TOWN OF MANSFIELD
TOWN COUNCIL MEETING
Monday, January 28, 2013
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.

AGENDA

CALL TO ORDER — Page

ROLL CALL

APPROVAL OF MINUTES 1

OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

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REPORTS AND COMMENTS OF COUNCIL MEMBERS

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EXECUTIVE SESSION

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

ADJOURNMENT

REGULAR MEETING – MANSFIELD TOWN COUNCIL
January 14, 2013
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, Shapiro
Excused: Schaefer

Mayor Paterson asked for a moment of silence to reflect on the tragedy in Newtown which occurred one month ago.

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Ryan seconded to approve the minutes of the December 10, 2012 meeting as presented. The motion passed unanimously. Mr. Paulhus moved and Mr. Shapiro seconded to approve the minutes of the special meeting on December 17, 2012 as presented. The motion passed unanimously. Mr. Paulhus moved and Ms. Moran seconded to approve the minutes of the special meeting on January 7, 2013 as presented. The motion passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Betty Wassmundt, Old Turnpike Road, discussed the proposed hydroelectric project at the Kirby Mill. (Statement attached).

Charles R. Vermilyea, Jr., Middle Turnpike, requested answers to the questions he posed at the last meeting on the school building project regarding the need to do anything given the expected decline in the school population. Mayor Paterson explained that no decisions have been made.

Councilor Shapiro raised a point of order noting this is not the time for a colloquy between the Council and the public, but a time for the public to speak.
Mayor Paterson ruled in favor of Mr. Shapiro's point of order.

Ric Hossack, Middle Turnpike, commented on recent accidents concerning the Fire Department and stated it speaks to a larger problem within the organization. He also questioned whether the firefighters should use Town equipment to get dinner.

Mike Sikoski, Windham, reiterated what Mr. Hossack said and stated his objection to seeing fire trucks all over Mansfield.

Martha Kelly, Bundy Lane, is a member of the Board of Education but spoke as a private citizen asking the Council to consider retaining the fifth-grade students in the preK-fourth grade buildings. (Statement attached)

IV. REPORT OF THE TOWN MANAGER

Town Manager Matt Hart addressed a number of issues raised during public comments:

- The Town is still working on a possible purchase power agreement with the Mansfield Hollow hydroelectric project. There is no current proposal from the Shifrins. Consultants for this endeavor have been used judiciously.
- The recent accidents involving public safety vehicles are being investigated and insurance claims have been filed. When firefighters are on duty it is important they remain close to their vehicles.
- The Council agreed to hold the next school building project meeting on January 22, 2013 at 7:30 p.m.

The Town Manager reviewed the action steps he is proposing following the Newtown tragedy, as outlined in his report. The proposed action steps will be an item on the next agenda. Council members suggested both the Board of Education and Human Services should be involved. Thank you notes will also be sent to the Fire Department and the Mansfield Middle School Chorus.
In response to a question, Mr. Hart reported the conversation with the State Comptroller regarding CCM's proposal concerning the contributions made to MERS centered on their proposal to increase employee contributions.
A discussion regarding the UConn Tech Park and legislative action will be put on the next agenda.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mr. Shapiro asked for an update on the Senior Services recruitment of a Social Worker. The Town Manager reported the Personnel Committee will be reviewing the issue at their next meeting and in the meantime these services are being provided via a contractual agreement with a LCSW.

Mayor Paterson referred to comments in the packet from the Recording Secretary for the Mansfield Advisory Committee on the Needs of Persons with Disabilities. Mayor Paterson reminded Council members to be cautious when talking about individuals, including those serving on Town committees, in public forums when they are not present to explain the situation. Ms. Paterson asked Council members to bring their concerns to the staff or Town Manager and then, if not adequately addressed, to the Council.
Mr. Freudmann stated he raised an issue about this particular Committee, questioning whether something was on the agenda and whether the vote taken was proper, not regarding any individual but the process. Mr. Freudmann believes the agenda item, "Accessibility Issues" is too broad; the letter in the packet does not accurately reflect discussions of the issue by the Town Council; and urged the Committee to work with the Transportation Advisory Committee to prioritize sidewalk projects in Town.

VI. OLD BUSINESS

1. Storrs Center Update

Mr. Hart noted three additional Storrs Center businesses opened in December and suggested an update on current and future phases be added to a future agenda.

2. Community Water/Wastewater Issues

UConn has extended the comment period for the EIE and have scheduled an additional public hearing on January 27, 2013 at the UConn Health Center.

