the hours of 12:00 midnight and 6:00 a.m. from November 1 through April 15.

Section A-198-9B is repealed and replaced as follows:

B. Any person who violates any provision of these regulations shall be subject to a parking citation ticket fine as established by the Traffic Authority in the Parking Violation Fine Schedule set forth in these Regulations. Any such fine must be paid to the Collector of Revenue within 10 days of the date on which the parking citation ticket is issued. Any fine may be appealed as provided for in Chapter 182, Article II of the Code of the Town of Mansfield, the "Hearing Procedure for Parking Violations Ordinance."

Section A-198-10 is repealed and replaced as follows:

Section A-198-10. Appeals.

Any fine may be appealed as provided for in Chapter 182, Article II of the Code of the Town of Mansfield, the "Hearing Procedure for Parking Violations Ordinance," and in these regulations. Appeals for parking violations shall be made to the Office of the Mansfield Resident State Troopers by making a request for hearing as permitted by Section 182-13 of said Ordinance. If said appeal is upheld by the Hearing Officer, no payment shall be necessary; if said appeal is denied, payment of the required fine shall be made to the Collector of Revenue. The decision of the Hearing Officer may be appealed to the Superior Court per Section 182-16 of the "Hearing Procedure for Parking Violations" Ordinance.

Schedule A198 Attachment I

Removed and replaced by section A-198-5a. H. above.

Town of Mansfield
Town Council Ordinance Development and Review Subcommittee for the proposed Parking Regulation
revisions and new Traffic and Parking Ordinance
Minutes of the Meeting – March 7, 2012

Present: Council members: Shapiro, Paulhus & Ryan; Hultgren (staff), O'Brien (Town Attorney)

The meeting was convened at approximately 4:35 PM in Conference Room B of the Town Office Building. Shapiro was elected chairperson by acclamation.

Hultgren explained the development process for the proposed regulations to regulate parking in the Storrs Center area (revisions to Chapter A-198 of the Town's regulations) and the proposed ordinance to allow for the enforcement of all Town parking regulations via hearing officers and the courts (a new, two-article ordinance to be known as Chapter 182).

Shapiro asked about signs posted by a member of the Storrs Center parking Cooperative. Hultgren said that while no specific standards for signs were included in the regulations, these could be added at a later date. He said that signage could also be covered in the training for special constables that will be required.

Discussion ensued from all present about the process that the Town Manager would use to remove a constable and whether this should be included in the regulations or not. (Current wording says that a special constable may be removed for cause). O'Brien will look at the enabling statute and report on the advisability of adding more process language.

After discussion of whether or not a special constable would have the power to enforce parking on property not under his/her control, O'Brien was directed to draft additional language outlining the specific authority of special constables for section A-198-5a D.

Ryan suggested eliminating the phrase "in any year" from the applicable sections in both the regulations and ordinance.

O'Brien explained the reasoning behind having a new ordinance (Chapter 182) similar to the ordinances already adopted to enforce fines in other areas the Town assesses.

Some discussion on the hearing officers took place. O'Brien said that a manual and session reviewing it would be held in the near future with the Town's 3 existing hearing officers.

Shapiro suggested either adding the length of time persons have to pay their fines to the ordinance or referencing the section in the regulations that specifies this time period.

O'Brien and Hultgren will redraft the regulations and ordinance to incorporate the above suggestions and circulate it to committee members prior to the next meeting, which will be set after the changes are completed and distributed.

The meeting was adjourned at approximately 5:35 PM.

Respectfully submitted,

Lon Hultgren
Director of Public Works

Town of Mansfield
Town Council Ordinance Development & Review Subcommittee for proposed parking regulation
revisions and new Traffic and Parking Ordinance
Minutes of the Meeting – June 18, 2012
DRAFT

Present: Council Members: Shapiro & Ryan; O'Brien (Town Attorney); Hultgren (staff)

The meeting was called to order at 4:41 PM in Conference Room C of the Town Office Building by Shapiro. The minutes of the March 7, 2012 meeting were approved with one correction – Section A-198 which was listed incorrectly as Section A-195 was corrected.

O'Brien walked the committee through the changes that were made in the regulations pursuant to the previous meeting's discussions.

In A-198-5a. Section A was further edited to allow for the eventual renaming of the South Eagleville Road extension. In Section A (2) language was added stating that signs posted by the members of the Storrs Center Parking Cooperative had to be approved by the Town Manager or his designee.

In A-198-5a. Section D language was added to assure that appointed special constables served at the pleasure of the Town Manager and had to sign a hold harmless agreement prior to engaging in enforcement activities. A 10-day period to pay fines was added in both the regulations and the ordinance.

In the parking fine schedule, the towing line was edited to read "Any violation resulting in towing -- \$25 plus the cost of the original violation".

In the ordinance (Section 192-15) the phrase "which is now eight dollars" was deleted from the paragraph.

Hultgren will now make all these changes and forward the edited texts of the regulations and ordinances to the Town Manager to be included on a future Town Council meeting agenda.

The meeting was adjourned at 5:21 PM.

Respectfully submitted,

Lon Hultgren
Director of Public Works

Town of Mansfield, CT
Motor Vehicle Traffic & Parking Ordinance
Second Draft – February 7, 2012

Chapter 182, "Vehicles and Traffic," is repealed and the following "Motor Vehicle Traffic and Parking Ordinance," is substituted in its place as the NEW Chapter 182.

Chapter 182, Article I

Section 182-1. Title.

This Article shall be known and may be cited as the "Motor Vehicle Traffic and Parking Ordinance."

Section 182-2. Legislative Authority.

This Article is enacted pursuant to the provisions and authority of Sections 7-148, 14-150, 14-307 and 14-312 of the Connecticut General Statutes.

Section 182-3. Parking Restrictions; Abandoned Vehicles.

A. No motor vehicle shall be parked on any public highway under the jurisdiction of the Town of Mansfield, or in any area designated as a municipal parking area, between the hours of midnight and 6:00 a.m., from November 1 through April 15 in any year.

B. Any motor vehicle parked in violation of the provisions of Section A, above, or in violation of any rule, regulation, order or other ordinance of the Town of Mansfield relative to or in connection with parking on public highways shall be deemed to be "apparently abandoned" as such term is used in Section 14-150 of the Connecticut General Statutes, as amended, and such vehicle may then be taken into custody, towed or otherwise removed, stored, and thereafter sold in accordance with the provisions of said Section 14-150.

C. The last owner of record of a motor vehicle found apparently abandoned, as shown by the files of the Department of Motor Vehicles, shall be deemed prima facie to have been the owner of such motor Vehicle at the time such vehicle was apparently abandoned, and the person who apparently abandoned the same or caused or procured its apparent abandonment.

Section 182-4. Fines for Offenses.

Any person who violates any provision of Section 182-3 of this Article shall be fined in accordance with the schedule of fines set forth in the Motor Vehicle Traffic & Parking Regulations authorized by Section 182-6 of this Ordinance. Said fines are payable to the Collector of Revenue of the Town of Mansfield. Fines may be contested in compliance

with the provisions of Article II of this Chapter, the “Hearing Procedure for Parking Violations Ordinance, below.

Section 182-5. Right of Towed Vehicle Owner to a Hearing.

As required by Connecticut General Statutes section 14-150, any owner of a motor vehicle towed or otherwise removed under the authority of Section 182-3 of this Article may request a hearing before a Motor Vehicle Towing Hearing Officer by filing a “Request for Hearing to Contest Vehicle Towing” form or a reasonable facsimile with the Office of the Resident State Troopers at the Mansfield Town Hall no later than ten days after the mailing date of the written notice to the owner that the motor vehicle has been towed.

Section 182-6. Traffic Regulations.

As authorized by Connecticut General Statutes Sections 14-307 and 14-312, the Traffic Authority of the Town of Mansfield is empowered by this Ordinance to make Motor Vehicle Traffic and Parking Regulations to supplement and enforce the parking restrictions and remedies permitted by this Article and Chapter 249 of the General Statutes pertaining to traffic control and highway safety, including parking policies and restrictions. Any such regulations shall be subject to the approval of the Town Council of the Town of Mansfield. Such authority shall include, but not be limited to the power of the Traffic Authority to establish and amend a schedule of fines for violations of this Article and said Traffic Regulations promulgated hereunder, including the fines authorized by Section 182-4 of this Article.

Chapter 182, Article II

Section 182-7. Title.

This Article shall be known and may be cited as the “Hearing Procedure for Parking Violations Ordinance.”

Section 182-8. Legislative Authority.

This Article is enacted pursuant to Sections 7-148, 7-152b, and 14-305 to 308, inclusive, of the Connecticut General Statutes.

Section 182-9. Intent.

This Article is designed to establish a hearing procedure for the appeal and enforcement of fines, penalties, costs and fees for violations of local parking ordinances, regulations duly promulgated hereunder and State of Connecticut parking laws enforceable by municipal authorities.

Section 182-10. Appointment of Hearing Officers

The Town Manager shall appoint one or more persons who are electors of the Town to serve as parking violation hearing officers to conduct hearings regarding the violation of parking ordinances and laws. No police officer or person who issues parking tickets or works in the police department may serve as a parking violation hearing officer.

Section 182-11. Notice of Violation

At any time within two years from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any alleged violation under any motor vehicle parking ordinance or regulation adopted pursuant to Connecticut General Statutes section 7-148 or sections 14-305 to 14-308, inclusive, except for Article II of Chapter 152 of this Code of the Town of Mansfield, "The Ordinance Regulating Residential Rental Parking," the Town may send notice to the motor vehicle operator, if known, or the registered owner of the motor vehicle by first class mail at their address according to the registration records of the Connecticut Department of Motor Vehicles. Such notice shall inform the operator or owner:

- A. Of the allegations against the cited person and the amount of the fines, penalties, costs or fees due;
- B. That the cited person may contest liability before a parking violations hearing officer by delivering in person or by mail written notice of demand for a hearing to the Office of the Mansfield Resident State Troopers at the address specified in the notice within ten days of the date thereof;
- C. That if a hearing is not so demanded, an assessment and judgment shall be entered against the cited person; and
- D. That such judgment may issue without further notice.

Section 182-12. Proof of Liability.

Whenever a violation of such an ordinance or regulation occurs, proof of the registration number of the motor vehicle involved shall be prima facie evidence in all proceedings provided for in this article that the owner of such vehicle was the operator thereof; provided that the liability of a lessee per General Statutes section 14-107 shall apply.

Section 182-13. Admission of Liability.

If a person who is sent notice pursuant to section 182-11 wishes to admit liability for an alleged violation, the cited person may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees in person or by mail to the Collector of Revenue at

the address specified in the notice. Any cited person who does not deliver or mail written notice of demand for a hearing within ten days of the first notice provided for in section 182-11, above, shall be deemed to have admitted liability, and the Office of the Mansfield Resident State Troopers shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by any applicable law or ordinance and shall follow the procedures set forth in section 182-14, below.

Section 182-14. Hearing Procedure.

A. Any cited person who requests a hearing shall be given written notice of the date, time and place of the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of such notice, provided the hearing officer shall grant upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by a police officer or other issuing officer shall be filed and retained by the Town, be deemed to be a business record within the scope of General Statutes section 52-180, and be evidence of the facts set forth therein. The presence of the police officer or issuing officer shall be required at the hearing if the cited person so requests. A person wishing to contest their liability shall appear at the hearing and present evidence in their own behalf. A designated town official, other than the hearing officer, may present evidence on behalf of the Town.

B. If the cited person fails to appear, the hearing officer may enter an assessment by default against the cited person by default upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from the cited person copies of police reports, Department of Motor Vehicles documents and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as the hearing officer deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce a decision at the end of the hearing. If the hearing officer determines that the cited person is not liable, the matter shall be dismissed and the decision of the hearing officer entered in writing accordingly. If the hearing officer determines that the cited person is liable for the violation, said officer shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable law or ordinances of the Town.

182-15. Notice of Assessment and Judgment.

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of the appropriate court, which is now the Superior Court for the Tolland Judicial District, together with the appropriate entry fee, which is now eight dollars. The certified copy of the notice of assessment shall constitute a record

of assessment. Within such twelve month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment in the amount of said record of assessment and court costs against the cited person, in favor of the Town. Notwithstanding any other provision of the Connecticut General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

182-16. Appeal.

A cited person against whom an assessment has been entered pursuant to this article is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to open assessment, together with an entry fee in an equal amount to the entry fee for a small claims case pursuant to General Statutes section 52-259, at the appropriate court, which is now the Superior Court for the Tolland Judicial District, which shall entitle such cited person to a hearing in accordance with the rules of the judges of the Superior Court.

MOTOR VEHICLE TRAFFIC & PARKING REGULATIONS
Chapter A198 Town of Mansfield Code
First Draft – February 7, 2012

Chapter A198. TRAFFIC REGULATIONS is/are hereby amended as follows:

The Title of the Chapter is repealed and replaced as follows: **MOTOR VEHICLE TRAFFIC & PARKING REGULATIONS.**

Section A198-1A(2) is repealed and replaced, as follows: Title 14, Sections 14-145, 14-150 and 14-297 through 14-314, inclusive.

Section A198-1C(3) is repealed and replaced, as follows: Chapter 182, Motor Vehicle Traffic & Parking.

NEW Section A-198-5A is added, as follows:

Section A-198-5a. Storrs Center Parking Regulations

A. In addition to the restrictions listed in Section A-198-5 above, no vehicle shall be permitted to remain parked on any public roadway in the Storrs Center Development Area, which consists of the area in northern Mansfield bounded by and including the Post Office Road (extension of South Eagleville Road) and South Eagleville Road to the south, the Town Office building, Region 19 (E.O. Smith High School), and the University of Connecticut's Fine Arts Complex to the west, Dog Lane and the University's Bishop Center to the north, the Center for Hellenic Studies Paideia, the new Village Street (paralleling Storrs Road) and the Storrs Post Office to the east, in the following manner:

- (1) In violation of any sign posted by the Traffic Authority of the Town of Mansfield, or the Traffic Commission of the State of Connecticut or the Mansfield Downtown Partnership which limits or regulates the parking of vehicles within the Storrs Center Development Area.
- (2) In violation of any sign regulating parking posted by a member of the Storrs Center Parking Cooperative within the above described Storrs Center Development Area.

B. Vehicles in violation of any parking regulation herein may be subject to fines and towing. Owner/operators of violating vehicles will be responsible for paying both the fine for towing and the actual costs of towing. Except in instances where a vehicle is a hazard to pedestrians or vehicular traffic or impedes the delivery of emergency services, tow warning notices shall be placed on vehicles prior to towing. Vehicles may be towed for parking in violation of the parking infractions listed in Attachment 1, trespass on private property, parking while not being present on the premises or for exceeding the parking limits in designated parking spaces by 50 percent of the allowable time limit for said space in accordance with Sections 14-307 and 14-145 of the Connecticut General Statutes.

C. The Town of Mansfield, the Mansfield Downtown Partnership, the Storrs Center Alliance and their designated agents are hereby authorized to tow vehicles for parking violations in the above described Storrs Center Development area. Vehicles towed from private property shall be in accordance with Sections 14-307 and 14-145 of the CGS and at the request of the property owner who shall have both a standing letter of trespass and an indemnification on file with the Town and the Mansfield Downtown Partnership.

D. In accordance with section 7-192 of the Connecticut State Statutes, the Mansfield Town Manager may upon request appoint special constables to enforce parking in the Storrs Center Development Area. The Town Manager shall have reasonable discretion to determine whether an individual is suitable for appointment as a special constable and shall have the authority to rescind appointments for cause. Said constables shall be trained in parking enforcement by the Town and/or Mansfield Downtown Partnership prior to engaging in any enforcement activities. The services of any such special constable will be paid for by the requesting party, not by the Town of Mansfield.

E. Penalties for Violations shall be in accordance with the Town's current Parking Violation Fine Schedule as listed in A-198 Attachment 1. Any person who violates any provision of these regulations shall be subject to the fines set forth herein.

F. Any fine may be appealed as provided in Chapter 182, Article II of the Code of the Town of Mansfield, the "Hearing Procedure for Parking Violations Ordinance," and in Section A198-10 of these regulations, below.

G. Towing of vehicles from public parking areas shall be in accordance with Section 14-307 of the CGS. Towing appeals shall be made on DMV form A-25 "Request for Hearing Contested Tow" filed with the Office of the Mansfield Resident State Troopers. Towing of vehicles from private parking areas shall be in accordance with Section 14-145 of the CGS.

H. The cost of towing incurred by the towing party shall be paid prior to the release of the vehicle.

Section A198 Attachment 1

**Town of Mansfield
Parking Violation Fine Schedule**

(Amended effective 7-1-1994; 9-28-2009; ____-2012, effective _____)

<u>Infraction</u>	<u>Fine</u>
Parking on a sidewalk	\$25
Parking on a lawn, island or unpaved area	\$25
Parking in violation of a posted sign	\$30
Parking beyond specified time limits (except in the parking garage)	\$30
Towing	\$25 plus the cost of towing
Parking with a lost, forged or spurious permit/decal	\$30
Parking on the wrong side of the street	\$30
Parking more than 12 inches from the curb	\$30
Parking within 25 feet of an intersection	\$30
Parking within 25 feet of a stop sign	\$30
Parking obstructing a driveway/bikeway	\$30
Parking with no Town permit/decal	\$30
Double parking	\$30
Parking in a crosswalk/bikeway	\$30
Parking in a designated "no parking" area	\$30
Parking in a loading zone	\$50
Parking in a restricted or reserved space	\$30
Parking in a bus stop	\$50
Parking causing a traffic hazard	\$50
Parking in violation of snow ordinance	\$50

Parking in a fire lane	\$50
Parking within 10 feet of a hydrant	\$50
Parking in a handicapped space or zone	\$150

Section A-198-7 is repealed and replaced as follows:

A-198-7 Parking and Snow Removal.

No vehicle shall be parked on any public highway under the jurisdiction of the Town of Mansfield or in any area designated as a municipal parking area, with the exception of the Storrs Center Parking Garage, between the hours of 12:00 midnight and 6:00 a.m. from November 1 through April 15 in any year.

Section A-198-9B is repealed and replaced as follows:

B. Any person who violates any provision of these regulations shall be subject to a fine as established by the Traffic Authority in the Parking Violation Fine Schedule set forth in these Regulations. Any fine may be appealed as provided for in Chapter 182, Article II of the Code of the Town of Mansfield, the "Hearing Procedure for Parking Violations Ordinance."

Section A-198-10 is repealed and replaced as follows:

Section A-198-10. Appeals.

Any fine may be appealed as provided for in Chapter 182, Article II of the Code of the Town of Mansfield, the "Hearing Procedure for Parking Violations Ordinance," and in Section A198-10 of these regulations, below. Appeals for parking violations shall be made to the Office of the Mansfield Resident State Troopers by making a request for hearing as permitted by Section 182-13 of said Ordinance. If said appeal is upheld by the Hearing Officer, no payment shall be necessary; if said appeal is denied, payment of the required fine shall be made to the Collector of Revenue. The decision of the Hearing Officer may be appealed to the Superior Court per Section 182-16 of the "Hearing Procedure for Parking Violations" Ordinance.

Schedule A198 Attachment I

The title of the **Parking and Violation Fee Schedule** is repealed, and replaced as follows:

Parking Violation Fine Schedule.

The following language at the very end of said **Parking Violation Fine Schedule** is repealed and deleted:

Payment is due within 21 days. After 21 days the payment doubles, and, if not paid within 30 days, the violation may be referred to Superior Court G.A. 19.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Linda Painter, Director of Planning and Development
Date: July 9, 2012
Re: School Building Project

Subject Matter

At the last meeting, I informed you that, by a 6-3 vote, the Planning and Zoning Commission (PZC) voted against the proposed resolution seeking the Commission's CGS §8-24 approval of the school building project. Since receiving the correspondence from the PZC regarding its denial of the resolution, staff has worked to identify the Commission's key concerns and questions by listening to the audio recording of the meeting. The following issues and concerns were voiced by various members of the Commission during their discussion:

- The selection of Goodwin Elementary School as one of the proposed school locations;
- The wording of the resolution drafted by bond counsel and the level of specificity included in the project descriptions;
- The inclusion of the middle school renovations in the same approval resolution as the proposed construction of two new elementary schools; and
- The need for additional information on the proposed elementary and middle school projects.

As I mentioned in my July 9, 2012 memo, staff believes that it is in the best interest of the Town for the Council and the project team to continue to work with the Commission to understand and to attempt to address its concerns and questions regarding the proposed projects. Since the CGS §8-24 referral process is the mechanism through which the Commission formally provides feedback on proposed town projects, it would be appropriate for the Council to make a new §8-24 referral to the Commission. This new referral would provide time for the project team to meet with the Commission to explain the project in detail and to answer questions as well as concerns. The new referral would include a revised draft resolution designed to respond to comments made during the initial referral.

Recommendation

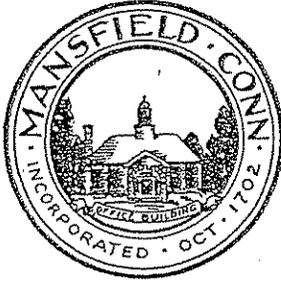
If the Council supports this recommendation, the following motion is in order:

Move, to refer to the Planning and Zoning Commission for a report in accordance with CGS §8-24, the conceptual school building project consisting of the following elements:

- *Renovations to the Mansfield Middle School*
- *Construction of two new elementary schools on the Goodwin and Vinton sites, including demolition of the existing buildings and the acquisition of adjacent property if necessary*
- *Closure of Southeast Elementary school, the future use of which is undetermined at this time*

Attachments

- 1) Planning and Zoning Commission re: 8-24 Referral: School Siting
- 2) DRAFT June 18, 2012 PZC Minutes
- 3) June 7, 2012 Town Council Minutes



PLANNING AND ZONING COMMISSION
TOWN OF MANSFIELD

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

To: Town Council
From: Planning and Zoning Commission
Date: Tuesday, June 19, 2012
Re: 8-24 Referral: School Siting

At the 6/18/12 Mansfield Planning and Zoning Commission, Rawn MOVED, and Hall seconded the following motion which FAILED by a three to six vote against.

RESOLUTION OF THE PLANNING AND ZONING COMMISSION
OF THE TOWN OF MANSFIELD, CONNECTICUT

RESOLVED, that the Planning and Zoning Commission of the Town of Mansfield approves the following project with respect to the Town's elementary and middle schools, pursuant to Section 8-24 of the General Statutes of Connecticut, consisting of:

1. The closure and demolition of the Dorothy C. Goodwin Elementary School and the Annie E. Vinton Elementary School, and the construction and equipping of a new elementary school on each of these sites, including, if necessary or desirable to accommodate the new school design, the purchase of land adjacent to either of these sites, and including related work and improvements;;
2. Select heavy renovations to the Mansfield Middle School, including but not limited to roof and window replacements, installation of solar panels, and the replacement of modular classrooms, and related work and improvements; and
3. The closure of the Southeast Elementary School, the future use of which is undetermined at this time; and

provided that this resolution is for approval of conceptual plans only. Each project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that any such project is in compliance with any such applicable laws, regulations or permit approvals.

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, June 18, 2012
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), B. Chandy, R. Hall, K. Holt (7:05 p.m.), G. Lewis, P. Plante, B. Pociask, K. Rawn, B. Ryan
Alternates present: V. Ward, S. Westa
Staff Present: Linda Painter, Director of Planning and Development

Chairman Goodwin called the meeting to order at 7:00 p.m., appointing Ward to act until Holt's arrival at 7:05 p.m.

Minutes:

6-4-12 Minutes- Hall MOVED, Ryan seconded, to approve the 6/4/12 meeting minutes as written. MOTION PASSED with all in favor except Plante and Pociask who disqualified themselves.

