

REGULAR MEETING – MANSFIELD TOWN COUNCIL
July 23, 2012

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 Ms. Keane seconded to approve the minutes of the July 9, 2012 meeting as presented. Motion passed with all in favor except Ms. Moran and Mr. Ryan who abstained. Mr. Paulhus moved and Mr. Shapiro seconded to approve the minutes of the July 12, 2012 Special meeting as presented. Motion passed with all in favor except Ms. Keane, Ms. Paterson and Mr. Schaefer who abstained.

III. PUBLIC HEARING

1. Right to Farm Ordinance and Municipal Tax Incentives for Farms
Parks Coordinator Jennifer Kaufman and Agriculture Committee Chair Al Cyr reviewed the proposed ordinances and thanked the Committee and the Ordinance Development and Review Committee for their work. (Committee statement attached)
Mayor Paterson summarized three communications which will become part of the record (Statements attached).

Julia Sherman, member of the Sustainability Committee, relayed the Committee's support of the ordinances noting farms produce jobs and food security and serve as productive open space.

Ric Hossack, Middle Turnpike, spoke in opposition to the proposal stating he is tired of paying taxes and having someone else benefit.

Miriam Kurland, a member of Mansfield Transition Quiet Corner, remarked about the services small farmers provide including their concern for the community and voiced her support for the proposed ordinances

Kevin Sullivan who is a farmer, Tolland County Farm Bureau President and involved with farming issues on the state level urged support for the ordinances and noted many are trying to figure out how to make agriculture grow as it is an investment in the future.

Bruce Hussey, Mansfield Ave, questioned why certain farms (livestock) are excluded from the property tax abatement ordinance. Ms. Keane noted state law identifies the types of farms which qualify for this abatement.

Nancy Bradley, Warrentville Road, supports the ordinances and urged the Council to include livestock farming when and if the state changes the law.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, objected to the passage of the Homeland Security Grant noting that he does not believe more money is needed for firefighter training.

Betty Wassmundt, Old Turnpike Road, objected to renaming the Wormwood Hill Green and asked the bittersweet be removed from the trees in front of the Senior Center (Statement attached).

V. REPORT OF THE TOWN MANAGER

No report

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Ms. Keane asked if staff would follow up on the Senior Center maintenance issues raised by Ms. Wassmundt. Assistant Town Manager Maria Capriola will do so.

VII. OLD BUSINESS

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2. Right to Farm Ordinance and Municipal Tax Incentives for Farms

Ms. Keane moved and Mr. Paulhus seconded to suspend the Town Council Rules of Procedures to allow the Council to vote on the Right to Farm Ordinance and Municipal Tax Incentives for Farms. The motion passed unanimously.

Mr. Schaefer moved, effective July 23, 2012, to accept the following proposed ordinances:

- An Ordinance Regarding the Right to Farm
 - An Ordinance Regarding Farm Tax Abatements
 - An Ordinance Providing an Additional Property Tax Exemption for Farm Machinery
 - An Ordinance Providing a Property Tax Exemption for Farm Buildings
- which ordinances shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Mr. Freudmann moved to divide the question. Seconded by Peter Kochenburger the motion failed with all opposed except Mr. Freudmann.

Members discussed the symbolic and practical benefits of the proposed ordinances and whether special tax breaks are bad governance.

Mr. Shapiro called the question. Seconded by Mr. Paulhus, the motion to call the question passed with all in favor except Ms. Keane.

The motion to approve the ordinances passed with all in favor except Mr. Freudmann who voted no.

3. Naming Wormwood Hill Green

Assistant Town Manager Maria Capriola recommended the Council table this item pending additional research on the ownership of the piece of property under consideration.

Mr. Paulhus moved and Ms. Keane seconded a motion to table the naming of Wormwood Hill Green until the August 27, 2012 meeting.

Motion passed unanimously

VIII. NEW BUSINESS

4. Amendment to Nuisance Ordinance

Town Attorney Dennis O'Brien reviewed the history of the ordinance, its effectiveness and the recent court ruling which ruled that a tenant may not be held responsible for failing to prevent others on the property from engaging in nuisance behavior even if the tenant is present.