3. Proposed Agricultural Land Usage Agreement Policy and Model Agricultural Lease

Town Attorney Dennis O'Brien and Natural Resource and Sustainability Coordinator Jennifer Kaufman reviewed some minor cosmetic changes included in the January 2013 updated draft which was distributed at the meeting.

Mr. Shapiro moved and Ms. Moran seconded, effective January 14, 2013, to:
• Approve the proposed Agricultural Land Usage Agreement Policy and model Agricultural Lease
• Authorize staff, in conjunction with the Agriculture Committee, to solicit proposals in February 2013 from all interested farmers with review and notification by May 2013, for leases for the 2014 growing season. These new leases would begin on January 1, 2014 and end on December 31, 2018, with the option to renew for five years until December 31, 2023, at which time lease requirements and the leasing process would be reviewed and RFP's would again be distributed to all interested farmers. Contracts with terms longer than ten years would also be reviewed after five and ten years.
• Approve the extension of the current leases to December 31, 2013.

Mr. Freudmann moved to divide the question and vote separately on the second bullet point. The motion was seconded by Ms. Keane. Mr. Freudmann voted in favor of dividing the question, all others voted against the motion. The motion failed.

The original motion passed unanimously.

4. S. Eagleville Walkway Project
As a member of the Finance Committee and as a member of the Transportation Advisory Committee to whom this issue was referred, Mr. Ryan spoke in support of the Transportation Advisory Committee's recommendation to delay any decision until the Mansfield Tomorrow planning effort has been completed.
By consensus the Council agreed to wait.

5. Connecticut Light and Power Interstate Reliability Project
Director of Planning and Development Linda Painter reviewed the Connecticut Siting Council's approval of the proposed transmission line project and how each of the mitigation measures requested by the Town was addressed.

By consensus the Council agreed to support the use of Design Option 2 for Mansfield Hollow (No Right-of-Way Expansion) as this alternative would require less clearing of vegetation.

VII. NEW BUSINESS

6. Mansfield Tomorrow Initiative
Project Director Linda Painter and Project Manager Jennifer Kaufman described the products to be realized at the end of this initiative, the timeline for the project, the project team and upcoming events. They outlined the community engagement process which includes meetings, workshops, and a wide variety of additional outreach strategies. Mayor Paterson will represent the Council and attend the first two scheduled events. All Councilors are invited. The Town Manager will include the Mansfield Tomorrow initiative as a regular component of his Manager's report.

7. Comprehensive Annual Financial Report
Chair of the Finance Committee Mr. Ryan moved, effective January 14, 2013, to accept the Comprehensive Annual Financial Report and State and Federal Single Audit Reports for the year ended June 30, 2012, as endorsed by the Finance Committee.

Mr. Ryan reported the audit went very well, the auditors offering only a couple of suggestions.
Noting the praise offered by the auditors, Mayor Paterson thanked the Director of Finance and her department for their work.
The motion passed unanimously.

8. Dissolution of Committee on Community Quality of Life
Ms. Moran moved and Mr. Ryan seconded, to approve the following resolution:
Resolved, effective January 14, 2013, to dissolve the Committee on Community Quality of Life.
The motion passed unanimously.

9. Fiscal Year 2012/13 Wage Re-Opener for CSEA, Local 2001- Public Works
Mr. Shapiro moved and Ms. Moran seconded, effective January 14, 2013, to ratify the tentative agreement between the Town and CSEA, Local 2001, Public Works employees for a two-percent general wage increase to be implemented retroactive to July 1, 2012, and an additional one-time $250 clothing allowance to be administered as outlined in the Tentative Agreement.

The motion passed with all in favor except Freudmann, Keane and Paulhus who voted nay.

10. President's Day Ceremonial Presentation Planning Subcommittee
Mr. Kochenburger, Ms. Moran and Mr. Paulhus agreed to plan the ceremony. Mr. Kochenburger will chair.

VIII. DEPARTMENTAL AND COMMITTEE REPORTS
No comments offered.

IX. REPORTS OF COUNCIL COMMITTEES
Chairman Ryan reported that in addition to the audit report the Finance Committee also discussed the overall cost allocation of the Finance Department and the public works contract with Region 19. These discussions will continue.

Mr. Kochenburger, Chair of the Committee on Committees offered the recommendation to reappoint Will Bigl to the Housing Code Board of Appeals.
The motion passed unanimously.