6-12-12 Field Trip Minutes: Ryan MOVED, Holt seconded, to approve the 6/12/12 field trip minutes as written. MOTION PASSED with Goodwin, Holt, Ryan and Westa in favor and all others disqualified.

Zoning Agent's Report:

The Zoning Agent's report was noted.

Old Business:

a. **Special Permit for Cut/Fill Activities, Merrow Road Corn Maze, 3 Merrow Road, Mason Brook LLC/Christopher Kueffner, owner/applicant (PZC File #1309)**

Chandy MOVED, Holt seconded, to approve to approve with conditions the Special Permit application (PZC File #1309) of Mason Brook, LLC, for the removal of approximately 4,200 cubic yards of gravel and associated regrading and drainage work, as described in the application dated April 23, 2012, including the statement of use and the Proposed Borrow Pit and Grading Plan dated April 17, 2012; and as presented at Public Hearings on 5/21/12 and 6/4/12. This approval is granted because the application as approved is considered to be in compliance with Article V, Section B (Special Permit Requirements), Article X, Section H (Sand and Gravel) and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

- 1) **Extent of Approval.** This approval authorizes the removal of approximately 4,200 cubic yards of gravel, and associated grading and drainage improvements as depicted on the Proposed Borrow Pit and Grading Plan. Any significant change in the site work as described in application submissions and at the Public Hearing shall require further PZC review and approval. Any questions regarding what constitutes a significant change shall be reviewed with the Zoning Agent and, as deemed necessary, the PZC.
- 2) **Waivers.** Pursuant to the requirements of Article X, Section H.4, the following waivers to application requirements have been granted as the information was not needed to determine compliance with the Regulations:
 - a) A-2 Survey and Location of Utility Poles (Article V, Section A.3.d)
 - b) Data Accumulation Plan (Article X, Section H.3.b)

- 3) **Plan Revisions.** The Proposed Borrow Pit and Grading Plan shall be revised to include the following information:
- a) Traffic Management Plan for days when construction activity is concurrent with use of the parking lot by customers for the business on the north side of Merrow Road
 - b) Requirement that all truck loads be covered, both on and off-site.
 - c) Measures to control wind erosion and dust from stockpiles
 - d) Locations of areas where excavation will exceed depth of 10 feet and 3 to 1 slope and safety measures for those areas.
 - e) Use of best management practices as recommended by the Department of Energy and Environmental Protection (DEEP) and the USDA Natural Resources Conservation Service for the application of manure, fertilizer or pesticide once the property is replanted and management of animal waste if livestock are to be kept on the property.
 - f) Requirement that the Town shall be informed by the applicant when excavation work is going to be done so that exposed soil conditions can be monitored. If necessary, the Assistant Town Engineer shall have the authority to raise the finished grade levels to ensure that current conditions for rainfall moving through the gravel to the underlying aquifer are maintained.
 - g) Identification of an alternative stockpile location that meets the 50 foot setback from the railroad right-of-way to be used until such time as written approval is received for the railroad for the stockpile locations adjacent to their right-of-way.
- 4) **Authorization from New England Central Railroad.** Pursuant to Article X, Section H.5.e, the applicant is required to obtain written approval for any excavation or stockpiles within 50 feet of the railroad right-of-way. As there are existing stockpiles within the 50 foot setback, it is not beneficial to prohibit all work on the site until such time as written consent is received. As such, there shall be no further grading or other excavation activity within 50 feet of the right-of-way of the Central Vermont Railroad (aka New England Central Railroad) other than the spreading of loam stockpiled in that area across other portions of the site/property in accordance with the Proposed Borrow Pit and Grading Plan until such time as written approval is received and confirmed by the Zoning Agent. Upon receipt of such approval, the Zoning Enforcement Officer may authorize excavation, grading and stockpiling activities within 50 feet of the railroad right-of-way.
- 5) **Erosion and Sedimentation Controls.** Erosion and sedimentation controls shall be installed where necessary as determined by the Assistant Town Engineer/Inland Wetlands Agent, including an anti-tracking pad at the entrance to the site off of Merrow Road.
- 6) **Topsoil.** All disturbed areas shall be covered with a minimum of 6 inches of topsoil and revegetated as per regulatory requirements and application submissions. No topsoil shall be removed from the site without prior authorization.
- 7) **Bonding.** Due to the agricultural nature of the subject application and the adequacy of submitted plans, no site development bonding shall be required at this time. The PZC reserves the right to require bonding if site development problems arise.
- 8) **Validity.** This permit shall not become valid until the applicant obtains the special permit form from the Planning Office and files it on the Land Records. If the subject excavation and site restoration work are not completed by 7/1/2013, renewal of this Special Permit shall be required.

MOTION PASSED UNANIMOUSLY.

b. **Request for release and capping of bond escrow funds for Freedom Green (PZC File #636-4)**
Item is tabled pending staff review.

c. **Gravel Permit Renewals**

Holt MOVED, Ryan seconded, that the public hearings for the purpose of reviewing requests for the renewal of special permits for earth removal be scheduled for July 16, 2012. MOTION PASSED UNANIMOUSLY. The current permit period ends August 7, 2012.

New Business:

**Holt MOVED, Pociask seconded, to add to New Business two items: Field Trip for Beacon Hill Estates Section II, and the Pending Right to Farm Ordinance. MOTION PASSED UNANIMOUSLY.

a. **Request to Modify Building Area Envelope, Lot 16 Beacon Hill Estates, PZC File #1214-2**

Pociask MOVED, Ryan seconded, that the Planning & Zoning Commission approve the proposed revision to the Building Area Envelope for Lot 16 of the Beacon Hill Estates Subdivision, as described in the 6/6/12 request from Spring Hill Properties, LLC., and shown on a plan dated 6/5/12, subject to the condition that the stone walls be retained pursuant to Section 7.7 of the Subdivision Regulations. This revision will not affect neighboring properties, natural or manmade features or the overall character of the subdivision. This action shall be noticed on the land record. MOTION PASSED UNANIMOUSLY.

b. **Application to amend the Zoning Regulations, Article VII, Section S.2; Article VIII; and Article X, Section A.4.d- M. Healey-applicant, PZC File #1310**

Holt MOVED, Ryan seconded, to receive the application submitted by Michael C. Healey to amend Article VII, Section S.2; Article VIII, and Article X, Section A.4.d of the Mansfield Zoning Regulations, File #1310, as submitted to the Commission, and to instruct the applicant to work with staff on final wording prior to advertising, and to refer said application to WINCOG and the Town Attorney for review and comment, and to set a Public Hearing for August 6, 2012. MOTION PASSED UNANIMOUSLY.

c. **8-24 Referral-LaGuardia Lane/Quiet Meadow Subdivision**

Holt MOVED, Hall seconded, that the PZC notify the Town Council that the proposed acquisition of the LaGuardia Lane Property would promote Mansfield's Plan of Conservation and Development through protection of interior forest and improved access to existing preserved open space. MOTION PASSED UNANIMOUSLY.

d. **8-24 Referral-School Building Project**

After extensive discussion, Plante MOVED, Pociask seconded, to table this item. MOTION FAILED with Plante, Pociask, Holt and Chandy in favor and Rawn, Hall, Lewis, Ryan and Goodwin opposed. Then Rawn MOVED, Hall seconded, RESOLVED, that the Planning and Zoning Commission of the Town of Mansfield approves the following project with respect to the Town's elementary and middle schools, pursuant to Section 8-24 of the General Statutes of Connecticut, consisting of:

1. The closure and demolition of the Dorothy C. Goodwin Elementary School and the Annie E. Vinton Elementary School, and the construction and equipping of a new elementary school on each of these sites, including, if necessary or desirable to accommodate the new school design, the purchase of land adjacent to either of these sites, and including related work and improvements;;
2. Select heavy renovations to the Mansfield Middle School, including but not limited to roof and window replacements, installation of solar panels, and the replacement of modular classrooms, and related work and improvements; and

3. The closure of the Southeast Elementary School, the future use of which is undetermined at this time; and

provided that this resolution is for approval of conceptual plans only. Each project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that any such project is in compliance with any such applicable laws, regulations or permit approvals. MOTION FAILED with Rawn, Lewis and Ryan in favor and Plante, Pociask, Hall, Goodwin, Holt, and Chandy opposed.

e. UConn Technical Park-Jurisdiction

Linda Painter, Director of Planning and Development, reviewed her memo and an opinion letter from an Assistant Attorney General regarding a project that is similar to the proposed Technology Park. After extensive discussion, the consensus of the Commission was, it does not believe it has jurisdiction over the project but it strongly encourages the Town of Mansfield to work with the University to ensure the Town has adequate sewer and water capacity for the future development in town that is likely to occur as a result of the Technology Park.

f. Consideration of Cancelling the July 2, 2012 Regular Meeting

Holt MOVED, Hall seconded, that the Planning and Zoning Commission cancel the July 2, 2012 and August 20, 2012 regular meetings of the Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY.

g. Field Trip Scheduling

Staff recommended scheduling a field trip for Beacon Hill Estates Section II. It was agreed to schedule a field trip for July 10th at 3:30 p.m. If any new IWA items come in on July 16th, another field trip will be scheduled for July 24th.

h. Proposed Right to Farm Ordinance

Goodwin suggested that the Commission write a letter in support of the Right to Farm and Agricultural Tax Incentive Ordinances presently before the Town Council for action, as these proposed ordinances are consistent with, and support, the Commission's work in protecting and promoting agriculture. PZC members asked staff to provide samples of such ordinances used by other towns.

Reports from Officers and Committees:

Vera Ward noted that the next meeting of the Regulatory Review Committee will be Wednesday, June 27th at 1:15 p.m. in Conference Room C. She invited any interested members of the PZC to attend.

Communications and Bills:

Noted.

A Field Trip was scheduled for July 10 at 3:30 p.m.

Adjournment: The meeting was adjourned at 8:37 p.m. by the chairman.

Respectfully submitted,

Katherine Holt, Secretary

SPECIAL MEETING – MANSFIELD TOWN COUNCIL
June 7, 2012

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 7:00 p.m. in the Council Chamber of the Audrey P. Beck Building

I. ROLL CALL

Present: Freudmann, Keane, Kochenburger, Moran, Paterson, Paulhus,
Schaefer, Shapiro
Excused: Ryan

II. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL

Nancy Tomastik, Maple Road, again urged the Council not to schedule the school budget referendum at the November election. (Statement attached)

Anthony Kotula, Maple Road, suggested deferring this major financial decision until the larger economy has stabilized. (Statement attached)

Ric Hossack, Middle Turnpike, agreed the referendum should not be held in conjunction with the November election and requested the Mansfield Middle School Project be separated.

June Krisch, Farmstead Drive, stated the project has been studied extensively by the Board of Education and the Council and the resulting recommendation is to build two new schools. Ms. Krisch thanked the Council for their diligence.

Eric Moyer, Stafford Road, has a daughter who goes to Vinton and stated he feels the present school siting situation is similar to having 3 satellite schools surrounding the Middle School. Mr. Moyer expressed concern that a decision to eliminate one of those schools would alienate a section of Town.

Peggy Beckett-Rinker, Hillside Circle, stated she trust the Council will make the right decision after reviewing all the facts and listening to the comments from the public. Ms. Beckett-Rinker thanked the Town Council and the Board of Education for their work for the community.

Dave Garvey, Jonathan Lane, expressed appreciation for the work of the Council and Board of Education and urged the Council to move forward with the two school option in order to secure the best future for our children.

Bill Caniera, Candide Lane, stated his support for the Vinton School site, noting that it is the hub for the families in the area. Mr. Caniera is torn between renovating the existing schools and the new schools.

Marie Cantino, Dog Lane, spoke in support of two new schools stating it will provide educational opportunities and it makes fiscal sense.

Carrie Silver-Berstein, Jonathan Lane, spoke in support of building two new schools noting this option will offer the best education for our children. Ms. Silver-Bernstein believes location is not as important as educational opportunities.

June 7, 2012

Brian Anderson, Ridge Road, stated he is a Goodwin School parent but is in favor of the best educational situation for all of Mansfield's children. Mr. Anderson is in favor of the two school option and believes it is a good time to build.

Randy Walkonis, Mansfield City Road, stated he is a proud Vinton parent but believes all the schools are good but there are problems with the existing schools. Mr. Walkonis stated the money saved by reducing redundant staff and energy savings from the three schools will be put to better use in the two new schools.

Caragh O'Brien, Oak Hill Road, spoke in favor of the two school option commenting our students are worth the reasonable projected cost. Ms. O'Brien urged the Council to move forward.

Jay Rueckl, a member of the Board of Education but speaking as an individual, distributed a handout listing the strengths of Town's schools, the sustainability of the educational budget and a cost comparison of the two vs. three school plans. (Handout attached)

Alison Hilding, Southwood Road, stated her belief that suggesting a senior center be located in one of the locations is pandering to a group of citizens and that recent information regarding additional hiring at UConn would impact school enrollment figures. Ms. Hilding believes the renovation options have not been fully explored and provided correspondence between architect Rick Lawrence and Paige Farnham of the Bureau of School Facilities. Ms. Hilding also provided information regarding referendum voting during elections. (Handouts attached)

Pat Suprenant, Gurleyville Road, asked the Town Council to consider the possible impact the hiring blitz at UConn, the development of the technology park and the building of the Storrs Center project might have on school enrollment figures.

Margaret Rubega, South Eagleville Road, requested the Council do what needs to be done for the students. The current buildings are old and will fail taking money away from educational uses. Ms. Rubega urged support for the two school project.

Holly Matthews, Storrs Heights, spoke about difficulty of change and timing. Ms. Matthews noted this proposed change is a deliberate intentional approach to the future and the timing is optimal given the current bonding rate.

Shamim Patwa, Greenfield Lane, thanked the Town Council for the time they have given to this project and urged them to forward the question to a referendum and let the citizens vote.

III. SCHOOL BUILDING PROJECT

Director of Planning and Development Linda Painter reviewed the matrix she prepared using the criteria of the Sustainability Committee.

June 7, 2012

Mansfield School Superintendent Fred Baruzzi distributed and spoke to information regarding enrollment figures for the three schools. Superintendent Baruzzi discussed how the current students could be absorbed into two schools using the art, music and enrichment rooms and indicated that similar plans could be part of the new schools in the case of enrollments beyond the projected numbers. The proposed schools will have larger and consistently sized rooms.

Mr. Kochenburger moved the Town Council proceed with further review and public input on the conceptual project for the Town's elementary and middle schools consisting of:

1. The closure and demolition of the Annie Vinton and Dorothy Goodwin schools and the construction and equipping of a new elementary school on each of these sites, including if necessary or desirable to accommodate the new school design, the purchase of land adjacent to either of these sites, and related work and improvements;
2. Specific renovations to the Mansfield Middle School, including but not limited to roof and window replacements, installation of solar panels, and the replacement of modular classrooms, and related work and improvements; and
3. The closure of Southeast Elementary School, the future use of which is undetermined at this time.

This project shall be referred to the Planning and Zoning Commission for a report pursuant to Section 8-24 of the Connecticut General Statutes.

The motion was seconded by Mr. Shapiro.

Council members discussed the pros and cons of the two school option as offered. Discussions included the siting of the schools, the state reimbursement rate, bonding and construction costs, the physical condition of the schools, the holding of the referendum at the November election, enrollment projections, the current student/teacher ratio, the findings regarding schools in the current Plan of Conservation and Development, and the exploration of renovations options.

The motion passed with all in favor except Ms. Keane, Mr. Freudmann and Mr. Paulhus.

The next steps as suggested by Town Manager Matt Hart include referring the project to the Planning and Zoning Commission as stated in the motion; working with staff and legal counsel to prepare a purchase proposal for land near the Goodwin site for Council consideration; engaging in an informational program for the community and deciding on a referendum date.

The Council was in agreement with this plan.

IV. ADJOURNMENT

Mr. Paulhus moved and Mr. Shapiro seconded to adjourn the meeting at 9:35 p.m.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

June 7, 2012



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MwH*
CC: Maria Capriola, Assistant Town Manager; Lon Hultgren, Director of Public Works; Cynthia van Zelm, Executive Director, Mansfield Downtown Partnership
Date: July 9, 2012
Re: Resolution to Approve \$500,000 Small Town Economic Assistance Program (STEAP) grant for Storrs Center Wilbur Cross Way/Royce Circle Streetscape (Downtown Mansfield Revitalization and Enhancement Project – Phase V)

Subject Matter/Background

The Connecticut Department of Economic and Community Development (DECD) has announced another round of Small Town Economic Assistance grants and applications are due on August 1, 2012. Staff has prepared a proposed application seeking funding for the Storrs Center project, for the Council's consideration.

The Storrs Center application is for \$500,000 to assist with streetscape elements for Wilbur Cross Way and Royce Circle. These elements include benches, trees, street signs, bollards, trash/recycling receptacles, and decorative lights and poles. This additional funding is needed to complete the streetscaping and amenities to provide a fully functioning, attractive Wilbur Cross Way/Royce Circle area for shoppers, walkers, residents, and visitors.

Financial Impact

The grant would help to defray real costs that the Town and the master developer Storrs Center Alliance will incur over the course of the project's development. The individual application limit for a STEAP grant is \$500,000.

Legal Review

As the Town has received several STEAP grants in recent years, no legal review is anticipated.

Recommendation

Staff recommends that the Town Council authorize the submission of the Storrs Center grant application on behalf of the Town.

Council is respectfully requested to enact the following resolution recommending the submission of the grant application:

RESOLUTION AUTHORIZING THE SUBMITTAL OF THE 2013 STEAP GRANT APPLICATION FOR THE STORRS CENTER PROJECT:

RESOLVED, That the Town Council of the Town of Mansfield, Connecticut, authorizes the submittal of the 2013 STEAP grant application to the Connecticut Department of Economic and Community Development for the Storrs Center development project in the amount of \$500,000.

Attachments

- 1) Draft grant application materials – Storrs Center Project

July 5, 2012 DRAFT

TOWN OF MANSFIELD

Attachment to Application for 2013 Small Town Economic Assistance Program (STEAP)

Downtown Mansfield Revitalization and Enhancement Project - Storrs Center Infrastructure

Project Overview

Provide a description of the project which includes the purpose of the project. Please be clear as to whether the funds you are requesting are for design, planning, site acquisition or construction. Please be as comprehensive as possible in the description of this project.

The purpose of the Downtown Mansfield Revitalization and Enhancement Project is to develop Mansfield's downtown into a vibrant and economically successful mixed-use destination. The first phase of Mansfield's downtown – Storrs Center – is under construction with 127 apartments opening in mid-August and most of the businesses opening between July and early October. Two businesses that were relocated from an adjacent business block – Storrs Automotive and Select Physical Therapy – opened in late April.

Funds are being requested for construction of the streetscape improvements on Village Street to serve the retail shops, restaurants, and offices for Storrs Center in the next phase. *(Please note that the Mansfield Town Council named the public streets planned for Storrs Center on June 25, 2012 including naming what has been referred to as Village Street to Royce Circle and Wilbur Cross Way. Since the plans reference Village Street, for the purposes of this grant application, the street will continue to be called Village Street).*

The goal is for Storrs Center to be pedestrian oriented and include a variety of transportation modes. Village Street is part of an integrated transportation plan for Storrs Center, which includes accessibility for buses and other transit vehicles, cars, pedestrians and bicycles throughout the facility.

The Small Town Economic Assistance Program (STEAP) funds will specifically be used to complete the construction of the Village Street streetscape with benches, trees, street signs, bollards, trash/recycling receptacles, and decorative street lights and poles. The STEAP funds will allow the street to serve as a main street for Storrs Center where the center of commercial activity will be located. These businesses will be economic drivers

for the community, creating additional tax revenue and jobs. Furthermore, the new businesses will stimulate additional economic activity in the surrounding area.

The total cost of this project is \$7,783,002. Funding is being requested for the streetscape project from the Small Town Economic Assistance Program in the amount of \$500,000. The specific costs are outlined in the budget below.

How will completion of this project impact and benefit the community? Please include any projected economic impact and job creation or retention estimates.

The streetscape improvements for Village Street is part of the larger, multi-phased Storrs Center project which is being created to provide benefits to the community of Mansfield, the University of Connecticut, and the state of Connecticut. The Storrs Center project is being coordinated by the Mansfield Downtown Partnership, Inc., a 501 (c) (3) corporation comprised of representatives from the Town, the University and the community. The requested funds from the STEAP grant would benefit various public and private stakeholders in the following ways:

- Business-owners and owners of commercial properties in the downtown would benefit from the retention and strengthening of existing businesses and the creation of new business opportunities; eight businesses are being relocated to the new Storrs Center;
- Town residents, including University of Connecticut students, would benefit from an increase in locally-available goods and services and employment opportunities and the establishment of a new community center that would enhance the community's quality of life;
- The Town of Mansfield would benefit from an enhanced commercial tax base. The net tax revenue to the Town is expected to be \$7.5 million over a 20-year period for Phase One only);
- University of Connecticut students, staff, and visitors would benefit from increased off-campus amenities and an overall improvement of the University atmosphere, which will enhance the recruitment of students and faculty (*University of Connecticut recruitment statistics indicate that a major reason students do not choose to attend the University is the lack of off-campus amenities*);
- The planned technology park at the north campus of the University of Connecticut creates great synergy with Storrs Center with the additional employees at the technology park being able to utilize the housing, shops and restaurants at Storrs Center; in addition, the University plans to hire close to 300 new faculty over the next few years who will likely patronize Storrs Center;
- The State of Connecticut would share in all of the above-noted benefits, and accordingly, the State's commitment to the UConn 2000 and 21st Century UConn programs and the overall effort to enhance the University of Connecticut's

reputation as a prominent national university and an appropriate “flagship” for the State’s higher education system would be advanced.

With respect to economic impact and job creation, the first phase of the Storrs Center project (*see Site location map*) is projected to generate approximately 165 retail jobs and 9 building, parking and grounds management jobs. In addition, the project will support construction related jobs at the project site on a temporary basis during the construction period. Construction workers will generate additional sales and activity for existing shops and retailers in the vicinity of the project area.

With Phase One, the private developers Storrs Center Alliance and Education Realty Trust will become the largest taxpayers in Mansfield, increasing the Town’s Grand List by four percent.

Please indicate the approximate number jobs this project will create or sustain.

As noted above, Phase One is projected to generate approximately 165 retail jobs and 9 building, parking and grounds management jobs. In addition, the project will support construction related jobs at the project site on a temporary basis during the construction period.

The construction of Village Street is estimated to create 25 temporary construction jobs and approximately 74 retail/commercial jobs and four property/maintenance, based on square footage.

What, if any, planning or design work has begun or been completed on the project?

For over eleven years, the Town of Mansfield and the University of Connecticut, in collaboration with regional, civic, and community leaders, have been planning Storrs Center. Consequently, much work has been done to develop a comprehensive plan for this project.

In January 2005, the Connecticut Department of Economic and Community Development approved the Storrs Center Municipal Development Plan after local and regional approvals.

In June 2007, the Mansfield Planning & Zoning Commission approved a special design district for the Storrs Center project area to accommodate mixed-uses (“Storrs Center Special Design District”).

The Town’s consultant team of BL Companies from Meriden, Connecticut, completed design work on the Village Street in spring 2012. On June 26, 2012 the Town released a notice to bid on the Village Street and transit pathways road and utilities contract. The

request for bids did not include the streetscaping work being requested in this STEAP application due to budgetary constraints.

A zoning permit was issued for the Village Street on April 17, 2012 by the Town of Mansfield.

Is the proposed project consistent with the State Conservation and Development Policies Plan?

Yes. The project is within a plan designated "Neighborhood Conservation Area."

Will the project require the conversion of lands currently in agricultural use to non-agricultural use? Does the project area contain prime or important agricultural soils that are greater than 25 acres in area?