Mr. Schaefer moved and Mr. Freudmann seconded, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on August 27, 2012, to solicit public comment regarding the proposed Amendment to the Definition of Nuisance in Section 135-4 of the Ordinance to Prevent Neighborhood Nuisances.

Members discussed if, and how best to change the wording of the ordinance to include a tenant who passively allows their premises to be used for nuisance behavior.

Ms. Moran called the question. Seconded by Mr. Shapiro the motion passed with all in favor except Mr. Freudmann, Ms. Keane and Mr. Kochenburger who voted no.

The motion to schedule a public hearing passed with all in favor except Mr. Freudmann and Ms. Keane.

Councilors will send suggested language to the Town Attorney prior to the next meeting.

5. Department of Homeland Security (DHS), Assistance to Firefighters Grant

Mr. Paulhus moved and Mr. Schaefer seconded, to authorize Town Manager Matthew Hart to execute the proposed Fiscal Year 2012 Assistance to Firefighters Grant

application which purpose is to support the provision of fire protection and emergency services within the Town of Mansfield.

The motion passed with all in favor except Mr. Freudmann.

6. U.S. Department of Homeland Security (DHS), Assistance to Firefighters Grant Program Fire Prevention and Safety (FP&) Grants

Mr. Ryan moved and Mr. Paulhus seconded to authorize Town Manager Matthew Hart to execute the proposed Fiscal Year 2011 Assistance to Firefighters Grant Program-Fire Prevention and Safety Grant application which purpose is to support the provision of fire protection and emergency services within the Town of Mansfield.

Mr. Freudmann moved to remove \$6353 from the Fire and Emergency Services' training budget to be returned to the general fund. The motion failed as there was no second offered.

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

7. Cancellation of the August 13, 2012 Regular Town Council Meeting

Ms. Moran moved and Mr. Paulhus seconded, to cancel the August 13, 2012 regular meeting of the Mansfield Town Council. Motion passed unanimously.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

No comments were offered

X. REPORTS OF COUNCIL COMMITTEES

Mr. Kochenburger, Chair of the Committee on Committees offered the following recommendations:

The appointment of Gregory Robert Samuels as an alternate on the Historic District Commission for a term ending January 1, 2014.

The reappointment of John DeWolf to the Board of Ethics for a term ending June 30, 2015.

The reappoint of Mayor Elizabeth Paterson to the Board of Directors for the Eastern Highlands Health District for a term ending June 5, 2015.

The motion to approve passed unanimously.

Mr. Ryan, Chair of the Finance Committee, reported the Committee has discussed the fund balance policy, an investment policy and reviewed the accounting for the Storrs Center tax abatement.

Ms. Moran, Chair of the Personnel Committee, outlined the changes to the Town Manager's evaluation which now includes input from the management team. Ms. Moran will review the input received from all sources and prepare a report. The Committee has also begun a review of retirement benefits.

XI. PETITIONS, REQUESTS AND COMMUNICATONS

8. C. Anderson re: Town Noise and Nuisance Ordinance

9. E. Paterson re: Review of Proposed School Building Project

10.M. Hart re: Mansfield Senior Center Sign

11.M. Hart re: Naming the Green

12.M. Hart re: Town of Mansfield STEAP Application for Storrs Center Streetscape Improvements

13.Press Release – Temporary Closure of Dog Lane Between Storrs Road & Bundy Lane

14.Connecticut Water Company 2011 Water Quality Report

Ms. Keane moved to add the letter concerning feral cats submitted by Anthony Mingrone to the agenda. Seconded by Mr. Paulhus the motion passed unanimously.

Councilors requested the Animal Control Officer work with the resident to find a reasonable solution and questioned whether the ordinance addresses what happens when a person who has assumed responsibility by caring for feral cats moves.

It was also noted the Town received two member equity distribution checks from CIRMA, totaling approximately \$20,000 because of the Town's good claims record.

XII. FUTURE AGENDA

Mr. Ryan requested adding a discussion of the forming of a Charter Review Commission to the September agenda.

XIII. ADJOURNMENT

Mr. Paulhus moved and Mr. Shapiro seconded a motion to adjourn at 9:32 p.m.

Elizabeth A. Paterson, Mayor

Mary Stanton, Town Clerk

July 23, 2012