X. PETITIONS, REQUESTS AND COMMUNICATONS
11. Advisory Committee on Needs of Persons with Disabilities re: 11/27/12 Meeting Minutes
12. Commission on Aging re: New social worker
13. J. Kaufmann re: Growing Farms in Mansfield workshop
14. H. Hand re: UConn Water and the Town of Mansfield
15. R. Mocanu re: Additional water sources sought by UConn and the Town of Mansfield
16. Legal Notice: Agreement between Regional School District #19 Board of Education and Regional School District #19 Administrators Association
17. Legal Notice: Comprehensive Annual Financial Report for the Town of Mansfield
18. Legal Notice: Mansfield Zoning Board of Appeals
19. L. Hultgren re: CPI Escalation for Multi-family Garbage/Recycling Collection Contract
20. M. Hart re: Appointment of Hearing Citation Officer
21. M. Hart re: Reappointment to Conservation Commission
22. M. Hart re: University of Connecticut Application to the Microgrid Grant and Loan Pilot Program
23. Thank you letters to Candlelight Vigil participants
24. Mansfield Community Playground, Take Note! Concert postcard
25. Mansfield Minute, January 2013
26. Reminder News, December 20, 2012, "Mansfield honors Sandy Hook victims"
27. Norwich Bulletin, December 25, 2012, "Bowles to push regionalization"

XI. FUTURE AGENDA
In addition to those items mentioned during the meeting the Council has some additional pending items including Charter Revision and the MDTP current charge which will be added to future agendas.
Mr. Freudmann requested a review of the Fire Department's budget, recent accidents, exploding costs, the use of fire apparatus on routine errands and how personnel is being used.
Other Council members felt the issues could be addressed during the budget process and disagreed with the characterization of rampant misuse of fire apparatus. The Town Manager expressed confidence in Chief Dagon and his officers. The accidents are being investigated and appropriate steps taken. The Town Manager will have a discussion with the Chief and report back to the Council on both the accidents and the vehicle use policy. Other issues will be discussed within the budget process.

The comments of Mr. Hossack, from the audience, were ruled out of order by the Mayor.

XII. ADJOURNMENT

Mr. Paulhus moved and Mr. Shapiro seconded to adjourn the meeting at 9:28 p.m.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

January 14, 2013

January 14, 2013

To: Town Council

From: Betty Wassmundt

I want to discuss the hydroelectric project at the Kirby Mill. Surely we all agree that this project will provide for a sustainable energy source and that is good for everyone.

As I recall, the owners came to Council to request that this Town consider purchasing the excess energy generated by the facility at the same rate that the town would normally pay for its energy. It was stated that this would assist the owners in getting a mortgage for the project.

In effect, Town of Mansfield taxpayers are being asked to subsidize the mortgage of a private individual.

Why so?

From my research, it seems that the owner would be reimbursed for excess energy by the power company at the current rate of about 3 cents per kilowatt. The cost to the town is substantially more than this; I think I'm paying about 8+ cents per kilowatt.

Also, this reimbursement is done just once a year in April. Likely the proposed contract with this town will provide for monthly payments - so as to pay a mortgage.

The Mansfield taxpayer is being asked to subsidize the mortgage of a private individual.

I request that Council discuss this proposed contract for what it is – a policy decision. It is a policy decision by this Council to, or not to, provide a subsidy to a private individual. If you do this, will you do the same for all people who have renewable energy sources in town. Several people have extensive solar systems; I'm planning one. I can provide lots of excess energy. Will you subsidize my project?

I request that Council seriously discuss this policy decision. I request that town management directly provide a copy of the contract, as it is prepared to date, along with the consultant's report to date. I request that town management provide all information about this project as directly as possible including the consultant's contract; financial expenditures to date and an estimate of town staff time spent on this project. By chance I saw a staff communication which indicated that staff was working on this project several months before it was brought to council.

Is it the policy of this Council to subsidize the project of a private individual?

January 14, 2013

Town Council
Town of Mansfield
Four South Eagleville Road
Storrs, CT 06268

Council Members:

Subject: School Building Issue

I would ask that in the midst of your re-thinking of the school building project, that you consider retaining the fifth-grade students at their respective preK-fourth grade buildings. (As of December 2012, 138 fifth-grade students are enrolled at our middle school.) This may (1) alleviate the student population deficit which is an impediment to the improvement plans for our three grammar schools and (2) decrease the scope of the building project recommended for our middle school.

To do this some curricular changes would occur; therefore, we might want to review programs offered at other districts that define middle school as grades six through eight.

Thank you.