No.

Describe the environmental and social impacts of the proposed project. For example, impacts related to traffic, floodplains, natural resources/wetlands, endangered species, archeological resources, historical structures, neighborhoods, utilities, etc.

In January 2008, the Town of Mansfield received a federal transportation appropriation of \$490,000 for the Storrs Center Intermodal Transportation Center to be administered through the Federal Transit Administration (FTA). With this funding the Town was required to prepare an application for a Categorical Exclusion in accordance with CFR 771.117(D). The application was filed through the Town's administrative agent – the Greater Hartford Transit District – and on June 28, 2010, the Federal Transit Administration determined that the specific conditions or criteria for a Categorical Exclusion under 23 CFR 771.117 (d) (10) were satisfied and significant environmental impacts would not result.

In addition, an Environmental Impact Evaluation was conducted for the Storrs Center project and a Record of Decision was made by the State of Connecticut Office of Policy and Management on April 28, 2003 that the "Environmental Impact Evaluation for Graduate Student Apartments & Downtown Mansfield Master Plan Projects" satisfied environmental impact criteria of the Connecticut Environmental Policy Act.

The following is excerpted from the Categorical Exclusion application with respect to the STEAP application question on impacts of the project.

Traffic

The Village Street will be built during the initial stages of the Storrs Center development. Storrs Road (Route 195) feeds into both these streets. The Village Street will serve as a

transit pathway for the Intermodal Transportation Center. It will essentially be a collector that will bring transit vehicles off of Storrs Road, along the Village Street to serve the Intermodal Transportation Center. The Village Street will also serve as the "main street" for Storrs Center with destination shops, restaurants and offices. The Village Street concept drawings have been evaluated by Town staff, the Town Fire Marshal and the Town Traffic Authority to ensure that it will function both as the development's main internal roadway as well as a facility that will accommodate buses and emergency vehicles. Most of the area traffic will remain on Storrs Road with only development-generated and transit-related traffic on the Village Street. As such, this internal roadway is expected to function at a very high level of service, with perhaps the exception of planned or scheduled events, which will have to be coordinated with transit vehicle access and schedules. Traffic impacts of any significance have been anticipated to Route 195 (Storrs Road), and are being mitigated using appropriate Traffic Engineering design for lane widths, turning lane lengths, clear widths (for emergency vehicles), textured pavement and striping, modern signals, etc.

Due to the presence of the University of Connecticut, existing public transportation service in the area is more extensive than one would find in a typical rural-suburban environment. The University's Department of Parking and Transportation Services operates several bus routes to or near the Storrs Center site. In addition, the Windham Region Transit District (WRTD) runs a Storrs/Mansfield route during the day from the Route 44 area, through the University campus to downtown Willimantic.

As part of the application for the Storrs Center Special Design District, a Master Traffic Study was prepared by BL Companies. The Study concluded that the net increase in vehicular traffic resulting from the Storrs Center development was estimated to be 315 morning and 700 afternoon peak hour trips. These trips were assigned to the adjacent street network to determine if sufficient capacity was available. Mitigation was recommended to maintain acceptable traffic operation within the project vicinity. The Master Traffic Study parameters included the location of an Intermodal Transportation Center in the center of the Storrs Center project.

Methods approved for improvement of Storrs Road, and to alleviate the increased traffic impacts, include the realignment and partitioning of the pavement area to accommodate the addition of dedicated and clearly defined turning lanes. Modifications to the intersection at Storrs Road and South Eagleville Road and the intersection of Storrs Road and Bolton Road will improve the traffic flow. The South Eagleville intersection will be modified to include dedicated turning lanes. Dog Lane will be re-aligned and the two lights at Dog Lane and Bolton Road will be replaced with one four way, lighted intersection at Bolton Road that will function as one of the main entryways to the Town Square.

In order to better provide for pedestrian traffic, the plans provide for pedestrian collection points and crosswalk zones, installation or widening of sidewalks, addition of

parallel parking zones, installation of medians, landscaping of street edges, and definition of building entry areas. The addition of parallel parking zones, besides providing more parking capacity, will contribute to traffic "calming" and provide pedestrians with a better sense of security.

The Connecticut State Traffic Commission approved the traffic-related recommendations in June 2009 and Storrs Road work is under construction. The Connecticut State Traffic Commission review and approval took into account all traffic impacts including the capacity of the proposed road network.

The Master Traffic Study echoed the goals of Storrs Center by focusing on enhancing transit service to the site. The goal would be to extend or modify the routes of the University and WRTD systems, and expand weekend and evening service. The Study recommended potential locations for bus shelters and stops as well.

During the review of the Master Traffic Study and the application to the State Traffic Commission, the Town of Mansfield Traffic Authority strongly recommended that streets be wide enough to accommodate emergency vehicle and bus traffic, both on the interior Village Street and Storrs Road. The streets will be designed to accommodate these larger vehicles and mountable curbs will be put in place.

Storrs Center will be the downtown for Mansfield and, thus, will increase public transportation, commerce, and housing opportunities. Increased activity, particularly traffic associated with the Intermodal Transportation Center, is necessary to achieve the goals of bringing new amenities to Mansfield, and especially this part of town. The demographics of this area include a transit dependent population that will greatly benefit from the increases in public transportation services.

Archeological Resources and Historic Structures

There are no cultural, historic or archaeological resources in the immediate vicinity of the project. The Environmental Impact Evaluation referenced a letter from the State Historic Preservation Office (SHPO) (August 22, 2001) that concluded that the Storrs Center site lacks archaeological sensitivity and no further archaeological consideration was warranted. In addition, the SHPO indicated that the project will not impact historical or architectural resources listed on or eligible for the National Register of Historic Places.

Natural Resources/Wetlands

A portion of Village Street will be located on existing degraded wetlands that pursuant to local, state and federal approvals will be filled. For years, this small wetland area has suffered from stormwater run-off and sedimentation and no longer supports biological life. The effects of the degradation were visible as the sediment had built up

significantly in some areas. The wetlands and stormwater management have been studied extensively for Storrs Center. The reports: "Wetlands Functions & Values Assessment, Storrs Center, Mansfield, CT" by Michael Klein of Environmental Planning Services (August 21, 2008) and the "Summary of Baseline Biodiversity Studies Conducted for Storrs Center" prepared by Dr. Michael Klemens (August 28, 2007) as well as the master stormwater management plan comprehensively describe wetland systems and mitigation. There will be improved surface and groundwater quality adjacent to existing wetlands as a result of a stormwater management system using Best Management Practices (BMPs).

The reports are supported by the local, state and federal approvals of the wetlands plan and the master stormwater management plan.

On October 1, 2007, the Mansfield Inland Wetlands Agency approved Storrs Center Alliance's application for an Inland Wetlands license. The license allows for the fill of .29 acres of degraded wetlands while protecting the other wetlands as well as the critical ecologically significant vernal pool. No development can occur within 100 feet of the vernal pool.

On October 31, 2008, the Connecticut Department of Environmental Protection issued a 401 water quality certification permit for Storrs Center, authorizing the proposed stormwater discharges from the project.

On November 4, 2008, the US Army Corps of Engineers approved a federal wetlands permit to fill the .29 acres of degraded wetlands and concluded that this fill would not have a major impact on the wetlands.

Floodplains

No adverse floodplain impacts are anticipated. None of the Storrs Center project is in the 100-year floodplain.

Endangered Species and Ecologically Sensitive Areas

No adverse impacts are anticipated on ecologically sensitive areas or endangered species.

There are no endangered species identified on the site as part of the evaluation during the development of the Environmental Impact Evaluation and by Dr. Michael Klemens as part of his biodiversity surveys for the Storrs Center Municipal Development Plan.

As outlined above, there is an active vernal pool far east of the Village Street. The vernal pool provides a breeding area for a population of wood frogs. No development is

allowed within 100 feet of the vernal pool. To protect this population, the Storrs Center conservation area was increased from the original master plan in 2002.

The Master Stormwater Management Plan as described above also will restore a wetland area near the Post Office that has been subjected to excessive run-off.

Neighborhoods

Construction of the Village Street will not involve destruction of any buildings. Potential wetland impacts have been carefully studied and the project has been designed to enhance adjacent wetland systems. The Storrs Center project has been approved by the Mansfield Inland Wetlands Agency, the CT Department of Environmental Protection, and the US Army Corps of Engineers.

The Storrs Center site is characterized by two primary land uses – relatively dense commercial development on the northwestern side and formerly developed and undeveloped woodlands on the balance of the property to the southeast. The developed commercial property along Storrs Road extends between 270 and 550 feet into the property. The central and eastern portions of the property are wooded, with two watercourses, and a vernal pool. The watercourses generally flow from west-southwest to east-northeast. The headwaters of both watercourses are near the existing commercial development, and portions of the wetlands in these areas may have been filled in to construct portions of the commercial development and the existing Post Office.

The Storrs Center site is bounded by Storrs Road to the west, Dog Lane and land owned by the University of Connecticut (Buckley Hall and the Daily Campus building) to the north, the Joshua's Trust Nature Preserve to the east and the Town of Mansfield property to the south. Existing elevations range from 630 feet in the southwest portion of the site along Storrs Road, to a low of 560 feet in the northern watercourse at the eastern limits of the site. A small plateau is located in the center of the property, separating the northern and southern watercourses.

The Village Street is located approximately 600 feet from the regional high school property and approximately 500 feet from the closest privately owned residence.

Noise impacts are not expected to be a long term issue for the project.

The nearest sensitive receptors in the vicinity of the site include the Greek Orthodox Church, the Hope Lutheran Church, EO Smith High School, residences along Dog Lane and Willowbrook Road, and residences in the Courtyard at Storrs condominium development. In addition, public transit service is currently provided along Storrs Road/Route 195.

There will be elevated noise levels temporarily during construction. To mitigate these noise levels, construction activities will be limited by restricted day and hour requirements of the Mansfield Zoning Regulations. Long term, it is expected that noise levels should be consistent with those on or near college campuses, which levels are well within standards set by the Connecticut Department of Environmental Protection. Mansfield's existing noise ordinance will assist in addressing any noise issues that may arise.

Utilities

Storrs Center will be served by the University of Connecticut water and sewer systems. Connecticut Light and Power will design feeder routes to provide electric power to the site. Connecticut Natural Gas is providing gas service. SNET is providing phone service. Charter Communications is providing CATV. Fibertech is providing data service. All utility capacity is programmed into the providers' long-range plans.

Is this project a phase of a larger plan? If yes, please attach additional information regarding the overarching, long-term plan.

Storrs Center is planned as a four phased project at an estimated cost of \$220 million. Attached please find a Fact Sheet on Storrs Center.

Project Funding

Please complete the following table detailing project funding sources. Examples of other sources include: other state grants (please specify which), federal grants (please specify which), past STEAP awards (please specify fiscal year), etc. Under uses please indicate estimated costs including but not limited to, professional services, acquisition, construction, renovation, contingency, etc.

The following table is a duplicate of the budget table submitted in the official application form. It has been included in this document to provide context for the budget related questions and responses that follow.

<u>Funding Sources</u>	<u>Total</u>
FY 2013 grant	\$500,000
Other funds:	
Federal Section 5309 Bus and Bus Facilities Initiative Program Grant (Village Street and amenities) and Private (20 percent match to Section 5309 grant; other funds)	\$6,783,002
FY 2012 STEAP grant	\$500,000
Total Project Cost	\$7,783,002
Uses (Project Budget)	
Construction – Village Street (entire length of Street)	\$6,783,002
Construction (Utilities on Village Street – southern sections, and on-street parking on Village Street (entire length of Street)	\$500,000
Street Signs, Bollards, Wheel Stops	\$55,950
Street Trees	\$68,600
Decorative Lights, banner arms	\$247,900
Benches and trash receptacles	\$36,800
Colored and Decorative Pavement	\$90,750
Total Project Cost	\$7,783,002

Of the funding sources listed above, have all funds been secured to date? If all project funds have not been raised or secured, what is the anticipated source and timeline for remaining funds? If applicable, note any plans to apply for future STEAP funds for this project.

Funding has been secured from the Section 5309 Bus and Bus Facilities Livability Initiative Program Grant; a Town STEAP grant from 2012; the tax abatement per a Development Agreement between the Town of Mansfield, Storrs Center Alliance, and Education Realty Trust, dated February 11, 2011; and private developer funds.

The majority of the investment in Storrs Center is private investment. The development team of LeylandAlliance and Education Realty Trust has committed \$66 million for construction of the mixed-use buildings for Storrs Center in Phase One. This is not included in the funding described above.

Please detail, what funds, if any, have been expended to date for this project?

As of May 31, 2012, approximately \$424,600 has been expended by the Town's consultant BL Companies on the Village Street design.

Will this project move forward if the requested STEAP funds are now awarded or are awarded in part? Please explain.

STEAP funding for the Village Street infrastructure will allow the street to be completed in order to access the commercial area along the southern sections of the Village Street. This additional funding is needed to complete the streetscaping and amenities to provide a fully functioning, attractive Village Street area for shoppers, walkers, residents, and visitors.

Attach the following material:

1. Site location map

Please see the attached maps, 1) Storrs Center site in the context of the Town of Mansfield; 2) overall site plan which shows the Village Street; and 3) detailed concept plan of the Village Street.

2. Real estate appraisals (if land acquisition is proposed)

This application does not include any requests for funding for purchase or acquisition of land. All of the Village Street property is now owned by the Town of Mansfield having been transferred from the University of Connecticut and master developer Storrs Center Alliance.

3. Proposed project schedule

The design of the Village Street is complete and construction of Village Street is out to bid with proposals due July 23, 2012. Construction of the Village Street is expected to begin in late summer 2012 and be completed by August of 2013. If the Town receives this STEAP grant, it will need to bid this additional work.

4. Project cost estimates supporting the request for funding (if available)

The project budget is based on actual unit price cost estimates by BL Companies.

5. List of necessary local, state, and federal permits and approvals required for the project and the status of each

In January 2005, the Connecticut Department of Economic and Community Development approved the Storrs Center Municipal Development Plan after local and regional approvals.

Changes to the Town of Mansfield zoning map and text to create a special design district were approved by the Mansfield Planning & Zoning Commission in June 2007.

In the fall of 2008, the project received its Connecticut Department of Environmental Protection 401 water quality certification permit, authorizing the proposed stormwater discharges from the project. A US Army Corps of Engineers federal wetlands permit to fill .29 acres of degraded wetlands was issued. A local wetlands permit had been previously approved by the Mansfield Inland Wetlands Agency in October 2007. In June 2009, the Connecticut State Traffic Commission approved a certificate for traffic, pedestrian and transit improvements to Storrs Road. Conditions are currently being met on this approval and a certificate is expected to be issued in June 2011.

A zoning permit was issued for the Village Street on April 17, 2012 by the Town of Mansfield.

6. Environmental site assessments

As noted above, an Environmental Impact Evaluation was conducted for the Storrs Center project and a Record of Decision was made by the State of Connecticut Office of Policy and Management on April 28, 2003 that the "Environmental Impact Evaluation for Graduate Student Apartments & Downtown Mansfield Master Plan Projects" satisfied environmental impact criteria of the Connecticut Environmental Policy Act.

A Phase I Environmental Site Assessment (ESA) and Phase II Investigation of the proposed Storrs Center Municipal Development Plan Project Area, excluding one parcel,

was performed by Haley & Aldrich, Inc., to provide a baseline of environmental conditions, and to identify environmental conditions that could affect the development process. A Phase I ESA of the excluded parcel at 2 South Eagleville Road, presently occupied by the US Post Office, and a supplemental Phase II Site Investigation of portions of the Storrs Center Municipal Development Plan Project Area, were performed by BL Companies. In addition, BL Companies completed a review of the Environmental Investigations Reports prepared by Haley & Aldrich of the work noted above. BL Companies is currently performing on-going environmental site investigations for the project area to establish the extent of any historic site contamination and to develop requisite plans for remediation. With respect to the site of the Village Street, two Areas of Environmental Concern (AEOC) have been identified during the investigation process and appropriate specifications for handling this material, if encountered during construction, have been included in the project bid documents for the majority of the project currently out to bid.

7. Any town resolutions in support of the project

Please see the attached resolution approved by the Mansfield Town Council on July 9, 2012 in support of the Downtown Mansfield Revitalization and Enhancement Project - Storrs Center Infrastructure.

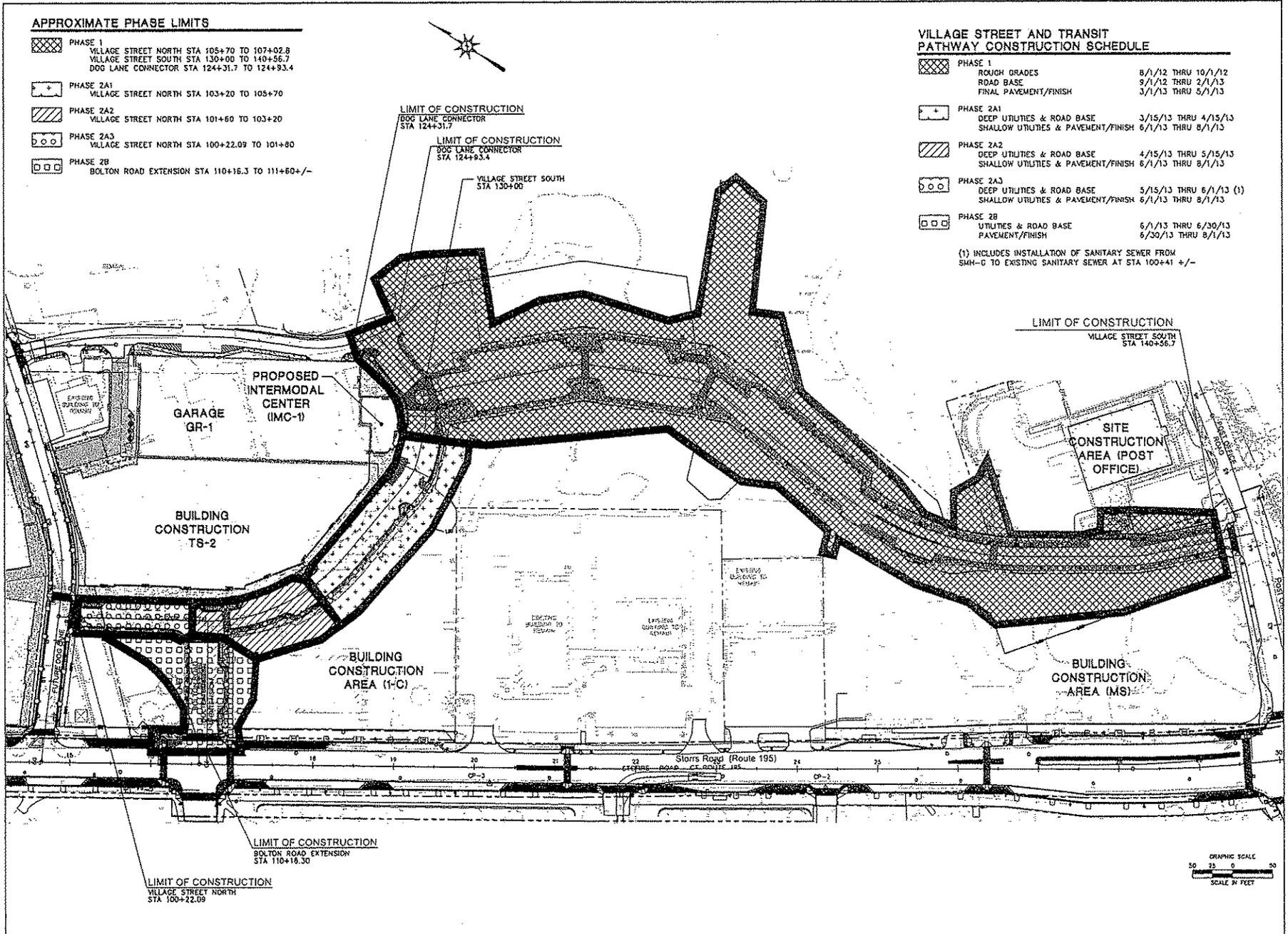
APPROXIMATE PHASE LIMITS

- 
PHASE 1
 VILLAGE STREET NORTH STA 105+70 TO 107+02.8
 VILLAGE STREET SOUTH STA 130+00 TO 140+56.7
 DOG LANE CONNECTOR STA 124+31.7 TO 124+93.4
- 
PHASE 2A1
 VILLAGE STREET NORTH STA 103+20 TO 105+70
- 
PHASE 2A2
 VILLAGE STREET NORTH STA 101+60 TO 103+20
- 
PHASE 2A3
 VILLAGE STREET NORTH STA 100+22.09 TO 101+80
- 
PHASE 2B
 BOLTON ROAD EXTENSION STA 110+16.3 TO 111+60+/-

VILLAGE STREET AND TRANSIT PATHWAY CONSTRUCTION SCHEDULE

- 
PHASE 1
 ROUGH GRADES 8/1/12 THRU 10/1/12
 ROAD BASE 9/1/12 THRU 2/1/13
 FINAL PAVEMENT/FINISH 3/1/13 THRU 5/1/13
 - 
PHASE 2A1
 DEEP UTILITIES & ROAD BASE 3/15/13 THRU 4/15/13
 SHALLOW UTILITIES & PAVEMENT/FINISH 6/1/13 THRU 8/1/13
 - 
PHASE 2A2
 DEEP UTILITIES & ROAD BASE 4/15/13 THRU 5/15/13
 SHALLOW UTILITIES & PAVEMENT/FINISH 6/1/13 THRU 8/1/13
 - 
PHASE 2A3
 DEEP UTILITIES & ROAD BASE 5/15/13 THRU 6/1/13 (1)
 SHALLOW UTILITIES & PAVEMENT/FINISH 6/1/13 THRU 8/1/13
 - 
PHASE 2B
 UTILITIES & ROAD BASE 6/1/13 THRU 8/30/13
 PAVEMENT/FINISH 6/30/13 THRU 8/1/13
- (1) INCLUDES INSTALLATION OF SANITARY SEWER FROM SMH-G TO EXISTING SANITARY SEWER AT STA 100+41 +/-

- 09 -



BL Companies
 ADDRESSIVE DESIGN GROUP
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VILLAGE STREET
 AND TRANSIT PATHWAYS
 VILLAGE STREET
 MANSFIELD, CONNECTICUT

Author: J.L.S.
 Designer: C.L.B.
 Checker:
 Approved:
 Scale: 1"=50'
 Project No.: 10025300
 Date: 08/27/13
 CIP File: 10P1061335001

VILLAGE STREET
 PHASING
 PLAN

PHP-1

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PAGE
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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager
Date: July 9, 2012
Re: Naming of Wormwood Hill Green

Subject Matter/Background

Councilor Carl Schafer has asked that I place this item on the agenda as he would like to Council to consider naming the small green on Wormwood Hill Road after the Atwood family. As you may know, Ms. Isabel Atwood lives in the vicinity of the green in her family's historic home. The Atwood family has a long and distinguished history in town.