Martha Kelly

29 Bundy Lane
Storrs, CT 06268

N.B.: I am a member of Mansfield's PreK through Eighth-grade Board of Education, but I do not represent the board; this letter is written by me as a private citizen. MK

SPECIAL MEETING – MANSFIELD TOWN COUNCIL
January 16, 2013

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 6:00 p.m. in the Council Chamber of the Audrey P. Beck Building

I. ROLL CALL
Present: Freudmann, Moran, Paterson, Paulhus, Ryan, Shapiro
Excused: Keane, Kochenburger, Schaefer
Staff: Director of Finance Cherie Trahan, Assistant Town Manager Maria Capriola, Director of Parks and Recreation Curt Vincente and Director of Facilities Bill Hammon.
Town Manager Matt Hart welcomed those present and reviewed the subjects to be discussed. Both he and Mayor Paterson reported that at recent meetings there have been comments which indicate that municipal aid may be affected in the upcoming state budget.

II. TOWN COUNCIL GOALS AND OBJECTIVES
The Town Manager reviewed each of the Town Council's stated goals and objectives and the progress the Town has made.
Flag – As requested, the Assistant Town Manager will make a few identified status changes.

III. CURRENT YEAR FY 2012/13 OPERATING BUDGET
The Director of Finance reviewed aspects of the current year's budget including revenue and expenditure highlights.
Flag – Ms. Trahan explained the impact of the Storrs Center assessments on this year's budget and the budgets of future years. The tax abatements will begin next fiscal year. Once all the information is available Ms. Trahan will provide figures showing what the Town would have realized minus the abatements and what the Town will realize with abatements. Ms. Trahan will put this in the form of an issue paper for the budget.

IV. FISCAL YEAR 2013/14 OPERATING BUDGET
Staff described the expected FY2013/14 revenue and expenditure highlights, noting 1 mill equals $970,000 in revenue. Ms. Trahan discussed trends in the Mansfield Board of Education proposed budget including the use of reserves and declining enrollments.
Flag – Ms. Capriola will provide the Collective Bargaining Agreement dates for all three entities, as well as wage and insurance tables.

V. CAPITAL IMPROVEMENT PLAN BUDGET
The projected revenue sources and projected capital needs were reviewed.
Mr. Vincente reviewed the need for playscape replacements. The cost for the recent improvements at Sunny Acres was between fifty and sixty thousand dollars. Mansfield Advocates for Children has been fundraising for the MCC playscape.
Mr. Hammon reviewed repair and maintenance issues. Some money has been budgeted for energy efficient projects.

VI. OTHER FUNDS UPDATE

VII. COUNCIL PRIORITIES AND POLICY RECOMMENDATIONS

Council members discussed the need for department heads to contemplate budget reduction scenarios. Ultimately, any service reductions would be a policy decision.

Flag – The Assessor will provide estimates for value that will be added by the additions of Michael's and Cumberland Farms.

VIII. BUDGET CALENDAR/NEXT STEPS

IX. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL

Pat Suprenant, Gurleyville Road, spoke to her concerns regarding using one time revenues and reserves and does not philosophically agree with a pay-as-you-go capital model. Ms. Suprenant noted the FICA payroll has increased 2% which impacts the income of residents. She asked the Council to try not to eliminate jobs.

Ed Glaser, Maple Road, stated tax increases affect small business owners and asked the Council to be mindful of that fact. Mr. Glaser asked the Council to push hard on changes to the minimum education funding requirements.

X. ADJOURNMENT

Mr. Shapiro moved and Mr. Ryan seconded to adjourn the meeting. Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

PAGE
BREAK

Town of Mansfield
Agenda Item Summary

To:	Town Council
From:	Matthew Hart, Town Manager MWH
CC:	Maria Capriola, Assistant Town Manager; Lon Hultgren, Director of Public Works; Linda Painter, Director of Planning and Development
Date:	January 28, 2013
Re:	Community Water/Wastewater Issues, Draft UConn Water Supply EIE

Subject Matter/Background

At Monday's meeting I will brief the Town Council regarding the status of the draft environmental impact evaluation (EIE), including the public hearing held at the UConn Health Center in Farmington on January 22, 2013. Attached please find the statement that I submitted at the public hearing to address a few key issues and concerns.

Attachments

1) M. Hart re: University of CT Water Supply EIE

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Matthew W. Hart, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

January 22, 2013

Mr. Jason Coite
University of Connecticut
Office of Environmental Policy
31 LeDoyt Road, U-3055
Storrs, Connecticut 06269

Re: University of Connecticut Water Supply Environmental Impact Evaluation (EIE)

Dear Mr. Coite:

Thank you for the opportunity to speak at tonight's public hearing. I have been following the commentary regarding the draft environmental impact evaluation (EIE), and there are a few key issues that I would like to address on behalf of the Town of Mansfield.

The first issue is Mansfield's involvement and interest in the EIE and the water supply project in general. For several years now, the Town has been working to bring water and sewer to serve our Four Corners commercial district in the vicinity of the intersection of Route 195 and Route 44 in Mansfield. During this timeframe, the Town has also identified a need for water to serve a planned independent/assisted living facility in Mansfield as well as future development in accordance with the Town's plan of conservation and development. When funding for the University's technology park was announced in 2011, we saw an opportunity to work collaboratively with UConn to identify additional water supply to serve both University and municipal uses. By working together, the Town and the University hope to identify a water supply option that meets the needs of both parties and allows us to maximize our collective resources.

The second point that I would like to address is the perception that the Town and the University have already selected the Metropolitan District Commission (MDC) as the "preferred" option or the "only" option. This is not accurate. From the Town's perspective, the EIE has identified three interconnection alternatives to consider – the Windham Water Works, the Connecticut Water Company and the MDC. The Windham and Connecticut Water options are viable alternatives, and, in fact, are favored by some of the Town's commissions and advisory committees. Similarly, I believe that my colleagues at the University of Connecticut remain committed to a thorough analysis of the three identified interconnection options.

The last point I wish to make is that the Town of Mansfield respects the importance and the value of the MDC and Shenipsit Lake Reservoirs, Naubesatuck Lake, the Farmington River and other potentially impacted water sources. Mansfield is proud of its commitment to sustainability and history of sound conservation principles and practices. Our objective is to continue to work collaboratively with UConn to identify a water supply option that is environmentally responsible, economically feasible and is otherwise acceptable to the Town, the University, the region and the state.

As a key partner in the EIE process, it is important for the Town of Mansfield to hear from interested parties and citizens. I appreciate the opportunity to address the issues noted above and thank you again for scheduling tonight's public hearing.

Sincerely,

Matthew W. Hart
Town Manager

CC: State Senator Donald Williams
State Representative Gregory Haddad
State Representative Linda Orange
Town Council
Planning and Zoning Commission
Conservation Commission
Four Corners Water and Wastewater Advisory Committee
Sustainability Advisory Committee
Thomas Callahan, University of Connecticut
Richard Miller, University of Connecticut

PAGE
BREAK

Town of Mansfield
Agenda Item Summary

To: Town Council
From: Matt Hart, Town Manager
CC: Maria Capriola, Assistant Town Manager; Cynthia van Zelm, Executive Director, Mansfield Downtown Partnership
Date: January 28, 2013
Re: Municipal Brownfield Grant, Letter of Intent between the CT DECD and the Town of Mansfield

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Subject Matter/Background

Under the Storrs Center development agreement, master developer Storrs Center Alliance (SCA) is responsible for environmental remediation costs associated with the development of the Storrs Center site, both for property under SCA's control as well as the property acquired by the Town. The assignment of this risk to the SCA is a key component of the development agreement.

Section 14.01(c) of the development agreement also requires the parties to work collaboratively in seeking federal or state funding to support the project.

On behalf of SCA, the Town submitted an application in February 2012 to the Connecticut Department of Economic and Community Development (DECD) seeking funding under the Municipal Brownfield Grant Program for environmental remediation costs related to the development of the Storrs Center site. (The Town Council received an update on this application at its meeting on February 27, 2012.) On March 23, 2012, the Town was awarded a grant of $450,000 under the Brownfields program.

As a next step in the grant funding process, the Town is required to execute a letter of intent with the DECD. The DECD has signed off on the attached letter of intent.

After the letter of intent is approved, the DECD will prepare an assistance agreement contract, and project financing plan and budget with the Town of Mansfield, for approval by the Town Council.

SCA intends to undertake any necessary remediation under the CT Department of Energy and Environment's Voluntary Remediation Program. Once the letter of

intent has been executed, the Town and Storrs Center Alliance would enter into a sub-recipient /pass-through agreement whereby the funds would be allocated to SCA. None of SCA or the Town's liabilities under the development agreement would change under a sub-recipient agreement; SCA would remain responsible for the remediation expenses. The Town Council would be asked to approve the sub-recipient agreement.

Financial Impact
This grant does not require a match or a financial contribution from the Town.

Legal Review
The Town Attorney has reviewed the Letter of Intent between the CT Department of Economic and Community Development and the Town of Mansfield, and approved the document as to form.

Recommendation
Staff recommends that the Council authorize the Town Manager to sign the letter of intent between DECD and the Town.