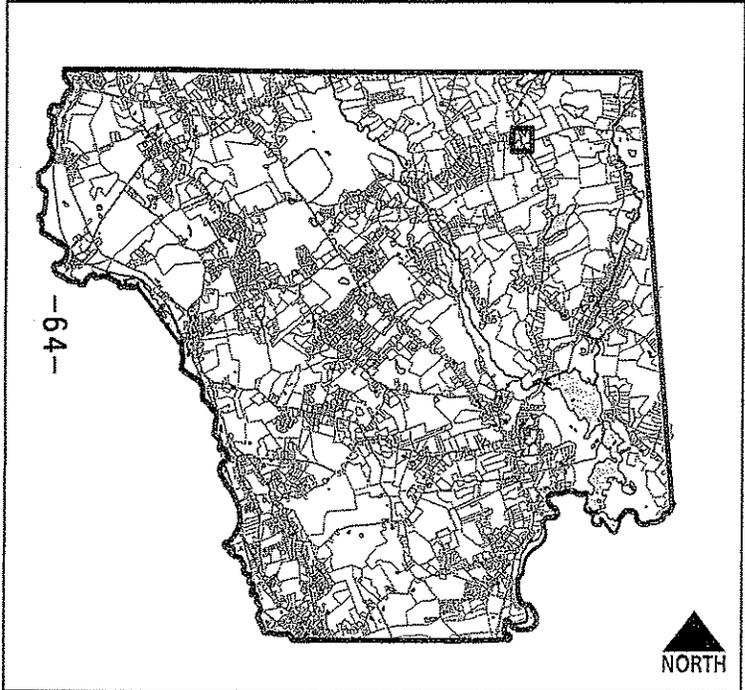
Councilor Schaefer will introduce this item at Monday's meeting.

Attachments

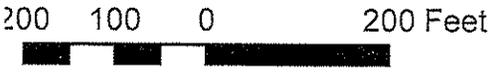
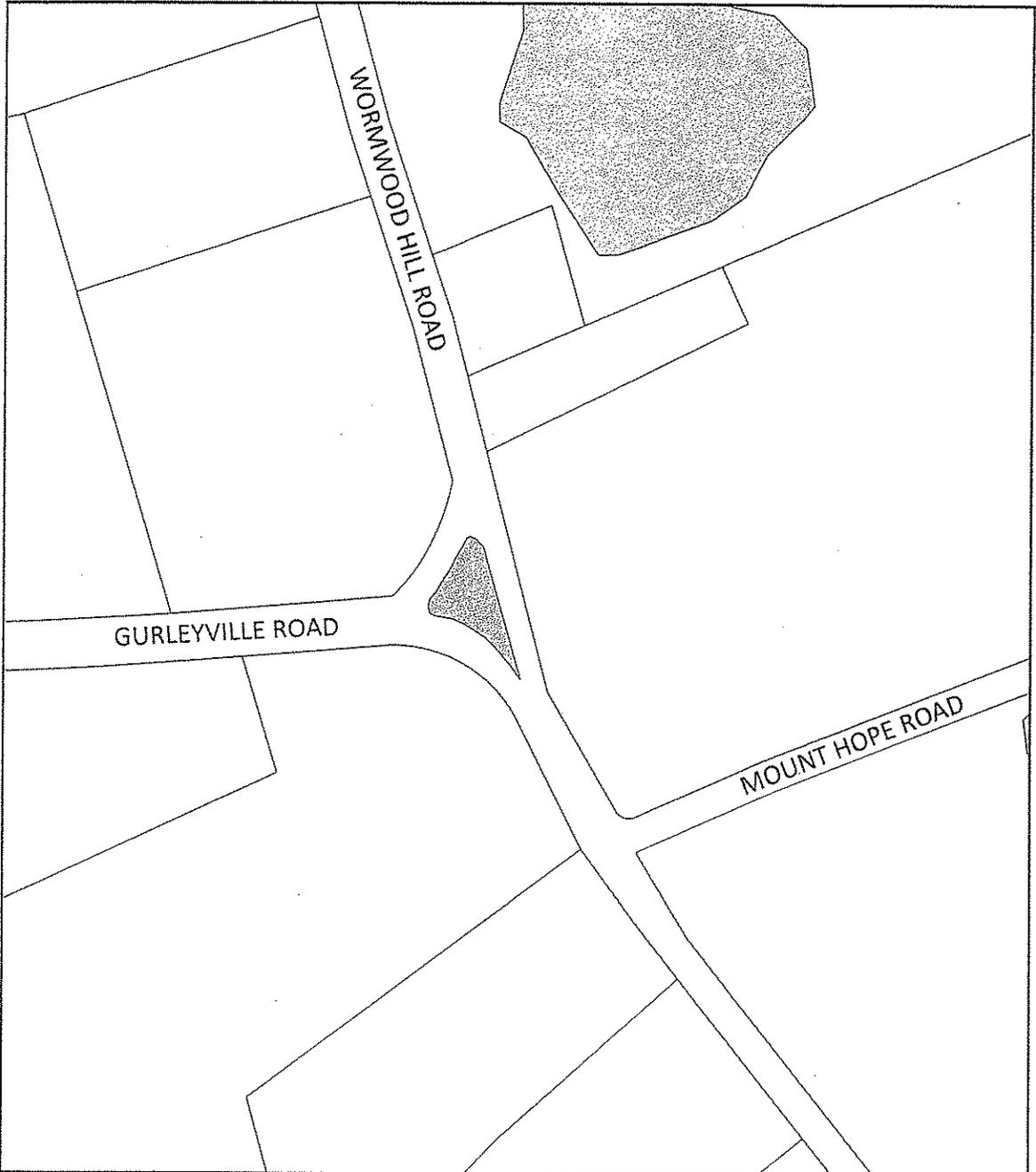
- 1) Map – Wormwood Hill Green

Town of Mansfield

WORMWOOD HILL GREEN



-  Wormwood Hill Green
-  WATER



**MANSFIELD DOWNTOWN PARTNERSHIP
FINANCE AND ADMINISTRATION COMMITTEE
SPECIAL MEETING
TOWN HALL
CONFERENCE ROOM B**

WEDNESDAY, MAY 30, 2012

MINUTES

Present: Harry Birkenruth, Phil Barry, Mark Hammond, Matt Hart, Bill Simpson and Frank Vasington

Staff: Cynthia van Zelm

Guest: Howard Kaufman, LeylandAlliance

1. Call to Order

Chair Harry Birkenruth called the meeting to order at 9:32.

2. Approval of Minutes from March 28, 2012

Matt Hart made a motion to approve the minutes of March 28, 2012. Bill Simpson seconded the motion. The motion was approved.

3. Review and Recommendation of Strategic Plan Consultant

Mr. Simpson reported that the Partnership team of him, Toni Moran, Kristin Schwab, Ms. van Zelm and Kathleen Paterson interviewed five consultant teams yesterday to help the Partnership with its strategic planning. The interview panel had narrowed it down to two teams that had worked with the Town of Mansfield in the past and are recommending Management Partners to assist with the Strategic Plan. The team's combination of familiarity with the community, enthusiasm and approach was deemed the best. Management Partners will work with the Board, the master development team, committee and Partnership members, and stakeholders in the coming months.

Matt Hart said he had worked with Management Partners on the Town's strategic plan and police study. He has found the team to be approachable, timely and diligent.

The Committee discussed the process and the components of the Partnership's strategic plan.

Phil Barry made a motion to endorse the recommendation of the interview team to select Management Partners to help the Partnership prepare a strategic plan for up to \$15,000. Mark Hammond seconded the motion. The motion was approved.

4. Storrs Center and Business Plan Follow-Up

The Committee discussed the Business Plan follow-up. Mr. Kaufman said he had a brief conversation with Shuprotim Bhaumik with HR&A Advisors and a conversation with Ms. van Zelm about some of the preliminary benchmarks the Committee had developed.

Mr. Kaufman said Storrs Center is moving toward the goals established for the project. He said that Phase 1B has started a little later than planned but believes they can make up the time.

He is working with the Town, the parking garage architects and engineers on the garage cost over-run issues.

Mr. Kaufman said that EdR is pleased with the results for Phase 1A which is 100 percent leased.

He said 25,000 of the available 28,000 square feet of commercial development on the first floor have been leased.

Mr. Kaufman expressed interest in boiling down the benchmarks to what is useful for the Partnership and achievable by Leyland in the short timeframe. Mr. Kaufman said the Leyland team is bringing in some additional staff for Storrs Center.

Mr. Kaufman, Mr. Hart, and Ms. van Zelm will review the benchmarks before the next Committee meeting.

5. Adjourn

Mr. Barry made a motion to adjourn. Mr. Hammond seconded the motion. The motion was approved and the meeting adjourned at 11:05.

Minutes taken by Cynthia van Zelm

**MANSFIELD DOWNTOWN PARTNERSHIP
FINANCE AND ADMINISTRATION COMMITTEE
SPECIAL MEETING
TOWN HALL
CONFERENCE ROOM B**

THURSDAY, MARCH 28, 2012

MINUTES

Present: Harry Birkenruth, Phil Barry, Tom Callahan, Matt Hart, Rich Orr, Bill Simpson and Frank Vasington

Staff: Cynthia van Zelm

Guest: Shuprotim Bhaumik, HR&A Advisors

1. Call to Order

Chair Harry Birkenruth called the meeting to order at 3:05.

2. Approval of Minutes from January 26, 2012 and February 23, 2012

Phil Barry made a motion to approve the minutes of January 26, 2012 and February 23, 2012. Bill Simpson seconded the motion. The motion was approved.

3. Storrs Center and Commercial Tenanting

Cynthia van Zelm gave an overview of the work that she and Shuprotim Bhaumik, with HR&A Advisors, had done to set up a matrix of benchmarks related to the phase business plan required by Storrs Center Alliance, and other commercial and residential tenanting issues.

Mr. Bhaumik said he reviewed the requirements of the phase business plan included in the development agreement between the Partnership and Storrs Center Alliance; and the Town, Storrs Center Alliance and Education Realty Trust development agreement. Mr. Bhaumik said he highlighted goals for the financial success of the project with next steps to achieve those goals.

Matt Hart said one of the questions originally proposed is how can the Committee and Partnership play a role in ensuring that benchmarks are achieved.

The Committee expressed its goals of working collaboratively with Storrs Center Alliance to meet the benchmarks, while also providing important oversight. In

response to a question from Rich Orr, Ms. van Zelm said that Storrs Center Alliance is only "required" to meet the obligations in both development agreements.

Mr. Bhaumik reviewed the highlights of the benchmarks including ensuring that the vision for Storrs Center is intact, evaluating who is leasing the commercial spaces, timing on future phases, and evaluating whether a new market study is needed for future phases.

Mr. Bhaumik said it is also important to determine what entity is responsible for public space management, and parking management. What role will Storrs Center Alliance play? The Partnership? The Town? Mr. Hart said the development agreement with Storrs Center Alliance and Education Realty Trust says that the public spaces must be maintained in a first class manner. A separate agreement on the Town Square will be negotiated.

The next step is to share the matrix with Storrs Center Alliance for discussion. Mr. Callahan said it will be important to include Education Realty Trust in the discussion as well.

4. Update on Partnership Strategic Planning Process and Discussion of Role of Committee

Ms. van Zelm said she had reviewed the draft Request for Qualifications for a consultant to assist the Partnership with its strategic plan with the CT Main Street staff and with Mr. Hart. Ms. van Zelm suggested that some Committee members could serve on the interview panel. Mr. Simpson said he may be able to help. Mr. Callahan suggested limiting the interviews to three applicants.

5. Partnership Directors and Officers Insurance

Ms. van Zelm said that Partnership attorney John Zaccaro had reviewed the Partnership's directors and officers insurance and concluded that the liability limit was adequate in terms of coverage, but suggested it could be reviewed again when the current policy expires in February 2013. Mr. Orr will also have it reviewed.

6. Volunteer of the Year

Ms. van Zelm asked that Committee members bring suggestions for the Partnership volunteer of the year to the next Committee meeting. She will also send out an e-mail to all the committee chairs.

7. Adjourn

The Committee will review alternative meeting dates as the current date represents a conflict for Mr. Callahan.

Mr. Simpson made a motion to adjourn. Mr. Barry seconded the motion. The motion was approved and the meeting adjourned at 5:07.

Minutes taken by Cynthia van Zelm

Town of Mansfield
CONSERVATION COMMISSION
Meeting of 18 April 2012
Conference B, Audrey P. Beck Building
MINUTES

Members present: Joan Buck (Alt.), Robert Dahn, Neil Facchinetti, Quentin Kessel, Scott Lehmann, John Silander. *Members absent:* Aline Booth (Alt.), Peter Drzewiecki Frank Trainor. *Others present:* Linda Painter (Town Planner), Grant Meitzler (Wetlands Agent).

1. The meeting was **called to order** at 7:33p by Chair Quentin Kessel. Alternate Joan Buck was elevated to voting member for this meeting.
2. The draft **minutes of the 21 March meeting** were approved as written.
3. **W1493 (Sabatelli, 306 Stearns Rd.)** The Commission declined to comment on this *fait accompli*.

4. PZC Subdivision Design Process Referrals. Recently adopted subdivision regulations require that subdivision developers do a Site Analysis to provide information about wetlands, slopes, stone walls, existing vegetation, and other features of the property before submitting a proposal and yield plan. The idea is to permit the PZC, the Commission, and other Town entities to make site-specific suggestions about development before the developer has spent a lot of money on a detailed subdivision plan.

Linda Painter reviewed site maps provided for two subdivisions: Beacon Hill Estates Section 2 (ca. 60 acres on Mansfield City Rd. adjacent to & northwest of the existing Beacon Hill Estates development) and Bovino Manor (ca. 23 acres between Puddin La. & Conantville Rd. west of Sawmill Brook). {Lehmann's e-mail comment to the Town Planner regarding the 04/10 Field Trip to these sites is attached.} In the course of discussion, the Commission agreed on the following comments & suggestions:

Beacon Hill

- a. The Commission is pleased that a "Scenic Conservation Easement" is suggested along Mansfield City Rd.
- b. However, "Potential Open Space" should not coincide with the undevelopable wetland. At the least, this wetland should be buffered with additional open space.
- c. The Commission suggests that the developer seriously consider clustering development in the front portion of the property, dedicating the wetland and the back portion as open space. This would eliminate a road or common-driveway crossing of the wetland and significantly enlarge the area's contiguous dedicated open space.
- d. To the extent possible, stone walls should be preserved. The Commission notes that there may be tension between preserving existing stone walls and clustering development in the front portion of the property.
- e. The Commission suggests buffering the short "existing trail" on the northwest edge of the existing Beacon Hill development with a conservation easement.

Bovino Manor

- a. It makes sense to protect Sawmill Brook in this reach by conservation areas on the steep slopes at the northeast edge of the properties.
- b. It would be desirable if open space dedications and easements on this property permitted

extending the Nipmuck Trail to Conantville Rd.

5. Proposed revisions to PVRA/PVCA. Ms. Painter explained that in the course of attempting (unsuccessfully) to reach a settlement in a suit brought against the Town's Pleasant Valley zoning regulations, the PZC reconsidered these regulations and decided to propose some changes. The major ones are: (1) setbacks along Pleasant Valley Rd. are reduced from 500 ft to 200 ft, (2) the percentage of prime agricultural land that the PZC may require be preserved is reduced from 50% to 40%, and (3) language regarding residential developments is revised so that preserving agricultural land satisfies requirements for open space and recreational facilities. A public hearing on the proposed changes is scheduled for 07 May at 7:30p.

6. The Environmental Impact Evaluation (EIE) of the options in the Water Source Study for the Four Corners Area is due this month. **Ponde Place** developers may put off doing anything until the Town resolves its water supply issues—in hopes of tapping into new sources.

7. Adjourned at 8:58p.

Scott Lehmann, Secretary, 20 April 2012; approved 16 May 2012.

Attachment: Lehmann's 04/12 e-mail to Ms. Painter regarding Site Analysis Field Trips

Hi, Linda,

It's a very good idea for the PZC to give developers some direction about open space dedications, clustering, driveway cuts, etc., before they spend a lot of money developing a yield plan. It's also a good idea for the PZC's comments to be informed by a visit to the property—in addition to seeing a map that includes relevant information about forest cover, wetlands, stone walls, large trees, etc.

However, I don't think that this past Tuesday's field trip was particularly worthwhile in this regard. The schedule did not permit the kind of thorough on-the-ground survey that should have been undertaken.

At the site off Meadowbrook Rd, we did not walk the property at all; what was learned by standing by the parked cars and looking at the excellent map supplied by the developer could have been learned more comfortably back in the Town Hall. The experience at Beacon Hill was slightly better, but again lack of time—and, I regret to say, lack of interest on the part of some PZC members—precluded anything resembling a thorough survey (we did not, for example, see anything of the large wetland that bisects the property).

I would suggest that in the future a realistic amount of time be allowed for this sort of site visit—enough to permit those who are interested to walk over the property and to get a grasp of its important features.

I also think it would be a good idea to identify individuals on the PZC, CC, & OSPC who are willing to do such a survey and to schedule the site visit around their availability, with others participating as they have time and interest.

Scott

Town of Mansfield
CONSERVATION COMMISSION
Meeting Of 16May2012
Conference Room B, Audrey P. Beck Building
MINUTES

Members Present: Joan Buck (alt. serving as voting member), Robert Dahn, Neil Facchinetti, Quentin Kessel, John Silander, Frank Trainor

Members Absent: Aline Booth (alt.), Scott Lehman, Peter Drzewiecki

Others Present: Grant Meitzler (Inlands Wetlands Agent (IWA))

1. Chair Quentin Kessel **called the meeting order** at 7:33 PM. Alternate Joan Buck was designated a voting member for this meeting.
2. The draft **minutes** of the **18April2012 meeting** were approved as written.
3. **W1496 – Town of Mansfield – Mansfield City Road drainage.** After the Commission reviewed the project; Silander **MOVED**, Trainor seconded, that the project appears to have no significant negative impact on inland wetlands, assuming typical precautions against sedimentation and erosion are in place. The motion passed unanimously
4. **W1497 – Guarino, Spring Hill Road, 21' aboveground pool.** The homeowners appear to be proposing a new swimming pool on a wetland in their back yard. The IWA (Meitzler) will be meeting with the homeowners again to find suitable alternatives with less impact on the wetland. Silander **MOVED**, Beck seconded, that the Conservation Commission recognizes construction is underway, probably in a wetland, and recommends the homeowners should, with help from the IWA, make every effort to mitigate, possibly through relocation, any significant negative impact of this pool project on the wetland. The motion passed unanimously.
5. **PZC File #1309 – Special permit for material removal and regrading, Merrow Road Corn Maze, 3 Merrow Road, Mason Brook LLC/Christopher Kueffner, owner/applicant.** The IWA (Meitzler) reported on specifics and answered questions on this extensive regrading project. Kessel **MOVED** and Silander seconded the following statement in reaction to the project: Because questions remain on whether the land is within a mapped Level A Aquifer Protection Area and therefore whether the regrading project will affect groundwater, the Conservation commission is concerned about the adequacy of precautions being taken to protect this potentially sensitive area. The motion passed unanimously.
6. The Chair distributed pamphlets on state forests.
7. The Chair reported that the EIE for the Four Corners water source is being developed.
8. The Chair reported that the relocation of Uconn's hazardous waste facility is still unresolved.
9. In response to questions the Chair reported that the Interstate Reliability Project is assumed to be before the Siting Council, which will be considering modifications proposed by affected towns.
10. Adjourned at 8:18 PM.

Neil Facchinetti, acting secretary, 18May2012; approved 20June2012

Town of Mansfield
CONSERVATION COMMISSION
Meeting Of 16May2012
Conference Room B, Audrey P. Beck Building
MINUTES

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6. The Chair distributed pamphlets on state forests.
7. The Chair reported that the EIE for the Four Corners water source is being developed.
8. The Chair reported that the relocation of Uconn’s hazardous waste facility is still unresolved.
9. In response to questions the Chair reported that the Interstate Reliability Project is assumed to be before the Siting Council, which will be considering modifications proposed by affected towns.
10. Adjourned at 8:18 PM.

Neil Facchinetti, acting secretary, 18May2012; approved 20June2012

Sustainability Committee
Minutes of Meeting
May 16, 2012

Present: Lynn Stoddard (chair), Kristen Schwab, Vera Ward, Paul Shapiro, Meredith Lindsey, Matt Hart, Pat Suprenant (guest), Jennifer Kaufman (staff), Linda Painter (staff), Virginia Walton (staff)

The meeting was called to order at 5:05 by chair Stoddard.

The March 21, 2012 meeting minutes were accepted on a motion by Ward/Schwab with two abstentions. The April 18, 2012 meeting minutes were accepted on a motion by Schwab/Stoddard with three abstentions.

The committee discussed the presentation that Stoddard, Schwab and Lennon (school siting subcommittee) will make on May 17, 2012 during the Town Council's special meeting devoted to siting new elementary schools. The subcommittee will offer a 15 minute powerpoint presentation of the maps and sustainability matrix that the committee has developed and discuss the summarizing conclusions as outlined in the sustainability committee's March 4, 2012 Siting Recommendations Summary, adding that either phasing in construction or using a larger site will reduce land disturbance. They will offer the sustainability committee's input and willingness to participate in a building committee if the project moves forward.

The committee discussed sections D (water efficiency, conservation and management) and E (indoor air quality) of the HUD community challenge grant assessment tool. Some recommendations for Section D include a focus on storm water management, planning for extremes in weather, focusing on the larger watershed, including edible landscapes and landscapes that provide ecosystem value or multi-functional landscapes. In section E, it was suggested to focus more on design that avoids situations which need to be controlled. Painter stated that a modified three tiered assessment tool – beginning with issues related to the larger community, narrowing to site specific issues and finishing with building specific issues - will be brought back to the committee for review during the June meeting.

Kaufman reported that four agricultural ordinances are currently in review. The Right to Farm ordinance and two of the three tax incentive ordinances have been approved by the Ordinance Development and Review Committee and are ready to go to Town Council. Kaufman will e-mail the ordinances to the committee for their review prior to the June 20, 2012 meeting.

Walton reported that almost three year's worth of municipal energy data has been input into the web-based Energy WatchDog calculator and double checked for accuracy. Once the Director of Maintenance peruses the data for anomalies, the information will be brought to the sustainability committee for review.

Kristen and Painter will be serving on the UConn Tech Park committee which begins meeting in June. Two informational workshops are planned for the Town Council on water supply and regulation. The first workshop is scheduled for July 12, 2012.

Future agenda items include the review of HUD grant revised assessment tool, the farm ordinances, the Energy WatchDog data and UConn projects.

Meeting adjourned at 6:21 pm.

Respectfully Submitted,

Virginia Walton

June 25, 2012

Mansfield Town Council
Eagleville Road
Storrs, CT 06268

Dear Councilors:

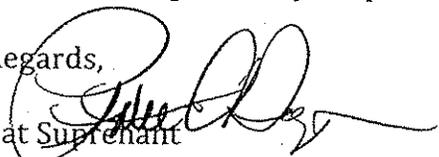
An article appeared in today's edition of the Willimantic Chronicle, which is misleading as to the authority of local zoning boards with regard to jurisdiction over the construction of buildings on state lands, and in particular, the University of Connecticut's proposed Tech Park.

Although the Director of Planning Linda Painter submitted a letter to the Mansfield PZC from Assistant Attorney General William N. Kleinman to Thomas Callahan Vice President and Strategy Officer for Bioscience Connecticut dated December 16, 2011 regarding a request for an informal opinion, she failed to provide page 2 in which the Assistant Attorney General states, "The office has consistently opined that in the absence of specific statutory authority, local zoning authorities have no jurisdiction over the construction of a building on state land, even if the building being constructed is owned by a private entity."

Now, in 1996 a bill was passed that gave the town of Mansfield specific statutory authority. The bill divided the University of Connecticut Educational Properties, Inc. known as UCEPI Project into two categories: those relating to UCEPI research and Technology and the second into the mercantile and trade uses. It established a mechanism for local review and comment on planning, zoning and wetlands, and it made the mercantile properties subject to local property taxes. It also added Mansfield's Planning and Zoning Chairperson to the UCEPI Board and it guaranteed Mansfield the right to be heard at any public hearing. If UCEPI waived any zoning and wetlands regulations and the town objected, the town could submit a complaint to a mediation panel. Any properties leased to a third party were taxable.

I ask that you set the record straight and correct this misconception with the Mansfield PZC and with the Willimantic Chronicle. I also ask that you champion these same rights that your predecessors fought for and won over 16 years ago.

Regards,


Pat Suprenant
441 Gurleyville Road
Storrs, CT 06268

Attachment: Letter dated December 16, 2011 to Thomas Callahan from Atty. Kleinman; Old Amended Bill Analysis, Page 7 of 9.

GEORGE JEPSEN
ATTORNEY GENERAL



University of Connecticut
Health Center
263 Farmington Avenue
Room LM043
Farmington, CT 06080-3803
Tel. (860) 679-1114

Office of The Attorney General
State of Connecticut

December 16, 2011

Thomas Q. Callahan
Vice President and Strategy Officer
for Bioscience Connecticut
University of Connecticut Health Center
263 Farmington Avenue
Farmington, CT 06030

Re: Request for Informal Opinion

Dear Mr. Callahan:

Assistant Attorney General Henry Salton has asked me to respond to your letter to him dated December 14, 2011 relative to the applicability of Town of Farmington zoning, subdivision, wetlands, building permit or other land use approvals or permits on the construction of a research lab by a private, tax exempt entity on state property.

More specifically, your letter states:

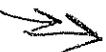
The General Assembly of the State of Connecticut enacted, in an October 2011 Special Session, Bill. No 1401, An Act Establishing the Connecticut Bioscience Collaboration Program (the "Act"), which established within Connecticut Innovations, Incorporated ("CI") a program to support the establishment of a bioscience cluster anchored by a research laboratory housed at The University of Connecticut Health Center ("UCHC") in the Town of Farmington. Specifically, CI was mandated to work in collaboration with an entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code ("IRC") to "develop, construct and equip a structure for use as a research laboratory and office building operation".

The legislation further authorizes the State Bond Commission to issue bonds to provide financial aid in support of the proposed research facility.

As authorized by the Act, UCHC is in the process of negotiating a 98-year ground lease with an independent research organization that is exempt from taxation under Section 501(c)(3) of the IRC. The leased premises will be comprised of 17 acres of land on the UCHC campus, title to which is held by the State of Connecticut. The tenant shall construct, own, and operate, with financial assistance provided by CI, the "research laboratory and office building operation" and related amenities, including, without limitation, parking (collectively, the "Project") contemplated by the Act.

Against this background, UCHC would like legal clarification as to whether the Project which (a) is to be constructed, owned and operated on the UCHC campus by an independent research organization exempt from taxation under Section 501(c)(3) of the IRC, and (b) will serve as anchor to a Connecticut bioscience cluster, in furtherance of the Act and in collaboration with UCHC, among others, is subject to any Town of Farmington zoning, subdivision, wetlands, building permit or other land use approvals or permits.

 This office has consistently opined that in the absence of specific statutory authority, local zoning authorities have no jurisdiction over the construction of a building on state land, even if the building being constructed is owned by a private entity. 

 Relative to the zoning review, this office has consistently advised state agencies that local zoning regulations do not apply to such construction projects absent an explicitly articulated legislative intent. See Conn. Op. Atty. Gen. No. 86-63 (August 18, 1986) (Commercial property owned by University of Connecticut in Mansfield, Connecticut and leased to private businesses is not subject to local zoning); see also 26 Conn. Op. Atty. Gen. 98, 99 (Town of Windsor Locks lacks zoning authority over privately owned hotel at Bradley Field); and 33 Conn. Op. Atty. Gen. 38 (1963) (Lease out of state owned park property not subject to local zoning).

 This is similarly true relative to local building requirements. Building permit statutes must be interpreted in light of established principles governing the State's sovereignty. See, Conn. Op. Atty. Gen. No. 85-027 (April 17, 1985): "The rule of statutory construction which governs your inquires [about the State Building Code] is that it is 'a universal rule in the construction of statutes limiting rights, that they are not to be construed to embrace the government or sovereignty unless by express terms or necessary implication such appears to have been the clear intention of the legislature, and the rights of the government are not to be impaired by a statute unless its terms are clear and explicit, and admit of no other construction.'" Id. (citations omitted). In

reading the statutes cited in your request for advice I simply do not see a "clear and explicit" intention of the legislature to subject building activities on State owned land to the control of local authorities. On the contrary, the statutes specifically provide, as recognized in your request for advice, that "State agencies shall be exempted from the permit requirements of section 29-263 . . .", which is the local building inspector's statute. See, Conn. Gen. Stat. § 29-252a(h). This exemption is reiterated in Section 29-263 which starts with the statement that "[e]xcept as provided in subsection (h) of section 29-252a . . .". These provisions are consistent with the conclusion that the legislature did not intend that the use of State land be subject to regulation by local communities.

Nor do state statutes vest in municipalities authority to regulate wetlands on state property. See, Conn. Op. Atty. Gen. 1975 WL 28320, May 29, 1975. (Local inland wetland regulations are inapplicable to regulated activities undertaken by an administrative agency of the state of Connecticut). In this case, jurisdiction over wetlands issues rests with the Department of Energy and Environmental Protection.

Further, it is important to note that the instant transaction has been fashioned pursuant to an explicit legislative mandate. In that regard, it demonstrates a clear governmental purpose with neither explicit nor implicit authority vested in local zoning, building, or wetlands authorities.

Based on the foregoing, the construction project you have described herein is not subject to any Town of Farmington zoning, subdivision, wetlands, building permit or other land use approvals or permits.

Finally, as you know, this represents my legal analysis as an Assistant Attorney General and does not constitute a formal opinion of the Attorney General.

Very truly yours,



William N. Kleinman

Assistant Attorney General

OLR AMENDED BILL ANALYSIS

SHB 5342 (as amended by House "A," "B," "C," "E," and "F")*

AN ACT CONCERNING REVISIONS TO THE EDUCATION STATUTES

SUMMARY: This bill adds student possession of martial arts weapons or dangerous weapons, in certain circumstances, and sale of illegal drugs to the offenses requiring a one-year expulsion from school and makes other changes to the suspension and expulsion statutes.

The bill also makes a series of changes to the laws affecting elementary and secondary and higher education state agency foundations, special days designated by the governor, and the University of Connecticut Educational Properties, Inc. (UCEPI).

*House Amendment "A" adds the provisions concerning state agency foundation audits, the Joint Committee on Educational Technology, residences located in two towns, public college tuition increases, and the Board for State Academic Awards. It also makes technical changes.

*House Amendment "B" adds the provisions regarding UCEPI.

*House Amendment "C" adds the provision concerning young mothers' eligibility for adult education.

*House Amendment "E" requires the governor to proclaim Christa McAuliffe day.

*House Amendment "F" adds the provisions concerning promoting skills in educational technology.

EFFECTIVE DATE: July 1, 1996 except for the provision regarding Christa McAuliffe day, which is effective upon passage.

FURTHER EXPLANATION

Suspension and Expulsion (Secs. 18-21)

Mandatory Expulsion (Sec. 19(a)(2)). The bill requires students to be expelled for one year for possession of martial arts weapons or dangerous instruments. Current law requires expulsion for possession of firearms or deadly weapons. It substitutes the federal definition of firearm (which, in addition to any weapons that can expel a projectile by an explosive action, includes explosive devices; incendiaries; poison gases; and firearm frames, receivers, mufflers, or silencers) for the state definition. The state definition includes a

sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon from which a shot may be fired.

The bill requires students to be expelled for possessing any of these weapons on school grounds or at school-sponsored activities, whether or not they have a permit to carry them, and specifies that they be expelled for possessing these weapons off school grounds, if they have no permit to carry them or use them when committing a crime.

It also requires a one-year expulsion for students who offer illegal drugs for sale on or off school grounds.

Authorized Expulsion (Sec. 19(a)(1)). It requires a student's conduct off school grounds both to violate a publicized school board policy and seriously disrupt the educational process, for a school board to expel him, instead of allowing the board to expel him for either type of conduct.

Authorized Suspension (Sec. 18). It allows a school board to suspend a student whose conduct off school grounds violates a publicized policy of the board and seriously disrupts the educational process.

Alternative Educational Opportunity (Sec. 20). It authorizes school boards not to provide an alternative educational opportunity to students from 16 to 18 years old, if they are expelled for possessing a martial arts weapon on school property or at a school-sponsored activity. They already have this authority for students expelled for possessing firearms, deadly weapons, or dangerous instruments.

Notice on Permanent Record (Sec. 21). It eliminates the requirement that a school board expunge notice of an expulsion and the underlying conduct from the cumulative record of a student who is not expelled or suspended again for two years after his return to school. (Under another law, students expelled more than once, even if the expulsion occurred before they turned 16, need not be offered an alternative education program. Notice on the permanent record enables boards to keep track of the expulsions.)

School Sanitation (Secs. 1 and 15)

The bill adds school sanitation to the list of education laws whose violation by a school board requires the State Board of Education to see that the school board engages in a remedial process to attain compliance.

It substitutes a general requirement that school boards maintain their facilities in accordance with public

health statutes and the Department of Public Health (DPH) regulations for specific requirements regarding toilets, screens, ventilation, lighting, supervision, and other sanitary conditions. It also repeals (1) specific authorization for the state board or a local board to complain to DPH if a school does not make the changes they recommend within a reasonable time of their notice and (2) the related requirement that DPH order changes it considers necessary after a hearing.

Regional School Districts (Secs. 2-7 and 24)

The bill shifts certain authority and responsibility regarding regional school districts from the State Board of Education to the education commissioner.

1. It requires town clerks to give notice of town appointments to a temporary regional school study committee to the education commissioner instead of to the state board and requires the commissioner instead of the board to appoint a consultant to the committee (Sec.2).
2. It requires a regional board of education to file a copy of a proposed amendment to its district plan with the commissioner, instead of the state board, and requires the town clerk of each member town to certify the referendum vote on that amendment to the commissioner, instead of the state board (Sec. 5).
3. It shifts from the board to the commissioner responsibility for appointing a member to the committee formed to determine whether and under what conditions a regional district school be dissolved or a member town should withdraw and makes a related technical change (Sec. 6).
4. It requires towns clerks of regional school district member towns to notify the commissioner, instead of the board, of appointments made to a regional school reapportionment committee and requires the commissioner, instead of the board, to appoint a consultant to the committee (Sec. 7).

The bill allows a temporary regional school study committee to base its recommendation for participating towns' capital contributions on a negotiated valuation, as an alternative to appraisals, of the land and facilities used for public education that the committee recommends the proposed regional district acquire. It also requires each participating town's capital contribution to be based on its proportional share of the negotiated value, as an alternative to the purchase

price, of the property transferred to the new district (Sec. 3).

It amends a special act to allow a Regional School District No. 1 school board member to serve for a two-year term, instead of the four-year term required by statute, if the legislative body of the town the member represents votes to authorize it (Sec. 4).

It makes a town's base revenue for purposes of Education Cost Sharing (ECS) grants depend on its enrollment, instead of its resident student count, if the town is a member of a regional school district (Sec. 24). (The term "resident student count" does not separate out elementary and high school enrollments, which is necessary for regional districts.)

Eligible Expenditures for Adult Education (Sec. 9)

The bill requires that only the amount of federal or other state funds actually expended for adult education, instead of any amount received for that purpose, be subtracted from eligible adult education expenditures when computing the costs eligible for state reimbursement. It makes it clear that tuition received for nonresident adult students must be subtracted from eligible expenditures for purposes of reimbursement.

Initial Education Certificate (Secs. 11-13)

The bill:

1. makes an initial educator certificate valid for two years, instead of one year (Sec. 11);
2. requires that those pursuing the alternate route to certification, who have taught successfully with a temporary 90-day certificate and meet state board certification regulations, receive an initial educator certificate valid for two, instead of one and one-half, years (Sec. 12); and
3. extends the period for people with teaching certificates to achieve a satisfactory evaluation on a professional knowledge clinical assessment, from one to two years after beginning to teach in a public school, in order to retain the certificate (Sec. 13).

Immunization Requirements (Sec. 16)

The bill requires children to be adequately immunized before being permitted to enroll in any program operated by a school, instead of only when they attend a school. This covers children in day care or young

parent programs, in addition to students.

School Construction (Secs. 28 and 29)

The bill makes the statutes conform to practice, which excludes vocational-agriculture centers or magnet schools that receive 100% state funding from school construction space standards (Sec. 28).

It requires state funds other than school construction grants received for a school construction project to be deducted from the project cost before computing the state school construction grant for the project. This is to prevent double dipping (Sec. 29).

CSU Research Funds (Sec. 32). The bill requires research funds to be deposited in the Connecticut State University (CSU) System Operating Fund, but it requires these funds to be allocated to separate accounts within the central office and institutional operating accounts.

Public College Telecommunications Services (Sec. 33). It exempts personal service agreements for telecommunications services entered into by constituent unit and CSU institution chief executive officers from approval by the comptroller, the commissioner of administrative services, or the executive director of the Office of Information and Technology. But the agreements must be made in accordance with board of trustee policies adopted after a reasonable opportunity for interested people to present their views and are subject to a declaratory judgment.

Higher Education Corporate Sponsorship (Sec. 34). It allows constituent units of higher education to enter into a corporate sponsorship agreement that permits the barter of goods and services, if the agreement follows board of trustee policies adopted after a reasonable opportunity for interested people to comment and subject to a declaratory judgment.

Drivers' Education in Schools (Secs. 35 and 40)

The bill allows the motor vehicles commissioner to adopt regulations concerning safe driving instruction at high schools and other secondary schools, in addition to drivers' schools and repeals the state board's authority to adopt regulations regarding the content of safe driving instruction in secondary schools.

State Agency Foundation Audits

The bill allows the audits that must, by law, be conducted of the books and accounts of state agency foundations to be done by the auditors of public

accounts, if the agency with the foundation's consent requests it, instead of by an independent certified public accountant. (These foundations are established to receive and use private funds for charitable, scientific, cultural, educational, or related purposes that support or improve an agency.)

Joint Committee on Education Technology

The bill adds the chairman of the Public Utility Control Authority, or his designee, a member appointed by the Connecticut Association of Independent Schools, and a member appointed by the Connecticut Library Association to the Joint Committee on Educational Technology. It also eliminates three members appointed by the Connecticut Business for Education Coalition having experience or expertise in information technology. By law, the State Board of Education and the Board of Governors of Higher Education must form this joint committee to help them coordinate and use educational technology for Connecticut students effectively and efficiently.

Residences Located in Two Towns

The law requires that, when a school child's dwelling is located on a line between two or more towns, the town that receives the greatest percentage of property taxes for the dwelling is responsible for providing the child with school services. The bill requires the town providing that child with school services to continue doing so until the end of the school year even though the child is no longer considered a town resident. The bill also specifies that this mode of determining residency for school purposes applies only to dwellings that are in more than one Connecticut town.

Public College Tuition Increases

The bill extends to the boards of trustees of the Community-Technical Colleges and the Connecticut State University system the authority the University of Connecticut board of trustees already has to increase tuition and fees beyond what is included in the single public higher education budget request submitted by the Board of Governors, if the General Assembly does not appropriate the amount the trustees request.

Membership of Board for State Academic Awards

The bill adds two gubernatorial appointments to the Board for State Academic Awards. It requires him, by July 1, 1996, to appoint one member for a one-year term and one for a five-year term; their successors to serve for six-year terms. This raises the number of the governor's appointments to eight. The ninth member of the board is elected by the students.

UCEPI Projects 

The bill divides UCEPI projects into two categories: (1) those relating to UCEPI's development of a research and technology park, a hotel and conference center, and other uses that enhance UConn's position as a major research institution and (2) those that house mercantile and trade uses that are not related to the research and technology purposes. It establishes a mechanism for local review and comment on projects for mercantile buildings. The mechanism includes binding mediation of unresolved issues. The bill makes residential buildings on UCEPI property and those used for mercantile purposes and hotels subject to local property taxes.

It also adds Mansfield's planning and zoning commission chairperson to the UCEPI board.

Reviewing. The bill requires UCEPI's board of directors to prepare a master plan by January 1, 1997. It prohibits UCEPI from constructing any building after that date that does not comply with the plan.

The bill specifically exempts all UCEPI projects, except residential projects, on land it leases from UConn from planning, zoning, and wetlands regulations imposed by Mansfield agencies. But it requires UCEPI to ensure that buildings for mercantile or trade purposes comply with the regulations. It requires the UCEPI board to hold a public hearing on such a proposed facility within 65 days of receiving final design specifications for it. The board must publish notice of hearing at least twice in a local newspaper, and it must notify Mansfield's mayor of the hearing by certified mail.

The town may appear and be heard at the hearing. Other people may also appear at the hearing, but the bill does not guarantee them a right to be heard. The bill prohibits UCEPI from beginning construction for at least 30 days after the hearing. During that time it must review and give due consideration to the town's testimony and any reports it submits and then notify the town of its determination.

If the board waives any zoning or wetlands regulation and the town objects or if the board and town cannot agree on how to apply a regulation, they may submit the issue to a mediation panel. The panel is composed of two Mansfield residents appointed by the mayor; two UCEPI board members, one of whom must represent UConn and neither of whom can represent the town; and a mediator with zoning experience they jointly select. The panel's decision is binding on both parties. UCEPI may not begin construction while the issue is pending.

Taxing. Under current law, property UCEPI leases to third parties is taxable. The bill limits Mansfield's ability to tax to property leased for residential, mercantile, and hotel uses. But it exempts a hotel from taxes for seven years and phases in the taxes in one-third increments over the succeeding three years.

As under current law, UCEPI property is included in determining Mansfield's payment-in-lieu of taxes grant until it becomes taxable.

Eligibility for Adult Education

The bill (1) authorizes mothers under age 16 who are public school students to request permission from their school board to attend adult education classes and (2) allows the boards to assign them to adult classes by a majority vote. Current law limits eligibility to people age 16 or older who are not enrolled in a regular school program and to expelled students assigned to adults classes as an alternative education program.

Christa McAuliffe Day

The bill requires the governor to proclaim May 24 as Christa Corrigan McAuliffe Day each year to commemorate her valor and honor teachers. It allows the governor to designate suitable exercises to be held at the capitol and elsewhere in observance.

Promoting Skills in Educational Technology

The bill requires the Education Department, within available appropriations, to help and encourage school boards to use and integrate educational technology in the courses required for high school graduation, in order to promote high school graduates' proficiency in its use.

It also requires that computer and other information technology, as applied to student learning, classroom instruction, communications, and data management be part of (1) a teacher preparation program that each candidate must complete, beginning July 1, 1998 and (2) the in-service training programs the law requires school boards to provide for their educators.

Obsolete and Redundant Provisions

The bill repeals obsolete sections of statutes and eliminates specific grants of authority to school boards that are already covered by their more general statutory authority.

BACKGROUND

Legislative History

On April 4, the House referred the bill (File 205) to the Transportation Committee, which favorably reported it on April 11. On April 16, the House referred it to the Public Health Committee, which reported it back to the floor on April 18. On April 23, the House referred the bill to the Planning and Development Committee, which favorably reported it on April 25.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 29 Nay 1

Transportation Committee

Joint Favorable Report

Yea 21 Nay 1

Public Health Committee

Joint Favorable Report

Yea 18 Nay 0

Planning and Development Committee

Joint Favorable Report

Yea 16 Nay 0

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Item #9



**TOWN OF MANSFIELD
COMMISSION ON AGING**

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
Tel: (860) 429-3315
Fax: (860) 429-7785
E-Mail: SocServ@mansfieldct.org

June 26, 2012

To: Transportation Advisory Committee
From: Commission on Aging

It is our understanding that it is the Town of Mansfield's responsibility to erect and maintain bus stops and shelters. The Commission on Aging has previously brought your attention to the bus stop adjacent to the Mansfield Community Center on South Eagleville Road. It was mentioned that this stop presents some problems for patrons embarking and disembarking because of the terrain where the stop is located. With the temporary loss of the bus stop in front of the Town Hall this stop is now being used by more and more riders, and we feel that it is time to erect a shelter at this site. The Commission would appreciate anything you can do with respect to this matter.

We hope you will find our suggestions useful. If we may be of any further assistance, feel free to contact us.

April Holinko,
Chair, Commission on Aging

Cc: Town Council
Commission on Aging

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INTEROFFICE MEMORANDUM

TO: TRANSPORTATION ADVISORY COMMITTEE

FROM: HUMAN SERVICES ADVISORY COMMITTEE, ADVISORY COMMITTEE ON THE NEEDS OF PERSONS WITH DISABILITIES, MANSFIELD ADVOCATES FOR CHILDREN

SUBJECT: PUBLIC TRANSPORTATION PLAN

DATE: 7/2/2012

CC: TOWN COUNCIL, TOWN MANAGER, DIRECTOR OF PLANNING AND DEVELOPMENT,
DIRECTOR OF PUBLIC WORKS

We are writing as advisory committees who all have constituents who are dealing with public transportation issues from a number of different perspectives. While each of the groups that we represent has unique needs, we believe that the core issue that they are struggling with relates to the lack of an integrated municipal policy on public transportation. While the Town successfully supports a number of valuable transportation initiatives including Dial-A-Ride, the WRTD fixed route bus, and the Senior Center's volunteer driver program, there is no single entity that coordinates these efforts and ensures that the broad public transportation needs of Mansfield residents are being met. We believe that as an advisory committee to the Town Council that is charged with addressing this area of public policy, you are the group that is in the best position to advance this issue. To that end, we would like to send representatives from each of our committees to meet with you to discuss our concerns and interests. Prior to that meeting we would encourage you to address the following questions:

1. To what extent does the Transportation Improvement Plan that is part of the Town's Plan of Conservation and Development serve as a guide to transportation planning, and how is this being monitored?
2. As a strategic plan, does Mansfield 2020 provide guidelines for public transportation initiatives, and if it does, who is responsible for implementing this?
3. How can we best work effectively with your committee to advance these concerns?

Thank you, and we look forward to hearing from you.

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TOWN OF MANSFIELD/MANSFIELD PUBLIC SCHOOLS
POLICY MEMORANDUM

To: All Town and Mansfield Board of Education Employees and Volunteers
From: Matthew W. Hart, Town Manager; Frederick A. Baruzzi, Superintendent of Schools
Prepared by: Virginia Walton, Recycling Coordinator
Date: June 15, 2012
Subject: Policy for Meeting the Procurement and End-of-Life Management Requirements of the State Electronics Challenge

I. Background

The Town of Mansfield and the Mansfield Public Schools are committed to incorporating environmental considerations in its purchasing decisions as a means of reducing its burden on the local and global environment, promoting a green economy, protecting public health, and reducing costs and liabilities.

This policy directs the Town of Mansfield and the Mansfield Public Schools to prioritize procurement of environmentally preferable electronic products and related services. Computers and other electronic equipment contain toxic constituents such as mercury, and consume energy and natural resources. The environmental impact of electronics can be minimized through environmentally preferable purchasing and contracting practices.

This environmentally preferable purchasing policy addresses both procurement (purchase or lease) of new equipment, and contracting for reuse and recycling services for used electronics.

II. Purpose

The primary purpose of this policy is to minimize the negative environmental impacts of computer and electronic equipment owned, leased, operated, and disposed by the Town of Mansfield and the Mansfield Public Schools by ensuring the procurement of products and services that:

- Reduce toxicity;
- Conserve natural resources, materials, and energy;
- Maximize recyclability and recycled content; and
- Use best practices for responsible reuse and recycling.

III. Policy

It is the policy of the Town of Mansfield and the Mansfield Public Schools to reduce the environmental impact of its computers and electronic equipment through the following actions:

1. *New Product Purchases/Leases*

The Town of Mansfield and the Mansfield Public Schools will seek to purchase or lease only EPEAT registered personal computers, notebook computers, and monitors. Products should at minimum meet the EPEAT Bronze rating level for environmental performance; products meeting Silver or Gold

Evictions Policy and Procedure

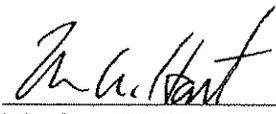
ratings are preferred. The database of EPEAT registered products and their ratings can be found at <http://www.epeat.net>.