The following motion would be in order:

Move, to authorize Town Manager Matthew W. Hart to sign the letter of intent between the Connecticut Department of Economic and Community Development and the Town of Mansfield, for receipt of a $450,000 Municipal Brownfield Grant.

Attachments
1) DRAFT Letter of Intent between the CT Department of Economic and Community Development and the Town of Mansfield

Catherine H. Smith
Commissioner

DECD

State of Connecticut
Department of Economic and
Community Development

November 13, 2012

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

Re: Letter of Intent – Town of Mansfield
Municipal Brownfield Grant $450,000 ("the Project")
Pass through Grant to Storrs Center Alliance, LLC & Leyland Storrs LLC

Dear Mr. Hart:

The Connecticut Department of Economic and Community Development (DECD), Office of Brownfield Remediation and Development (OBRD), is pleased to provide this letter of intent in support of Mansfield's Municipal Brownfield Grant Project for the Storrs Center project.

A major state-wide priority of Governor Malloy's is the redevelopment and reuse of contaminated brownfield sites across Connecticut. These polluted remnants of Connecticut's manufacturing past are also its future. Redevelopment of contaminated properties will attract private investment and re-investment in Connecticut. Remediation and reuse of vacant, abandoned, or underused properties can stimulate job growth in our state. Consistent with Governor Malloy's commitment to support business and affordable housing, and in the spirit of job creation, we are pleased to have this opportunity to work to improve the lives of Mansfield's residents.

DECD Direct Assistance

DECD is prepared to offer The Town of Mansfield a Municipal Brownfield Grant in the amount of $450,000 for the Project. Grant funds will be provided pursuant to Public Act 07-7.

Use of DECD Funds

Funds may be used for environmental assessment and remediation at the property located at 1266 Storrs Road, 1228 Storrs Road, and 4 Dog Lane, Mansfield, CT. DECD financial assistance shall not exceed $450,000 as shall be set forth in the approved Project Financing Plan and Budget.

This letter of intent and conditions described in Attachment A are not an attempt to define all terms and conditions that may be included in the final agreement. Terms and conditions will be negotiated in further detail and will include:

- A requirement to provide collateral acceptable to the state, if appropriate
- Agreement to provide a pass through agreement with Storrs Center Alliance LLC & Leyland Storrs LLC
- Funding shall be disbursed to the applicant on a verified reimbursement basis. Grant funds can be utilized for eligible costs incurred after March 30, 2012.
- Compliance with State's non discrimination and other policies and procedures which give preference to minority firms in any construction project undertaken with State funds
- Agreement to abide by campaign contribution laws
- Agreement to provide the State notice of major capital events(e.g. sale of units, change of control)

- Agreement to retain adequate records and to provide access to those records by State auditors on a periodic basis
- An agreement to pay all legal fees associated with the closing

State financial assistance is subject to the due diligence of DECD and the Town's acceptance of all terms and conditions deemed necessary by DECD.

If this letter of intent is acceptable, please sign below and return this original letter within 30 days, to the attention of Lilia Kieltyka of the Office of Brownfield Development. If you have any questions, please call her at 860-270-8193. She can assist you with all facets of this remediation and redevelopment project and can act as your one point of contact to coordinate your town's interactions with state agencies and the municipality.

As this letter clearly indicates, Connecticut is committed to supporting this exciting project that will promote the Town of Mansfield's continued growth and success in our great state. We look forward to working with you.

Sincerely,

Catherine H. Smith
Commissioner

Attachments

Agreed and Accepted By:
Town of Mansfield

BY: _____ _____
Matthew W. Hart - Town Manager Date

ATTACHMENT A - CONDITIONS

Collateral

Negative Pledge

The Applicant agrees that it will execute a Negative Pledge and Agreement ("Negative Pledge") in a form acceptable to the Commissioner, which Negative Pledge shall provide that the Applicant shall not sell, transfer, assign, or in any way encumber or otherwise dispose of the Applicant's property located at 4 Dog Lane, Mansfield, CT, in whole or in part, after the date of this letter of intent, without first obtaining the written consent of the Commissioner. The Negative Pledge shall be recorded on the land records of the Town of Mansfield.

Environmental Compliance

Environmental Condition of the Real Property

As determined by DECD, the environmental site assessments, survey, reports and remedial action plans will be prepared for real property subject to project activities. A professional firm licensed to practice in the State of Connecticut shall prepare the reports. The scope of investigations and report shall conform to the applicable Department of Energy and Environmental Protection laws and regulations, and the applicable American Standards for Testing Materials document standards. Copies of all reports shall be made available to DECD. Demolition or major alteration of any facility (i.e., building or structure) or site listed or eligible to be listed on the National or State Registers of Historic Places as determined by the State Historic Preservation Office, is subject to the Connecticut Environmental Policy Act (CEPA).