- a. The Information Technology Department of the Town of Mansfield and the Mansfield Public Schools will identify necessary exemptions to this policy, with the goal of permitting no more than 5% of purchase/lease dollars for computer, notebook computers, and monitors to be spent on non-EPEAT registered products. Such exemptions may be allowed, for example, if no registered products meet the specific needs of a purchaser.
 - b. For product categories where an EPEAT standard is in development, now or in the future, once a product standard and EPEAT registration process is in force, the Town of Mansfield and the Mansfield Public Schools will evaluate the new product category to consider inclusion of the standard in this policy.
2. *Equipment Reuse and Recycling*
- a. All computer and electronic equipment shall either be reused or responsibly recycled when no longer suited to the needs of the user.
 - b. When possible, equipment shall be reused, in preference to recycled. When reuse is not possible, the equipment shall be sent for recycling.
 - c. The Town of Mansfield and the Mansfield Public Schools will only use the services of recycling companies that have achieved one or more of the following 3rd party certifications for electronics recyclers: e-Stewards[®], Responsible Recycling Practices (R2), or R2/RIOS.

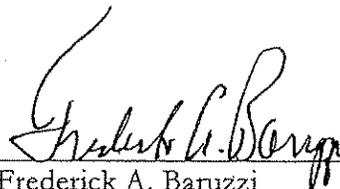
Companies certified to these standards are audited by third parties to ensure that their operations meet high standards of environmental performance and that materials are processed in an environmentally responsible manner by the recycling provider and its downstream processors. Lists of recyclers certified to these standards are available electronically:

- e-Stewards[®] <http://e-stewards.org>
- Responsible Recycling Practices (R2) <http://www.r2solutions.org>
- R2/RIOS <http://www.certifiedelectronicsrecycler.com>

The Town of Mansfield will track and document equipment that is sent for reuse and recycling by weight and ensure that the equipment is only sent to organizations/companies that handle equipment in an environmentally responsible manner.



Matthew W. Hart
Town Manager



Frederick A. Baruzzi
Superintendent of Schools



THE PUBLIC SCHOOLS OF MANSFIELD, CONNECTICUT

MARK LAPLACA, Board Chair

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268
(860) 429-3350
Fax: (860) 429-3379

To: Town Council, Matt Hart
From: Mark LaPlaca, on behalf of the Mansfield Board of Education
CC: Fred Baruzzi
Date: June 22, 2012
Subject: Code of Ethics

At our meeting on Thursday, June 14, 2012, the Board of Education by consensus directed me, as Board Chair, to communicate the following to the Town Council and Town Manager:

- The Mansfield Board of Education agrees with the Town Council that a Code of Ethics should be applied to all town employees, including BOE employees.
- Since the law is, at best, unclear as to whether or not a municipality has the authority to regulate BOE employees through an ethics ordinance, the Board, as previously communicated through our attorney, intends to adopt a parallel policy to the town's ethics ordinance.
- The Board's Policy Committee has reviewed the town's ethics ordinance and recommended to the full Board to adopt a policy identical to the town's new ethics ordinance with the following changes:
 - Minor language revisions where necessary to specify that the policy only applies to BOE employees and not all town employees.
 - Under the section Definitions, after the definition of Gift, there is a list of items entitled "a gift does not include" – the recommendation is to change the very last bullet point in that list to the following:

"Gifts in-kind of nominal value tendered on gift-giving occasions generally recognized by the public."

This difference from the town's ordinance is meant to accommodate long-standing, appropriate and educationally valued practices with regard to gift giving. It is important to note that the proposed ethics policy prohibits the solicitation of gifts, the acceptance of gifts intended to influence the judgments or actions of school employees, and gifts of inappropriately large value.

- The Board agreed, by consensus, to all of the above, and intends to vote on the policy at our next meeting on July 10th.
- The Board respectfully requests that the Town Council remove the language including BOE employees from the town ordinance in order to remove any possible confusion or potential legal issues.

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O'Brien and Johnson

Attorneys at Law

Item #13

120 Bolivia Street, Willimantic, Connecticut 06226

Fax (860) 423-1533

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

June 29, 2012

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

Ms. Nora Stevens
Chair
Board of Ethics
Town of Mansfield
Audrey P. Beck Building
Four South Eagleville Road
Mansfield-Storrs, CT 06268

Dear Ms. Stevens:

As you know, on May 21, 2012, Board of Ethics member Winthrop Smith submitted two questions to Assistant Town Manager Maria Capriola about the latest of many drafts of the Code of Ethics revisions, later enacted by the Town Council.

Regarding section 25.6, Mr. Smith noted his membership on the Mansfield Democratic Town Committee, which nominates and endorses candidates for public office. He asked if section 25.5E, which permits full participation by members of the Board of Ethics in public affairs, would prohibit an endorsement by a Board of Ethics member at a town committee meeting or party caucus of a slate of candidates for the Town Council or another office like justice of the peace.

Please recall that in an email to Maria and yourself among others, dated May 27, 2012, I answered Mr. Smith's inquiries. I noted that from the beginning of my involvement in this ordinance revision process I got the distinct impression from the leaders of this effort that members of the Board of Ethics themselves should be held to high standards of ethical behavior in performing their duty to apply the Ethics Ordinance, including rules regarding conflicts of interest, to the conduct of town officials and employees.

At the time I began working on the ordinance revision I was winding up my twelve year career as judge of probate administering and deciding cases in two very busy courts in Willimantic. In my view, since Board of Ethics members perform a judicial function, they should be held to ethical standards somewhat similar to those that applied to me as an elected judge in two relatively informal local courts.

I am very familiar with the probate code of ethics and so I looked to that code for model language and concepts to apply to Board of Ethics members regarding political activity. Section 25.5.E of the revised Code of Ethics has its basis in the probate code of ethics. It can and I believe should be interpreted to mean that a member of the Board of Ethics and also a member of a local town political party committee may go so far as to verbally vote by roll call for any candidate for public office, but should not make a speech supporting or opposing a candidate for any such office subject to the requirements of the Code of

Ms. Nora Stevens
Chair
Board of Ethics
Town of Mansfield
June 29, 2012
Page Two

Ethics in any public forum, including a town committee meeting that is open to the public per the by-laws of the committee.

More specifically, if "endorsement" in Mr. Smith's question simply means voting for a candidate or saying that you will vote for a candidate, it is permissible under this rule. Making a public speech in support of a candidate, such as a nominating speech at a town committee meeting, should be avoided based on the plain language of section 25.5.E.

Mr. Smith's second concern is that though section 25.8.G. of the new Code of Ethics requires a vote of four of five seated Ethics Board members to find that an official or employee has violated the Code of Ethics, section 25.6.A. only requires a quorum of three of the five members for the Board to act. During the lengthy deliberations on these revisions, I got the distinct impression from the leaders of this effort that the residual consequences of a finding of violation of the Code of Ethics may be so serious for an official or employee that a vote of more than a simple majority of the Board of Ethics should be required to make such a finding, ergo the requirement that four of five, rather than just three of five members must vote to uphold a complaint.

Mr. Smith has asked the good question of whether the supermajority rule of section 25.8.G is inconsistent with the requirement that a quorum of the five member Board of Ethics is only three members. Mr. Smith's point is well taken, but section 25B of the Code of Ethics provides for two alternate members to cover member absences or disqualifications. I may be wrong, but in the more than ten year history of the Board of Ethics there has never been a finding of probable cause, and therefore no hearing ever regarding an alleged violation of the local Code of Ethics.

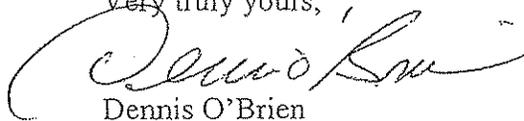
With five members and two alternate members, it is difficult for me to believe that such an important and unprecedented matter would not be considered and voted upon by a full complement of the Board of Ethics at some future time. Please consider that supermajority votes are necessary to effectuate certain results in other legal contexts. For example, action by any local zoning agent can only be overturned by four votes of a five member, three alternate zoning board of appeals.

As you know, the new Code of Ethics ordinance has been approved by the Town Council, and will soon be effective, if it is not already in place. In my personal opinion, it is an excellent piece of work by a great many people, including the members of the Board of Ethics, past and present, yourselves.

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

Ms. Nora Stevens
Chair
Board of Ethics
Town of Mansfield
June 29, 2012
Page Three

Very truly yours,

A handwritten signature in cursive script, appearing to read "Dennis O'Brien".

Dennis O'Brien
Town Attorney

cc: Mansfield Board of Ethics
Town Manager Matthew W. Hart
Assistant Town Manager Maria E. Capriola

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TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

Item #14

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development *JMP*
Date: June 7, 2012
Subject: University of Connecticut Technology Park

As you are aware, last year the Connecticut Legislature approved through Public Act 11-57 the issuance of \$172,500,000 in bonds to be used by "the University of Connecticut for the purpose of the development of a technology park and related buildings at the university, including planning, design, construction and improvements, land acquisition, purchase of equipment, on-site and off-site utilities and infrastructure improvements." The legislation also included a requirement that the University consult with the Town regarding any on-site or off-site utilities that are financed through the bond issuance: "Notwithstanding any provision of the general statutes, the university shall have the charge and supervision of all aspects of the project authorized under this section, as provided in section 10a-109n of the general statutes. Such charge and supervision shall extend to any off-campus improvements undertaken as part of said project. The university shall work in consultation with the town of Mansfield regarding any on-site or off-site utilities that are financed pursuant to this section."

Pursuant to the Final Environmental Impact Statement (FEIS) for North Hillside Road, the park is projected to include 966,000 square feet in addition to the 310,000 square feet existing at Charter Oak Apartments. The master planning effort for the park began at the end of May and is expected to be completed within the next three months. The programming and design for the first building, which will be owned and operated by the University, is also beginning. There will be opportunities for community input on the draft master plan.

A few months ago, a question was raised by a member of the Four Corners Sewer and Water Advisory Committee as to whether the town had jurisdiction over development in the park; particularly any buildings that would be privately developed or owned. As the question of local jurisdiction over private development on university property has been raised in the past, staff began the process of researching previous legal opinions for similarities to the current situation. In the interim, the University provided a copy of an informal opinion issued in December 2011 by the Assistant Attorney General regarding the ability of the Town of Farmington to regulate the development of the new Jackson Laboratory building which is being developed on UConn Health Center property. The full opinion is attached for your information; relevant excerpts are as follows:

* * * * *

This office has consistently opined that in the absence of specific statutory authority, local zoning officials have no jurisdiction over the construction of a building on state land, even if the building being constructed is owned by a private entity.

Relative to the zoning review, this office has consistently advised state agencies that local zoning regulations do not apply to such construction projects absent an explicitly articulated legislated intent. See Conn. Op. Atty. Gen. No. 86-63 (August 18, 1986) (Commercial property owned by University of Connecticut in Mansfield, Connecticut and leased to private businesses is not subject to local zoning); see also 26 Conn. Op. Atty. Gen. 98, 99 (Town of Windsor Locks lacks zoning authority over privately owned hotel at Bradley Field); and 33 Conn. Op. Atty. Gen. 38 (1963) (Lease out of state owned park property not subject to local zoning).

* * * * *

Nor do state statutes vest in municipalities authority to regulate wetlands on state property. See, Conn. Op. Atty. Gen. 1975 WL 28320, May 29, 1975. (Local inland wetland regulations are inapplicable to regulated activities undertaken by an administrative agency of the state of Connecticut). In this case, jurisdiction over wetlands issues rests with the Department of Energy and Environmental Protection.

Further, it is important to note that the instant transaction has been fashioned pursuant to an explicit legislative mandate. In that regard, it demonstrates a clear governmental purpose with neither explicit or implicit authority vested in local zoning, building, or wetlands authorities.

Based on the foregoing, the construction project you have described herein is not subject to any Town of Farmington zoning, subdivision, wetlands, building permit or other land use approvals or permits.

* * * * *

Staff will be on hand to provide assistance during discussion of this item and is available to research the issue further if requested by the Commission.

GEORGE JEPSEN
ATTORNEY GENERAL



University of Connecticut
Health Center
263 Farmington Avenue
Room LM043
Farmington, CT 06030-3803

Office of The Attorney General
State of Connecticut

Tel. (860) 679-1114

December 16, 2011

Thomas Q. Callahan
Vice President and Strategy Officer
for Bioscience Connecticut
University of Connecticut Health Center
263 Farmington Avenue
Farmington, CT 06030

Re: Request for Informal Opinion

Dear Mr. Callahan:

Assistant Attorney General Henry Salton has asked me to respond to your letter to him dated December 14, 2011 relative to the applicability of Town of Farmington zoning, subdivision, wetlands, building permit or other land use approvals or permits on the construction of a research lab by a private, tax exempt entity on state property.

More specifically, your letter states:

The General Assembly of the State of Connecticut enacted, in an October 2011 Special Session, Bill. No 1401, An Act Establishing the Connecticut Bioscience Collaboration Program (the "Act"), which established within Connecticut Innovations, Incorporated ("CI") a program to support the establishment of a bioscience cluster anchored by a research laboratory housed at The University of Connecticut Health Center ("UCHC") in the Town of Farmington. Specifically, CI was mandated to work in collaboration with an entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code ("IRC") to "develop, construct and equip a structure for use as a research laboratory and office building operation".

The legislation further authorizes the State Bond Commission to issue bonds to provide financial aid in support of the proposed research facility.

reading the statutes cited in your request for advice I simply do not see a "clear and explicit" intention of the legislature to subject building activities on State owned land to the control of local authorities. On the contrary, the statutes specifically provide, as recognized in your request for advice, that "State agencies shall be exempted from the permit requirements of section 29-263 . . .", which is the local building inspector's statute. See, Conn. Gen. Stat. § 29-252a(h). This exemption is reiterated in Section 29-263 which starts with the statement that "[e]xcept as provided in subsection (h) of section 29-252a . . .". These provisions are consistent with the conclusion that the legislature did not intend that the use of State land be subject to regulation by local communities.

Nor do state statutes vest in municipalities authority to regulate wetlands on state property. See, Conn. Op. Atty. Gen. 1975 WL 28320, May 29, 1975. (Local inland wetland regulations are inapplicable to regulated activities undertaken by an administrative agency of the state of Connecticut). In this case, jurisdiction over wetlands issues rests with the Department of Energy and Environmental Protection.

Further, it is important to note that the instant transaction has been fashioned pursuant to an explicit legislative mandate. In that regard, it demonstrates a clear governmental purpose with neither explicit nor implicit authority vested in local zoning, building, or wetlands authorities.

Based on the foregoing, the construction project you have described herein is not subject to any Town of Farmington zoning, subdivision, wetlands, building permit or other land use approvals or permits.

Finally, as you know, this represents my legal analysis as an Assistant Attorney General and does not constitute a formal opinion of the Attorney General.

Very truly yours,


William N. Kleinman
Assistant Attorney General

Excerpt of Public Act 11-57

Sec. 92. (*Effective July 1, 2011*) (a) For the purposes described in subsection (b) of this section, the State Bond Commission shall have the power, from time to time, to authorize the issuance of bonds of the state in one or more series and in principal amounts not exceeding in the aggregate one hundred seventy-two million five hundred thousand dollars, provided one hundred fifty-four million five hundred thousand dollars of said authorization shall be effective July 1, 2012.

(b) (1) The proceeds of the sale of said bonds, to the extent of the amount stated in subsection (a) of this section, shall be used by The University of Connecticut for the purpose of the development of a technology park and related buildings at the university, including planning, design, construction and improvements, land acquisition, purchase of equipment, on-site and off-site utilities and infrastructure improvements.

(2) Notwithstanding any provision of the general statutes, the university shall have the charge and supervision of all aspects of the project authorized under this section, as provided in section 10a-109n of the general statutes. Such charge and supervision shall extend to any off-campus improvements undertaken as part of said project. The university shall work in consultation with the town of Mansfield regarding any on-site or off-site utilities that are financed pursuant to this section.

(c) All provisions of section 3-20 of the general statutes, or the exercise of any right or power granted thereby, which are not inconsistent with the provisions of this section are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to this section, and temporary notes in anticipation of the money to be derived from the sale of any such bonds so authorized may be issued in accordance with said section 3-20 and from time to time renewed. Such bonds shall mature at such time or times not exceeding twenty years from their respective dates as may be provided in or pursuant to the resolution or resolutions of the State Bond Commission authorizing such bonds. None of said bonds shall be authorized except upon a finding by the State Bond Commission that there has been filed with it a request for such authorization which is signed by or on behalf of the Secretary of the Office of Policy and Management and states such terms and conditions as said commission, in its discretion, may require. Said bonds issued pursuant to this section shall be general obligations of the state and the full faith and credit of the state of Connecticut are pledged for the payment of the principal of and interest on said bonds as the same become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due.

Connecticut General Statutes

Sec. 10a-109n. Construction by the university of capital improvements. (a) For the period from July 1, 2001, to June 30, 2018, or until completion of the UConn 2000 infrastructure improvement program, whichever is later, the university shall have charge and supervision of the design, planning, acquisition, remodeling, alteration, repair, enlargement or demolition of any real asset or any other project on its campuses.

(b) (1) The university shall cause to be prepared, proposed construction standards for all projects. The proposed standards shall, subject to applicable law, include, among other things, provisions relating to the quality and type of materials to be used, provisions for safety, fire protection, health and sanitation, provisions for the installation of fixtures, furnishings, equipment, machinery and apparatus, and construction features.

(2) Pursuant to such construction standards in effect at such time, the university shall cause to be prepared, within the costs available therefor, the detailed plans and specifications for each project. The university may from time to time modify, or authorize modifications to, such detailed plans and specifications, provided the plans and specifications as so modified shall comply with the construction standards, if any, adopted pursuant to sections 10a-109a to 10a-109y, inclusive, and in effect at the time of the modifications, and the provisions of section 10a-109e are complied with.

(3) The university shall identify the scope of work and hire, and contract with persons with the necessary experience and capability to perform such scope of work.

(4) The university may contract with a design professional for the design of any project, with a general contractor for the construction of any project; and with one or more prime trade contractors with respect to such construction work if the university determines that to do so will be in the public interest of the state.

(c) (1) Any construction contract to which the university is a party may include a provision that the design professional who designed the project, or an architect or professional engineer or construction manager retained or employed specifically for the purpose of supervision, may supervise the work to be performed through to completion and ensure that the materials furnished and the work performed are in accordance with the drawings, plans, specifications and contracts therefor.

(2) (A) Except as provided in subparagraph (B) of this subdivision, any total cost basis contract or other contract for the construction of a university project which is estimated to cost more than five hundred thousand dollars, shall be publicly let by the university. The university shall give notice to contractors interested in prequalifying to submit a project proposal or bid, by advertising, at least once, in one or more newspapers having general circulation in the state and by posting the advertisement on the university web site. The notice to prequalify shall contain the requirement that contractors be prequalified pursuant to section 4a-100, a statement of the time and place where the responses shall be

received and such additional information as the university deems appropriate. Upon receipt of such responses, the university shall select each contractor who has been prequalified pursuant to section 4a-100 and has shown itself able to post surety bonds required by such contract and has demonstrated that it possesses the financial, managerial and technical ability and the integrity necessary and without conflict of interest for faithful and efficient performance of the work provided for therein. The university shall evaluate whether each such contractor is responsible and qualified based on its experience with projects similar to that for which the bid or proposal is to be submitted and based on objective written criteria included in the application to request prequalification with respect to such contract. The university shall also consider whether a contractor, and any subcontractor on the contractor's previous projects, has been in compliance with the provisions of part III of chapter 557 and chapter 558 during the previous five calendar years.

(B) Notwithstanding the provisions of subparagraph (A) of this subdivision, the board of trustees may approve a total cost basis contract or other contract for the construction of a university project which is estimated to cost more than five hundred thousand dollars that has not been publicly let pursuant to the provisions of said subparagraph (A), provided the board deems the contract to address an emergency.

(3) The university shall thereafter give notice to those so prequalified by the university pursuant to subdivision (2) of this section of the time and place where the public letting shall occur and shall include in such notice such information of the work required as appropriate. Each bid or proposal shall be kept sealed until opened publicly at the time and place as set forth in the notice soliciting such bid or proposal. The university shall not award any construction contract, including, but not limited to, any total cost basis contract, after public letting, except to the responsible qualified contractor, submitting the lowest bid or proposal in compliance with the bid or proposal requirements of the solicitation document. The university may, however, waive any informality in a bid or proposal, and may either reject all bids or proposals and again advertise for bids or proposals or interview at least three responsible qualified contractors and negotiate and enter into with any one of such contractors that construction contract which is both fair and reasonable to the university.

(4) The notice to each contractor prequalified to submit a proposal or bid and the construction contract, including each total cost basis contract, awarded by the university shall contain such other terms and conditions, and such provisions for penalties as the university may deem appropriate.

(5) No payments shall be made by the university on account of any contract for the project awarded by or for the university until the bills or estimates presented for such payment shall have been duly certified to be correct by the university. No payments shall be made from any other fund on account of any contract for any project awarded by or for the university until the bills or estimates presented for such payment shall have been duly certified to be correct by the university.

(6) Provision shall be made in each contract to the effect that payment is limited to the amount provided therein and that no liability of the university or state shall and may be incurred beyond such

amount.

(7) The university shall require, for the protection of the state and the university, such deposits, bonds and security in connection with the submission of bids or proposals, the award of construction contracts and the performance of work as the university shall determine to be appropriate and in the public interest of the state.

(8) Any contract awarded by the university shall be a contract with the state acting through the university.

(9) The university shall not enter into a construction manager at-risk project delivery contract that does not provide for a maximum guaranteed price for the cost of construction which shall be determined not later than the time of the receipt and approval by the university of the trade contractor bids. Each construction manager at-risk shall invite bids and give notice of opportunities to bid on project elements, by advertising, at least once, in one or more newspapers having general circulation in the state. Each bid shall be kept sealed until opened publicly at the time and place as set forth in the notice soliciting such bid. The construction manager at-risk shall, after consultation with and approval by the university, award any related contracts for project elements to the responsible qualified contractor, who shall be prequalified pursuant to section 4a-100, submitting the lowest bid in compliance with the bid requirements, provided (A) the construction manager at-risk shall not be eligible to submit a bid for any such project element, and (B) construction shall not begin prior to the determination of the maximum guaranteed price, except for the project elements of site preparation and demolition that have been previously put out to bid and awarded.

(d) For the purposes of part III of chapter 557, a project undertaken by the university shall be deemed to be a state public works project and consist of public buildings.

(e) (1) Notwithstanding any provision of the general statutes, any license, permit, and approval required or permitted to be issued and any administrative action required or permitted to be taken pursuant to the general statutes in connection with any project by the university shall be issued or taken upon application to the particular commissioner or commissioners having jurisdiction over such license, permit, approval or other administrative action or such other state official as such commissioner shall designate. As used in this section, the term commissioner shall mean commissioners if more than one commissioner has jurisdiction over the subject matter and their designee, if any. No agency, commission, council, committee, panel or other body whatsoever other than such commissioner shall have jurisdiction over or cognizance of any licenses, permits, approvals or administrative actions concerning any project and no notice of any tentative determination or any final determination regarding any such license, permit, approval or administrative action and no notice of any such license, permit, approval or administrative action shall be required except as expressly provided pursuant to this subsection. For purposes of sections 10a-109a to 10a-109y, inclusive, a capital project is a state facility and accordingly, no ordinance, law or regulation promulgated by or any authority granted to any municipality or any other political subdivision of the state shall apply to a capital project. The State

Properties Review Board shall have jurisdiction over any project in the same manner as provided in chapter 60 for a priority higher education facility project. Such commissioner may issue licenses and permits, give such approval and take such administrative action as shall be necessary or desirable.

(2) All applications, supporting documentation and other records submitted to the commissioner and pertaining to any application for any license, permit, approval or other administrative action, together with all records of the proceedings of the commissioner relating to any license, permit, approval or administrative action shall be a public record and shall be made, maintained and disclosed in accordance with the Freedom of Information Act, as defined in section 1-200.

(3) All applications for licenses, permits, approvals and other administrative action required by any applicable provision of the general statutes shall be submitted to the commissioner as provided in subdivision (1) of this subsection.

(4) (A) Any hearing regarding all or any part of any project, provided for by this section, shall be conducted by the particular commissioner having jurisdiction over the applicable license, permit, approval or other administrative action. Legal notice of such hearing shall be published in a newspaper having general circulation in an area which includes the municipality in which the particular part of such project is proposed to be built or is being built not more than ten nor less than five days in advance of such hearing.

(B) In rendering any decision in connection with any project, the commissioner shall weigh all competent material and substantial evidence presented by the applicant and the public in accordance with the applicable statute. The commissioner shall issue written findings and determinations upon which its decision is based. Such findings and determinations shall consist of evidence presented including such matters as the commissioner deems appropriate, provided such matters, to the extent applicable to the particular permit, shall include the nature of any major adverse health and environmental impact of any project. The commissioner may reverse or modify any order or action at any time on the commissioner's own motion. The procedure for such reversal or modification shall be the same as the procedure for the original proceeding.

(C) Any administrative action taken by any commissioner in connection with any project may be appealed by an aggrieved party to the superior court for the judicial district of New Britain in accordance with the provisions of section 4-183, except as otherwise provided in sections 10a-109a to 10a-109y, inclusive. Such appeal shall be brought within ten days of the date of mailing to the parties to the proceeding of a notice of such order, decision or action by certified mail, return receipt requested, and the appellant shall serve a copy of the appeal on each party listed in the final decision at the address shown in such decision. Failure to make such service within such ten days on parties other than the commissioner who rendered the final decision may not, in the discretion of the court, deprive the court of jurisdiction over such appeal. Within ten days after the service of such appeal, or within such further time as may be allowed by the court, the commissioner which rendered such decision shall cause any portion of the record that had not been transcribed to be transcribed and shall cause either the original

or a certified copy of the entire record of the proceeding appealed from to be transmitted to the reviewing court. Such record shall include the commissioner's findings of fact and conclusions of law, separately stated. If more than one commissioner has jurisdiction over the matter, such commissioners shall issue joint findings of fact and conclusions of law. Such appeal shall state the reasons upon which it is predicated and, notwithstanding any provisions of the general statutes to the contrary, shall not stay the development of any project. The commissioner which rendered such decision shall appear as the respondent. Such appeals to the superior court shall each be privileged matters and shall be heard as soon after the return date as practicable. A court shall render its decision not later than twenty-one days after the date that the entire record, with the transcript, is filed with the court by the commissioner who rendered the decision.

(D) The court shall not substitute its judgment for that of the commissioner as to the weight of the evidence presented on a question of fact. The court shall affirm the decision of the commissioner unless the court finds that substantial rights of the party appealing such decision have been materially prejudiced because the findings, inferences, conclusions or decisions of the commissioner are: (i) In violation of constitutional or statutory provisions, (ii) in excess of the statutory authority of the commissioner, (iii) made upon unlawful procedure, (iv) affected by an error of law, (v) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, or (vi) arbitrary, capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(E) If the court finds material prejudice, it may sustain the appeal. Upon sustaining an appeal, the court may render a judgment which modifies the decision of the commissioner, orders particular action of the commissioner or orders the commissioner to take such action as may be necessary to effect a particular action and the commissioner may issue a permit consistent with such judgment. Notwithstanding the foregoing, an applicant may file an amended application and the commissioner may, pursuant to the procedures set forth in sections 10a-109a to 10a-109y, inclusive, consider an amended application for an order, permit or other administrative action following court action.

(F) Notwithstanding the provisions of section 3-125, in consultation with the Attorney General, the university is authorized and may use the legal services of any private attorney, in connection with the construction, operation and maintenance of any project. The board of trustees shall determine the effective and efficient method or methods of legal services to accomplish the construction, operation and maintenance of all projects, taking into account the capacity, cost and expense of private counsel for such services and the capacity and direct and indirect cost and expense of and identified by the Attorney General for such services.

(f) On or before December thirty-first and June thirtieth of each year, the university shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding. Such report shall include the following information: (1) The names and addresses of contractors and subcontractors performing repair, addition, alteration and new construction on the university's campuses in the previous six calendar months, (2) the extent to which such contractors and subcontractors have been in compliance with the provisions of part III of chapter

557 and the provisions of chapter 558, and (3) any actions taken by the university to cooperate with the Labor Department in the enforcement of said provisions.

(P.A. 88-230, S. 1, 12; P.A. 90-98, S. 1, 2; P.A. 93-142, S. 4, 7, 8; P.A. 95-220, S. 4-6; 95-230, S. 14, 45; P.A. 97-47, S. 31; P.A. 99-215, S. 24, 29; May 9 Sp. Sess. P.A. 02-3, S. 7; P.A. 06-134, S. 8, 20; June Sp. Sess. P.A. 07-7, S. 60; P.A. 10-104, S. 7.)

PAGE
BREAK

Notice is hereby given that a Primary of the political party listed below will be held in your town on August 14, 2012 for nomination to each office indicated below.

Notice is also hereby given that the following are the names of the party-endorsed candidates, if any, for nomination to each office indicated, together with the street address of said candidate. The party endorsed candidates, if any, are indicated by an asterisk. Additionally, the following are the names of all other candidates who have filed their certificates of eligibility and consent to primary or have satisfied the primary petitioning requirements in conformity with the General Statutes as candidates for nomination to each office indicated, together with the street addresses of said candidates.

Office	Party	Candidate	Address
United States Senator	Republican	*Linda E. McMahon Christopher Shays	14 Hurlingham Drive, Greenwich, CT 06831 350 Grovers Avenue Apt. 11-A, Bridgeport, CT 06605
Representative in Congress -2	Republican	* Paul M. Formica Daria Novak	20-A Bush Hill Drive, Niantic, CT 06357 51 Hammonasset Meadows Road, Madison, CT 06443

Dated at Hartford, Connecticut, this 22nd day of June, 2012.

DENISE MERRILL SECRETARY OF THE STATE

The foregoing is a copy of the notice which I have received from the Office of the Secretary of the State, in accordance with Section 9-433 of the General Statutes. As provided in said notice, a primary of the Republican Party for nomination to the state or district offices therein specified will be held on August 14, 2012. The hours of voting at said primary and the location of the polls will be as follows:

HOURS OF VOTING: 6:00 AM TO 8:00 PM

VOTING DISTRICT LOCATION OF POLLING PLACES

District 1 – Audrey P. Beck Building, 4 South Eagleville Road

District 2 – Mansfield Fire Department Station 107 @ Eagleville, 889 Stafford Road

District 3 – Buchanan Auditorium at the Buchanan Center, Mansfield Library, 54 Warrenville Road

District 4 – Annie Vinton School, Stafford Road.

Dated at Mansfield, Connecticut, this 25th day of June, 2012

Mary Stanton, Town Clerk
Town of Mansfield

Notice is hereby given that a Primary of the political party listed below will be held in your town on August 14, 2012 for nomination to each office indicated below.

Notice is also hereby given that the following are the names of the party-endorsed candidates, if any, for nomination to each office indicated, together with the street address of said candidate. The party endorsed candidates, if any, are indicated by an asterisk. Additionally, the following are the names of all other candidates who have filed their certificates of eligibility and consent to primary or have satisfied the primary petitioning requirements in conformity with the General Statutes as candidates for nomination to each office indicated, together with the street addresses of said candidates.

Office	Party	Candidate	Address
United States Senator	Democratic	*Christopher S. Murphy	145 Paulney Road, Cheshire, CT 06410
		Susan Bysiewicz	125 Clover Street, Middletown, CT 06457

Dated at Hartford, Connecticut, this 22nd day of June, 2012.

DENISE MERRILL SECRETARY OF THE STATE

The foregoing is a copy of the notice which I have received from the Office of the Secretary of the State, in accordance with Section 9-433 of the General Statutes. As provided in said notice, a primary of the Democratic Party for nomination to the state or district offices therein specified will be held on August 14, 2012. The hours of voting at said primary and the location of the polls will be as follows:

HOURS OF VOTING: 6:00 AM TO 8:00 PM

VOTING DISTRICT LOCATION OF POLLING PLACES

District 1 – Audrey P. Beck Building, 4 South Eagleville Road

District 2 – Mansfield Fire Department Station 107 @ Eagleville, 889 Stafford Road

District 3 – Buchanan Auditorium at the Buchanan Center, Mansfield Library, 54 Warrenville Road

District 4 – Annie Vinton School, Stafford Road.

Dated at Mansfield, Connecticut, this 25th day of June, 2012

Mary Stanton, Town Clerk
Town of Mansfield

Legal Notice:

On June 13, 2012, the Mansfield Zoning board of Appeals took the following action:

Approved the application of The Farmer's Cow, LLC for a variance of Art X, Sec C.5.a.2 to erect a 37.5 sq ft building identity sign where a maximum 25 sq ft is permitted at 82 Storrs Rd, as shown on submitted plan.

Additional information is available in the Town Clerk's Office.

Dated June 18, 2012

Sarah Accorsi
Chairman

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THE MANSFIELD MINUTE

Item #17

JULY 2012

- Senior Center closed for maintenance July 16-20.
- Join the Friends of Mansfield Parks.
- Rent a pavilion for your picnic at Parks & Rec.
- Donate pet food, etc., to the Animal Shelter.



TAXES ARE DUE AUGUST 1ST

Taxation is the price which civilized communities pay for the opportunity of remaining civilized.
Albert Bushnell Hart

NEW & IMPROVED! CHANGES AT THE TAX COLLECTOR'S OFFICE

We are working to make things easier for you.

New Revenue Collections System:

- Allows tax bills, refuse bills, sewer bills and other bills to be paid with one transaction.
- Payments no longer need to be separated.
- Motor Vehicle Tax bills will now include all cars on one bill.

Office Improvements:

- Lower counters for ease of check writing.
- Wheelchair accessible counter.
- Self service kiosk for inquiries and payment by E-check or credit card.

COMING SOON!

- NEW online inquiry and payment center.
- Paper-free option with email bills and reminders.

MANSFIELD WATER WORKSHOP

At 6 PM on July 12, the Town Council will host a workshop on water supply issues, to be held in the Council Chamber of the Audrey P. Beck Municipal Building. Topics include the regulation of public water supply, water quality, aquifer protection, and land use and governance.

There will be presentations on these topics, as well as a question and answer period.

Interested? Mark your calendar!

MANSFIELD DOWNTOWN PARTNERSHIP ANNUAL MEETING

The Mansfield Downtown Partnership held its annual meeting on Thursday, June 14. Over 80 members and friends attended. Three new directors were elected to the Board. Harry Birkenruth and Dennis Heffley were elected to their second terms, and George Jones was elected for the first time. All are Mansfield residents and have been involved in the Partnership for several years.

Partnership members received an update on Storrs Center from Howard Kaufman, Principal and Managing Partner of LeylandAlliance, and Tom Trubiana, Executive Vice President and Chief Investment Officer of EdR. Mr. Trubiana spoke about the **Oaks on the Square**, the first phase of which is completely leased and scheduled to open in August, while Mr. Kaufman addressed the commercial leasing of Phases 1A & 1B of Storrs Center along with future plans for the downtown. He acknowledged several Storrs Center businesses whose owners were in attendance, including Storrs Automotive, Husky Pizza, Skora's Barber Styling Shop, Froyoworld, the UConn Co-op, and Sweet Emotions. To see a full list of businesses, visit www.StorrsCenter.com.

We look forward to the opening of the Oaks in August and the opening of all of the businesses over the next few months!

POOL SAFETY...

Hot summer weather is here and you might be thinking about putting in a pool. ALL pools over 2 feet deep are regulated by the building code, even inflatable pools. You must install a safety barrier, which can cost more than the pool. Talk to the building inspector ahead of time and BE SAFE!



MANSFIELD HAPPENINGS



Summer 2012

Just a small sample of all the wonderful events taking place about town...

July 5 — 5:30PM **PICNIC DINNER & A MOVIE AT THE SENIOR CENTER**



Bring your own picnic and enjoy an evening watching **The Iron Lady**, a surprising and intimate portrait of Margaret Thatcher, the first and only female Prime Minister of The United Kingdom.

July 13—2 PM **HORIZON WINGS: THE SECRET LIFE OF OWLS AT THE LIBRARY**



This is your chance to be only a few feet away from two eastern screech owls, a barn owl, a barred owl, and a great-horned owl, and to discover the extraordinary characteristics of these fascinating birds. Free for families with children ages 5+.

July 19—6:30 PM **THE KERRY BOYS PERFORM AT THE COMMUNITY CENTER**



These dynamic and popular Irish balladeers dazzle fans of all ages! Their humorous, high-energy show will have you clapping and singing along in no time with their wide collection of traditional and original songs. A free, fun, family concert.

July 21— 10:30 AM **PUMPERNICKEL PUPPETS AT THE LIBRARY**



It's Sir George and the dragon! The whole family will be captivated by the colorful characters, live voices, audience participation and laugh-out-loud humor. Kids of all ages, and adults too, will be thoroughly entertained by this lively show. Free.

July 24— 7 PM **BUBBLEOLOGY: SECRET WORLD OF BUBBLES AT THE LIBRARY**



Bubbles are fun to look at, but how much do you really know about them? Keith Michael Johnson will create lots of amazing bubble sculptures, explain about science behind them. Free for families with children ages 4 and up.

July 26—6:30 PM **KIDSVILLE KUCKOO REVUE AT THE COMMUNITY CENTER**



An annual favorite among families. The Singasaurus and his crew will delight audiences with their sing-along favorites. These musicians are always lots of fun and love to engage the audience by playing all the kids favorites. Free.

Are you interested in criminal justice? On August 18, there will be an open house for teens interested in joining the Police Explorers, sponsored by the Mansfield Resident Troopers' office. More info in our next newsletter!



Town of Mansfield, Connecticut
Audrey P. Beck Municipal Building
4 South Eagleville Road, Mansfield, CT 06268
mansfieldct.gov 860.429.3336

Find us on
Facebook



July 2, 2012

Mr. Matthew Hart
Town of Mansfield
f/b/o Mansfield Senior Center
4 S. Eagleville Road
Mansfield, CT 06268

RE: Heinz Herrmann Trust

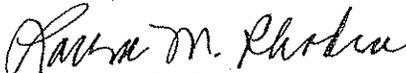
Dear Mr. Hart:

In connection with the Stipulation for Judgment regarding the mediation proceeding, enclosed please find a check made payable to the Town of Mansfield fbo Mansfield Senior Center in the amount of \$151.18, representing the final distribution in accordance with Part VII, Paragraph 6, to be used for the general purposes of the Mansfield Senior Center.

Also, enclosed is a reconciliation for the period April 12, 2012 (the date of the initial distribution), to the closing of the account.

If you have any questions, please call me at 860-450-7813.

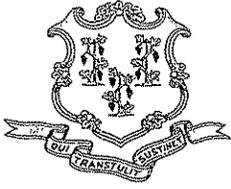
Sincerely,


Laura M. Rhoden
Asst. Vice President

Enclosure

cc: Kevin McCann, Esq.

PAGE
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STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE
OFFICE OF THE COMMISSIONER



Steven K. Reviczky
Commissioner

Tel: (860) 713-2500
Fax: (860) 713-2514

June 21, 2012

Item #19

Matthew W. Hart
Town Manager
Audrey P. Beck Building
Four South Eagleville Road
Mansfield, Connecticut 06268-2599

Dear Mr. Hart:

This letter is to notify you that we are in receipt of your "Statement of Dog License Survey". We have verified that you have conducted a survey and per Section 22-347 of the Connecticut General Statutes you are entitled to keep 60% of your dog license fees and pay 40% to the State of Connecticut for fiscal year 2011 - 2012.

Sincerely,


Steven K. Reviczky
Commissioner

SKR:ecn
enclosure

Cc: Keri Rowley
Town Treasurer

Noranne Nielsen
Municipal Animal Control Officer

STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE
OFFICE OF THE COMMISSIONER

STATEMENT OF DOG LICENSE SURVEY



COPY

LETTER OF INTENT SENT TO COMMISSIONER ON 10/12/2011 ✓

TOWN SURVEYED Mansfield

DATE SURVEYED START 11/22/2011 END 5/16/2012

TOTAL NUMBER OF RESIDENCES IN TOWN 5,380 ✓ 5380

HOUSES 3466 APARTMENTS 877 CONDOMINIUMS 585 5380

mobile homes = 284 multiple units = 168 4,322

NUMBER OF RESIDENCES WITH LICENSED DOGS:
BEFORE SURVEY 1,058 AFTER SURVEY 1,213 177

NUMBER OF RESIDENCES ON DELINQUENT LIST BEFORE SURVEY 177 4,145

A door to door survey for unlicensed dogs has been conducted in accordance with the regulations governing such surveys, Section 22-349-1 through Section 22-349-5 pursuant to Public Act 85-289. x .20
829

SIGNATURE:
(all three required)
ANIMAL CONTROL OFFICER J. Nielsen
TOWN CLERK Mary Stanton
CHIEF EXECUTIVE OFFICER M. H. Bat

Subscribed and sworn to before me
this 7th day of June 2012

*Must be submitted no later than September 1st after the license year.

Sharon Tyler
NOTARY PUBLIC **SHARON TYLER**
NOTARY PUBLIC
MY COMMISSION EXPIRES JAN. 31, 2013

for state use only:
VERIFIED BY William C. Narcum DATE 6/21/12
Record of Survey attached #Needed 829 #Contacted 829
Approved Denied



STATE OF CONNECTICUT

CONNECTICUT STATE LIBRARY

231 Capitol Avenue • Hartford, Connecticut 06106-1537



June 25, 2012

Item #20

Town Clerk Mary Stanton
Town of Mansfield
4 South Eagleville Rd.
Mansfield, CT 06268

RE: Historic Documents Preservation Grant # 078-PC-13, Cycle 1, FY 2013

Dear Town Clerk:

The State Library is pleased to inform you that the Historic Documents Preservation Grant application for the **Town of Mansfield** in the amount of \$ **6,500.00** has been approved.

To receive the grant award, the municipality must now enter into a contract with the State Library. Please find the following documents enclosed:

1. Targeted Grant Contract
2. Certified Resolution Form
3. Instructions for Completing the Grant Contract Materials

Following the enclosed instructions, please promptly return the Targeted Grant Contract and Certified Resolution Form. Once returned, the Targeted Grant Contract will be signed by the State Librarian. We will then mail a copy of the fully executed contract to the MCEO and notify you by email.

Grant work and expenditures can begin only after the municipality has received its copy of the fully executed contract. Grant award payments will be processed within 30 days after the contract is fully executed. Grant work and expenditures must be completed by June 30, 2013. The final report must be submitted by September 1, 2013. For grant administration requirements, see the FY 2013 targeted grant guidelines booklet (www.cslib.org/publicrecords/histdoc/targ13guide.pdf).

Please return these two documents within 30 days. If you anticipate a longer delay in returning these materials, or if you have questions or need assistance, please contact Kathy Makover at kathy.makover@ct.gov or (860) 566-1100 ext. 303.

Sincerely,

LeAnn R. Power, CRM
Public Records Administrator

Enclosures (3)

cc: Town Manager Matthew W. Hart

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TC

New England Water Utility Services, Inc.
93 West Main Street
Clinton, CT 06413-1600

Office: 860.669.8636
Fax: 860.669.9326



June 27, 2012

Item #21

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

Re: University of Connecticut Water System
2011 Consumer Confidence Report

Dear Mr. Hart:

Each year Community Water Systems prepare a Consumer Confidence Report that contains water quality data from water samples collected during the report year, descriptions of drinking water sources, information on source water assessments, and water system contact information, along with other information that might be of interest to consumers. We have included a copy of the 2011 Consumer Confidence Report for your use.

Please feel free to contact me at 860-486-1081 if you have any questions.

Sincerely,

Paul J. Radicchi
Project Manager for the
University of Connecticut Water System

cc: Peter Pezanko, Superintendent, Connecticut Water Company
enc.



The University is pleased to provide you with the 2011 Water Quality Report of the Main Campus Water System in Storrs and the Depot Campus Water System in Mansfield. This report includes a brief overview of your drinking water supply and the results of water quality tests conducted from January through December of 2011. This "Consumer Confidence Report" is an annual requirement of the Federal Safe Drinking Water Act to provide consumers with water quality information. We hope this report gives you a better understanding of your water supply.

The Main Campus and Depot Campus systems experienced no water quality or monitoring/reporting violations in 2011. Further, there were no interruptions to water service as a result of the local power outages experienced during Tropical Storm Irene and Storm Fred.

New England Water Utility Services, Inc. (NEWUS) continued to provide the University water systems with professional management as well as daily and after-hours emergency operation and maintenance throughout 2011. Under their contract with the University, NEWUS provides a team of certified operations and management staff for day to day operations of the water systems; meter reading, billing and response to customer inquiries; advising on current and proposed regulatory requirements; and overseeing major maintenance and capital improvements.

In addition to providing water quality results for 2011, this report also describes many of the ongoing improvements we are making to our water systems, including:

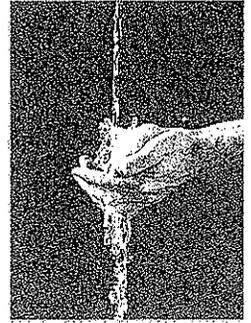
- Completion of a new emergency power supply at the Willimantic Wellfield.
- Continued work on the new chemical treatment building.
- The start of construction of the Reclaimed Water Facility.

In 2011, the University also completed the latest update to its Water Supply Plan. The Plan incorporates the wellfield management strategies recommended in the 2005 Fenton River Study and the conservation strategies from the 2010 Willimantic River Study. The latest Water Supply Plan also identifies several possible new sources of water that would ensure an adequate water supply now and for the foreseeable future. Those possible sources are being analyzed in an ongoing Environmental Impact Evaluation kicked off in June 2011.

For more information concerning drinking water quality in the University systems, call week days between 8 a.m. and 5 p.m. to the University's Department of Environmental Health and Safety at 860-486-3613, or New England Water Utility Services, Inc.'s project manager at 860-486-1081, or visit our Web site at www.facilities.uconn.edu.

Source Protection

The University is committed to protecting its wells and wellfields, and the Fenton and Willimantic Rivers, which are invaluable water resources. Pursuant to the Connecticut Environmental Policy Act (CEPA), the University completes detailed Environmental Impact Evaluations for projects based on their size, location, cost or other factors consistent with the Generic Environmental Classification Document for State Agencies. This process, administered through the State Office of Policy and Management (OPM), provides numerous state agencies, the town of Mansfield, environmental organizations, and interested citizens with an opportunity to review and comment on a project regarding its potential environmental impact. The University also cooperates with Windham Water Works regarding watershed inspections on the Main Campus. This interaction is designed to protect the Fenton River wellfield and the Fenton River, as well as the downstream reservoirs that serve the Windham Water system.



The University utilizes its aquifer mapping information to better understand the areas of groundwater recharge. This hydraulic evaluation, required by the Department of Energy and Environmental Protection (DEEP), shows the critical areas of direct recharge that must be protected. The State of Connecticut Department of Public Health (DPH), in conjunction with the DEEP, has on record the Source Water Assessment Program (SWAP) report on the Fenton River and Willimantic River wells. This report evaluates potential sources of contamination near our wells. The University's wellfields have an Overall Susceptibility Rating of "LOW," the best possible rating. To ensure continued source protection however, the University will remain vigilant in protecting all of its water supply sources in the years to come. For more information regarding the SWAP report, visit the DPH's Web site at www.ct.gov/dph.