Construction Compliance

The DECD requires submission of project design documents, specifications, construction bid documents and cost estimates and other documents outlined in Schedule A. All submissions are subject to review, comment, and/or approval by the DECD's Office of Brownfield Development and/or the DECD Commissioner. Unless notified by DECD, for projects with a total project cost of $250,000 or less, the grantee will be required to certify that the project is in compliance with DECD design, bidding, contracting and construction monitoring requirements. In these cases, it will be the responsibility of the grantee to certify and submit the appropriate documentation during the pre-bid phase, construction phase and close-out phase of the project.

The Applicant shall submit for review and comment the following construction-related documents which need to comply with DECD design, bidding, contracting and construction monitoring Requirements: a) bid package(s) including procedures for bidding; b) bid selection process and results; c) bonding and insurance requirements; d) copies of contracts; e) schedule of values; f) payment requisitions and change orders.

DECD requirements for approval of the release of funds for construction include review of construction documents, latest updated budget, submittal of bidding process, project schedule and cash flow updates, monthly reports, and any appropriate back up materials as may be needed for review such as application and certificate of payment (AIA Document G702) approved by the architect and/or engineer, appropriate invoices, etc.

Financial Reporting

The Applicant will also be required to provide unaudited Balance Sheet, a cumulative Statement of Program Cost, and a Detailed Schedule of Expenditures to the Commissioner in the approved DECD project statement format as outlined in the most current Accounting Manual located at www.ct.gov/ecd/cwp/view.asp?a=1096&q=249670 (see accounting manual financial statements). This information shall be due within 30 days after June 30th and December 31st until the Project Financing Plan and Budget expires.

Instances of Default

If funding for the project is approved, the Assistance Agreement between DECD and the Applicant may be subject, but not limited to the following default provisions: breach of agreement, misrepresentation, unpaid

judgments, receivership or bankruptcy, change in business structure, adverse change in the financial condition of the Applicant, condemnation or seizure, lack of adequate security, cancellation of insurance, failure to pay debts, violation of terms in other project documents. In addition to repayment in full of the funding, DECD's remedies may include, but not be limited to, the ability to collect an additional 5% in liquidated damages on the total amount of financial assistance, and to charge a 15% per annum rate of interest on financing provided.

Labor Compliance

Nondiscrimination

The Applicant will comply with Connecticut General Statutes section 4a-60, as may be amended, which prohibits the Applicant from discriminating or permitting discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, mental disability, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut.

The Applicant will comply with Connecticut General Statute section 4a-60a, as may be amended, which prohibits the Applicant from discriminating or permitting discrimination against any person or group of persons on the grounds of sexual orientation.

The Applicant will provide written representation or documentation that certifies the Applicant complies with the State's nondiscrimination agreements and warranties.

Affirmative Action

The Applicant will comply with Connecticut General Statutes Section 4a-60, which prohibits the Applicant from engaging in or permitting discrimination in the performance of the work involved as well as requires that the company take affirmative action to ensure that all job applicants with job related qualifications are employed and that employees are, when employed, treated in a nondiscriminatory manner.

Executive Order Number Three

The Applicant will comply with Executive Order Number Three, which gives the State Labor Commissioner continuing jurisdiction over Agreement performance in regard to nondiscrimination. It empowers the State Labor Commissioner to cancel, terminate or suspend the Assistance Agreement for violation of or noncompliance with the order or any state or federal law concerning nondiscrimination. http://www.cslib.org/exeorder3.htm

Executive Order Number Sixteen

The Applicant will comply with Executive Order Number Sixteen, of Governor John G. Rowland promulgated August 4, 1999, regarding Violence in the Workplace Prevention. The Assistance Agreement may be cancelled, terminated or suspended by the State for violation or noncompliance with said Executive Order No. Sixteen. http://www.ct.gov/governorrowland/cwp/view.asp?A=1328&Q=255942&pp=12&n=1

Executive Order Number Seventeen

The Applicant will comply with Executive Order Number Seventeen, which gives the State Labor Commissioner and DECD joint and several jurisdiction in respect to Agreement performance in regard to listing all employment openings with the Connecticut Employment Service. http://www.cslib.org/exeorder17.htm

Notwithstanding any other provisions of this proposal, the State, in its discretion, may elect to withdraw this proposal and withhold payment of funds if:

- The Applicant shall have made to the State any material misrepresentation in the project data supporting the funding request, in the application or any supplement thereto or amendment thereof, or thereafter in the agreement, or with respect to any document furnished in connection with the project; or

- The Applicant shall have abandoned or terminated the project, or made or sustained any material adverse change in its financial stability and structure, or shall have otherwise breached any condition or covenant, material or not, in this proposal and/or thereafter in the agreement.