Regulatory Oversight

To ensure that tap water is safe to drink, the Federal Environmental Protection Agency (EPA) and the DPH established regulations that limit the amount of certain contaminants in the water provided by public water systems. Water quality testing is an ongoing process, and the frequency of testing for each parameter varies as prescribed by these drinking water regulations. Due to testing schedules, not all of these tests were required during 2011, but the most recent test data are shown in the table located on page three. Samples from the University's water systems are tested regularly at state-certified laboratories to ensure compliance with state and federal water quality standards. Water samples are collected for water quality analyses from our wells, from entry points into our systems, and from sample locations within our distribution system.

System Description

The University owns and operates the Main Campus Water System at Storrs and the Depot Campus Water System in Mansfield. Although the Main and Depot systems are interconnected, the source of water within each system can vary. The Main Campus receives water from gravel-packed wells located in the Fenton River and Willimantic River wellfields. The Depot Campus receives water only from the Willimantic River wellfield. Our wells do not pump directly from the Fenton and Willimantic Rivers; rather, the wells are located near the rivers and pump groundwater from underground aquifers. As groundwater moves very slowly through the fine sands that make up these aquifers, the water is naturally filtered. The result is water of excellent chemical, physical, and bacteriological quality pumped from each wellfield. The only water treatment added is sodium hydroxide for pH adjustment and corrosion control, and chlorine for disinfection. The University continues to have an ample supply of high quality drinking water to meet the needs of its on-campus and off-campus users. In addition, it has over 7.6 million gallons of water storage capacity to meet all domestic, process, and fire protection needs. Large booster pumps help maintain adequate system pressures, and emergency generator power ensures continued operation during electric power outages.

Water Quality

As water travels over the land surface and/or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or human activity, including:

- viruses and bacteria, which may come from septic systems, livestock and wildlife;
- salts and metals, which can be natural or may result from storm water runoff and farming;
- pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff or lawn care;
- organic chemicals, which originate from industrial processes, gas stations, storm water runoff and septic systems; and
- radioactive substances that can be naturally occurring.

To ensure safe tap water, EPA prescribes limits on these substances in water provided by public water systems. The presence of these contaminants does not mean that there is a health risk. The University complies with EPA and DPH water quality requirements to ensure the quality of the water delivered to consumers. There were no water quality violations in the University's systems in 2011.

Stage 2 Disinfectants and Disinfectants By-products Rule (DBPR)

The Environmental Protection Agency's Stage 2 Disinfectants and Disinfectants By-products Rule (DBPR) requires all water systems to evaluate the potential for producing elevated levels of certain "disinfectant by-products" that have potential adverse health effects. These chemical compounds can be produced by the reaction of disinfecting chemicals with naturally occurring chemical compounds found in the water. Water quality test results over eight consecutive quarterly sampling periods showed that none of the samples contained levels of disinfection by-products in excess of allowable levels. Because of these favorable sample results, both the Depot and Main Campus water systems have been designated as in compliance with the DBPR.

Health Information

Consumer Confidence Reports are required to contain public health information for certain contaminants and compounds, even if the levels detected in the system were less than the Maximum Contaminant Levels (MCL) established for those parameters. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk for infections. These people should seek advice about drinking water from their health care providers. EPA and the Federal Center for Disease Control guidelines on reducing the risk of infection by Cryptosporidium and other microbial contaminants are available from EPA's Safe Drinking Water Hotline (800-426-4791).

CRYPTOSPORIDIUM. Cryptosporidium is a microbial parasite found in surface waters throughout the U.S. Since the University uses groundwater (wells) rather than surface water (reservoirs), the University is not required to test for Cryptosporidium.

COPPER & LEAD. The University currently meets regulatory requirements for both lead and copper. Lead and copper were tested in 2010 (Depot Campus) and 2011 (Main Campus), and will be tested again in 2013 (Depot Campus) and 2014 (Main Campus). None of the samples collected exceeded the Action Levels for lead or copper. Nonetheless, the University believes it is important to provide its customers with the following information regarding lead and copper.

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The University's Main Campus and Depot Campus water systems provide high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap water for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water is available from the Safe Drinking Water Hotline or at www.epa.gov/safewater/lead.

Similarly, elevated copper levels can also have health impacts. Copper is an essential nutrient, but like lead, its levels can vary from location to location. Some people who drink water containing copper in excess of the Action Level over a relatively short period of time could experience gastrointestinal distress and may also suffer liver or kidney damage. People with Wilson's disease should consult their personal physician. If you are concerned about elevated copper levels, you may wish to have your water tested. Running your tap for 30 seconds to 2 minutes before using for drinking or cooking will significantly reduce copper levels in the water.



Water Quality Testing

The table below lists the results of water quality monitoring conducted in 2011. Most of the data below is from testing done in 2011. However, the tests for some substances are required only once every two or three years because the concentrations are expected to be relatively constant. Because of this, some of the data, though representative of the water quality, may be more than one year old. If levels were tested prior to 2011, the year is identified in parentheses. Any contaminant/compound detected in the latest round of testing is included in the table. As required by the EPA and the DPH, the University also periodically tests for "unregulated contaminants." Unregulated contaminants are those that do not yet have a drinking water standard set by EPA. The purpose of monitoring for these contaminants is to help EPA decide whether the contaminants should have a standard. The last required samples for those unregulated compounds were collected in July 2009 with all sample results below detection levels.

Water Quality Test	Main Campus					Depot Campus			Possible Contaminant Source
	MCL	MCLG	Highest Level Detected	Range of Detections	MCL Exceeded?	Highest Level Detected	Range of Detections	MCL Exceeded?	
Copper (ppm)	AL 1.3	AL 1.3	0.31	no sample above AL	No	0.12 (2010)	no sample above AL	No	Corrosion of household plumbing systems
Lead (ppb)	AL 15	AL 15	14	3 samples above AL	No	6 (2010)	no sample above AL	No	Corrosion of household plumbing systems
Barium (ppm)	2	2	0.015	0.015	No	0.015	0.015	No	Erosion of natural deposits
Chloride (ppm)	250	NA	26	26	No	26	26	No	Erosion of natural deposits
Fluoride (ppm)	4	4	ND	ND	No	ND	ND	No	Erosion of natural deposits
Nitrate (ppm)	10	10	0.65	0.1-0.65	No	0.65	0.65	No	Runoff from fertilizer use
Nitrite (ppm)	1	1	ND	ND	No	ND	ND	No	Runoff from fertilizer use
Sodium (ppm)	NL=28	NA	26.3	26.3	No	27.5	27.5	No	Erosion of natural deposits
Sulfate (ppm)	NA	250	13	13	No	13	13	No	Erosion of natural deposits
Turbidity (ntu)	TT (5 ntu)	NA	2.45	ND-2.45	No	4.9	<0.2-4.9	No	Soil runoff, pipe sediment, or precipitation of minerals or metals
Total Coliform Bacteria	presence in >5% of no. samples	0	0	ND	No	<1	Present in 5 samples for the year	No	Naturally present in the environment
Alpha Emitters (pCi/L)	15	0	ND (2010)	ND	No	ND (2010)	ND	No	Erosion of natural deposits
Combined Radium (pCi/L)	5	0	1.2 (2010)	ND-1.2	No	ND (2010)	ND	No	Erosion of natural deposits
Uranium pCi/L	30	0	ND (2010)	ND	No	ND (2010)	ND	No	Erosion of natural deposits
Chlorine (ppm)	MRDL 4	MRDLG 4	1.2	0.1-1.2	No	0.4	0.02-0.4	No	Water additive used to control microbes
HAA5 (ppb) [Haloacetic acids]	60	NA	4.2	ND-4.2	No	ND	ND	No	By-product of drinking water disinfection
THMs (ppb) [Total Trihalomethanes]	80	0	6.11	ND-6.11	No	6.4	ND-6.4	No	By-product of drinking water disinfection

Definitions and Key Terms

AL (Action Level): The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

MCL (Maximum Contaminant Level): The highest level of a contaminant allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology. Typically when MCLs are exceeded a violation occurs and public notification is required.

MCLG (Maximum Contaminant Level Goal): The level of a contaminant in drinking water below which there is no known or expected health risk. MCLGs allow for a margin of safety.

MRDL (Maximum Residual Disinfection Level): The highest level of a disinfectant allowed in drinking water.

MRDLG (Maximum Residual Disinfection Level Goal): The level of a drinking water disinfectant below which there is no known or expected risk to health.

Detected Contaminant: A detected contaminant is any contaminant measured at or above a **Method Detection Level**. Just because a contaminant is detected does not mean that its MCL is exceeded or that there is a violation.

N/A: Not applicable.

ND: Not detected.

NL: Notification level.

ppb (parts per billion): One part per billion = ug/L; the equivalent of 1 penny in \$10,000,000.

ppm (parts per million): One part per million = 1 mg/l; the equivalent of 1 penny in \$10,000.

PCi/L (picocuries per liter): A measure of radioactivity.

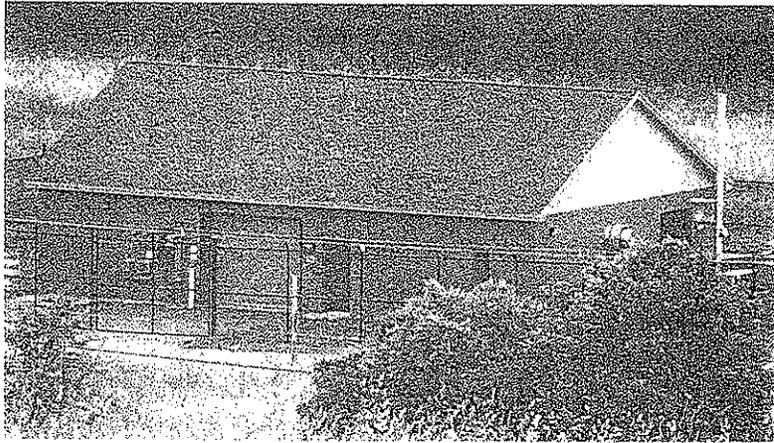
TT (Treatment technique): A required process intended to reduce the level of a contaminant in drinking water.

< : Less than.

2011 Water System Improvement Projects

A number of important improvements to the University of Connecticut water system were initiated, continued or completed in 2011, including:

- Standby power improvements at the Willimantic Wellfield have been completed. The new on-site generator can power all four Willimantic wells and replaces the generators that were capable of providing power to only two wells.
- Construction progressed on the Willimantic wellfield's new water treatment building. Once complete, this facility will provide centralized pH adjustment (helps prevent pipe corrosion) and disinfection, and allow two older treatment facilities to be retired.
- Construction of the new Reclaimed Water Facility broke ground in June 2011. Once complete, the facility will "polish" treated wastewater from the University's Water Pollution Control Facility for reuse at the University Central Utility Plant. Using recycled wastewater for non-potable heating and cooling purposes will conserve up to 400,000 gallons per day of treated drinking water supplies. In the future, we expect additional water will be conserved as reclaimed water is also used for irrigation.
- The University also commissioned the design of several projects to be completed in the years to come, for example, a replacement transmission pipe to the Willimantic wellfield, upgrades to the 1951 water tower, and improvements to the underground 5.4 million gallon "High Head" reservoir.



New Willimantic Wellfield water treatment facility

System Reliability

Tropical Storm Irene and Storm Alfred resulted in two of the largest power outages in Connecticut's history. Fortunately, the UConn water system was minimally disrupted by the storms and service continued uninterrupted throughout. Careful planning and coordinated responses by both the UConn Facilities Operations and NEWUS were pivotal in preventing an emergency condition. The generators at the wellfields and booster pumps worked as designed, kicking on when downed tree limbs interrupted normal electrical service. Water supply from the Willimantic wellfield was never affected, and when downed lines temporarily cut power from the Fenton wellfield generator to the wells, the UConn Electrical Shop quickly restored the emergency power connections, and the UConn Utilities Department and NEWUS managed the Willimantic wellfield supply to serve the system's demand for water.

Future Water Supply Planning

2011 also saw the submittal of the latest 5-year update of the University's Water Supply Plan to the DPH and the kick-off of a comprehensive evaluation of possible future sources of water.

The Water Supply Plan for the University's water system, the fourth such iteration, was prepared with the following principal goals of water system planning in mind: (1) to ensure an adequate quantity of pure drinking water, now and in the future; (2) to ensure orderly growth of the system; and (3) to make efficient use of available resources.

The University and its consultant made sure this Plan was a well informed document built off the extensive river studies and master planning efforts done since the last Plan was drafted. In addition, the University took the unique step of making the draft available for public review and comment before submitting to the DPH in May 2011.

A critical element of water supply planning is forecasting future demands and addressing how the system can meet those demands. Activation of the Reclaimed Water Facility and maximizing non-potable reclaimed water for use at the Central Utility Plant will allow the University to meet public health goals for the next several years. However, the Plan's forecasts indicate the University will need to add supply to its domestic water system in the next 20 and 50 year planning periods. The Plan identified several possibilities for this new supply, all of which are now being evaluated.

Having recently incorporated public comments into the Plan and then submitting it to the DPH for review, the time was right to thoroughly explore which of the possible new sources of water was the most feasible and prudent. The University, in collaboration with the Town of Mansfield, initiated an Environmental Impact Evaluation (EIE) of the various potable water supply alternatives for the region. These include interconnecting via a new pipeline to other existing water supply systems, as well as new wellfields within Mansfield either along the Willimantic River or around Mansfield Hollow.

The selected alternative will provide the University and the surrounding Town areas with at least 0.5 to 1 million gallons per day of additional water. This will enable growth of the University and surrounding area consistent with the University Water Supply Plan and University Master Plans – particularly for the proposed University Technology Park to be developed on the University's North Campus. This additional source of water supply will also enable economic development as delineated in the Town Plan of Conservation and Development, particularly as envisioned for the Mansfield Four Corners and Storrs Center and other areas in northern Mansfield. The proposed action will improve the University water supply's margin of safety and supplement available water during times in drier years when the existing supply is limited in response to aquatic and environmental concerns.

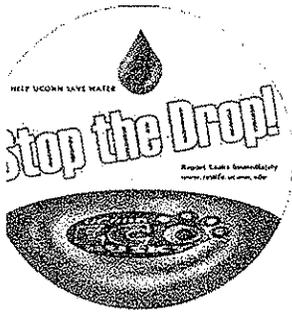
The EIE is being conducted pursuant to the Connecticut Environmental Policy Act (CEPA), which seeks to identify and evaluate the impacts of proposed state actions which may affect the environment. A public scoping meeting for the EIE was held on June 28, 2011, with a second public scoping meeting held January 24, 2012. Finalization of the EIE and identification of a preferred water supply alternative is expected by December 2012.

Water Usage

Water usage in 2011 was essentially the same as that of 2010 despite a slight increase in population, leading to a drop in the year-to-year per capita usage. The drop in per capita usage occurred during a wetter year when streamflows were sustained throughout and there were no direct requests for water conservation in response to environmental concerns. If conservation had been needed, a larger drop would have been expected.

The average daily demand for the water systems has decreased from 1.49 million gallons per day (mgd) in 2005 to 1.29 mgd in 2011. During those years student enrollment and faculty/staff increased by over 9 percent, yet the average daily water demand in our water system decreased by 13 percent.

These reductions in system demands did not happen by accident but were the result of deliberate actions taken by the University to conserve water. Over the years, the University has made water system operation changes to maximize water efficiencies, thereby reducing wasted water and has completed a comprehensive water conservation program in University buildings. The University regularly invests in leak detection and repair, the installation of water-saving devices and more efficient water chillers, the replacement of old water mains, as well as the retrofit or replacement of equipment with more efficient methods. Though the more significant savings from conservation efforts may have already been realized, it is important to continue to promote conservation and reinforce the need for the wise use of water.



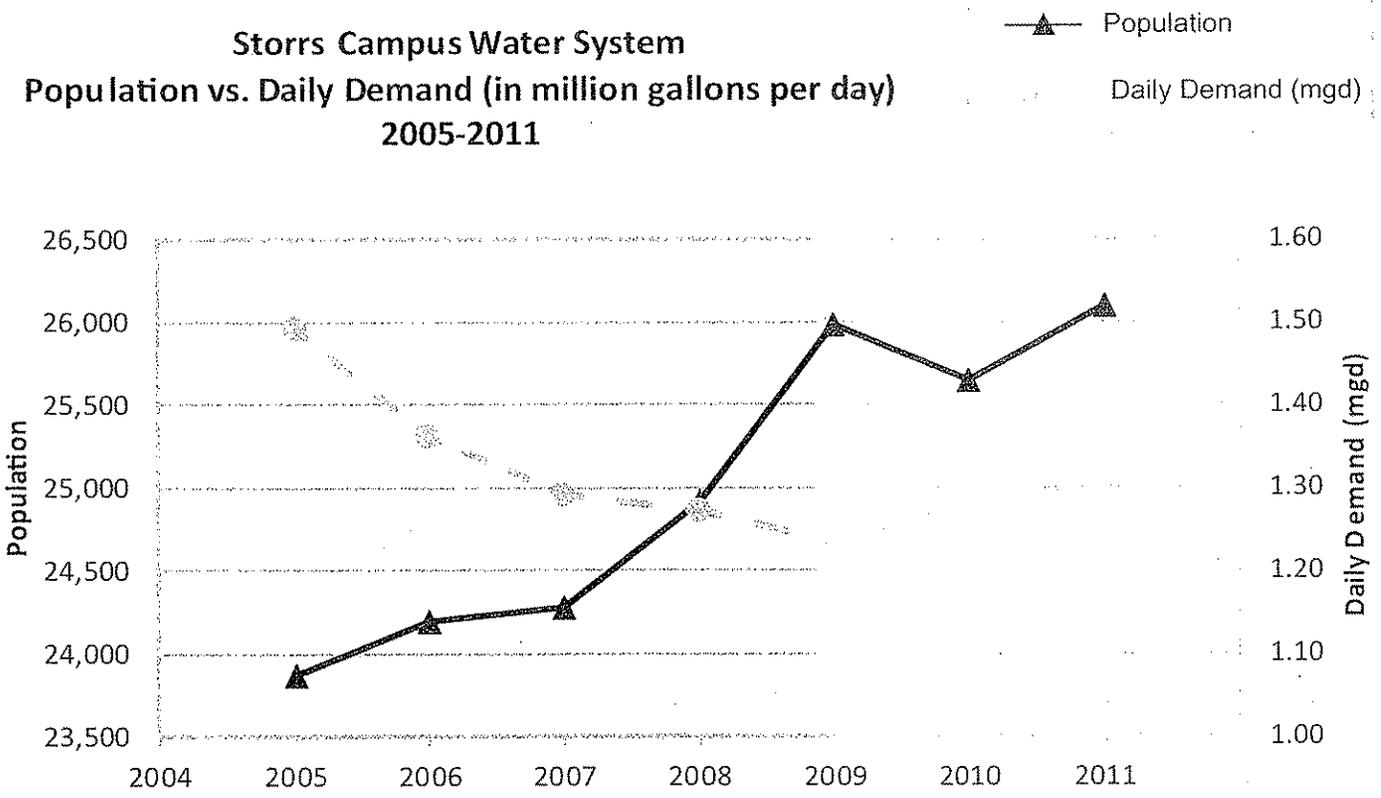
Water Conservation

Water conservation measures at the onset of low streamflows are now incorporated in the University's updated water supply plan and were put into practice during 2010 as dry weather conditions brought about streamflows undesirable for river habitat. Because of the wetter weather experienced in 2011, streamflows remained at or above target levels and water conservation measures were not placed into effect during the calendar year. However, the University and NEWUS encourage the wise and efficient use of water at all times by applying the following tips:

Conservation Tips

- Install water-efficient fixtures and equipment, such as water-saving shower heads and toilets.
- Take shorter showers.
- Turn off faucets and showers when not in use.
- Wash full loads in washing machines/dishwashers.
- Limit running water in food preparation.
- Limit outdoor watering to early mornings or evenings and do not water on windy days.
- Mulch around plants to reduce evaporation.
- Limit running water time when washing a car, or use a car wash.
- Repair leaks:
 - In UConn dorms, promptly report leaks to your Resident Advisor.
 - In other campus buildings, report leaks to Facilities Operations at 860-486-3113.

**Storrs Campus Water System
Population vs. Daily Demand (in million gallons per day)
2005-2011**



Important Information from CL&P About Work in Your Neighborhood

In our continuing efforts to improve the transmission system, Connecticut Light & Power (CL&P), through our subcontractors, will be performing engineering and environmental assessments of our rights-of-way in your area. This work is being done in support of the proposed Interstate Reliability Project, one of the New England East-West Solution (NEEWS) projects.

Over the coming months, you may see Project representatives in your area surveying and assessing the land, inspecting transmission lines and structures, and conducting aerial inspections. This work will be ongoing

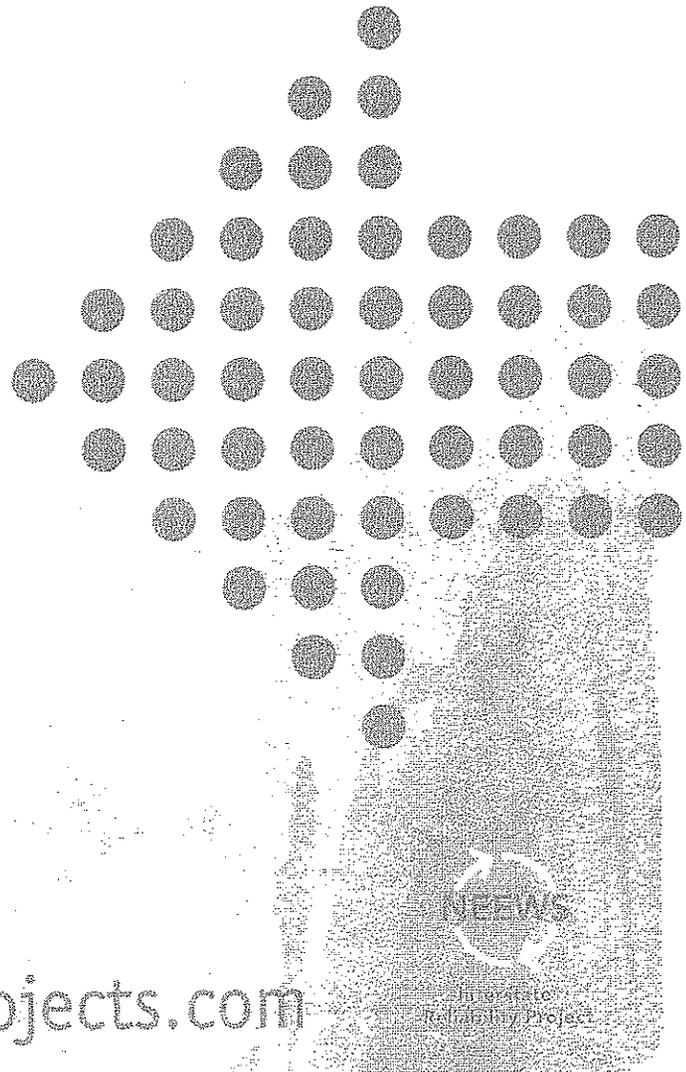
during the project development and siting process.

Town leaders and public safety officials have been notified of these activities.

Company representatives will have proper identification; however, if you have any concerns or questions, please call our Project hotline at 1-866-99-NEEWS (1-866-996-3397) or visit our website at www.NEEWSprojects.com.

Thank you in advance for your cooperation as we work to better serve you.

www.NEEWSprojects.com





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