The Applicant and its principals will comply with Section 9-612 of the Connecticut General Statutes, which requires that on and after December 31, 2006, no principal of a state contractor or prospective state contractor shall make a contribution to, or solicit contributions on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee. A violation of this statute could void any existing contracts with the State of Connecticut and could prevent any future contracts from being awarded for up to one year after the election for which such contribution is made or solicited.

The Applicant acknowledges that the obligation of DECD to provide the financial assistance set forth herein is subject to the normal State approval process, including but not limited to approval by the State Bond Commission, and may be subject to review and approval of any documentation by the Attorney General as to form and substance.

The State financial assistance will be subject to the standard terms and conditions established by DECD for financial assistance under the Municipal Brownfield Grant Program and funded by PA 07-7. The Applicant will enter into an Assistance Agreement with the State of Connecticut, acting through DECD, which will contain but not be limited to provisions of this proposal, and set forth the terms and conditions of the state financial assistance, and will execute and/or deliver such other documents, agreements and instruments as DECD may require in connection with the State financial assistance or any required security.

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SCHEDULE A

Schedule of Submissions and Approvals required for State Assistance

The DECD will require the Applicant to provide certain documents prior to the start of construction and through the completion of the project. In addition, DECD will require certain reviews and opportunities for comment during design and construction, through the completion of the project. The following outlines some of these documents and some of the anticipated DECD approvals:

Submissions to DECD – Start of Project to Construction Completion:

- Schematic Design Plans
- Consultant Contracts
- Consultant Engineering Reports (including civil/site, environmental, geotechnical, and structural).
- CGS 25-68(d) Floodplain Certification Submission (if applicable)
- Appraisal Reports
- Historic and Archeological Surveys, Reports, and Mitigation Deliverables (if applicable)
- Affirmative Action Compliance Reports
- Applicant Bylaws
- Applicant Conflict of Interest Policy
- Cumulative Statement of Program Cost and Project Balance Sheet
- Applicant Single Audit Act Reports
- Third Party Special Inspection Reports
- Monthly Progress Reports by Applicant (format to be approved by DECD)
- Meeting Minutes and Correspondence (between owner, architect, and/or contractor)

DECD Site Development Involvement: DECD requires on and off site project access on regular basis for review of design and construction developments.

Submissions to DECD Upon Completion of Construction:

- *Annual Audit & Management Reports*
- Cumulative Statement of Project Cost and Project Balance Sheet
- Certificate of Occupancy (where applicable).
- Record Documents (As Builts)
- Certificate of Substantial Completion (AIA form G704)
- Contractor's Affidavit of Payment of Debts and Claims (AIA form G706)
- Contractor's Affidavit of Release of Liens (AIA form G706A)
- Subcontractors and Suppliers Release or Waiver of Liens
- Consent of Surety Company to Final Payment (AIA G707)
- Consent of Surety to a Reduction in or Partial Release of Retainage at 50% project completion, if applicable: (AIA form G707A) Requires DECD concurrence.
- Final Application and Certificate for Payment (AIA form G702, and continuation sheet G703)

If the contractor has provided Contractor's Affidavit of Release of Liens (AIA form G706A) and lien waivers from major subcontractors and suppliers, a contractor may request the balance of retainage. If these documents are not provided, retainage cannot be paid until 91 days after the date on the Certificate of Substantial Completion.

Town of Mansfield
Agenda Item Summary

To: Town Council
From: Matt Hart, Town Manager MWH
CC: Maria Capriola, Assistant Town Manager
Date: January 28, 2013
Re: Mansfield Housing Authority Update

Subject Matter/Background

Ms. Rebecca Fields, Executive Director of the Mansfield Housing Authority, will attend Monday's meeting to update the Town Council on the activities of the Housing Authority.

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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; Lon Hultgren, Director of Public Works; Virginia Walton, Recycling Coordinator
Date:	January 28, 2013
Re:	MRRA, Trash and Recycling Rates for Eight Cubic Yard Dumpsters

Subject Matter/Background

The Oaks on the Square Apartments has three pairs of eight cubic yard dumpsters in three locations – one dumpster for trash and one for recycling – that are emptied multiple times per week. Although this is a multi-family residential account, the businesses in these buildings share the dumpster service. To account for future growth, the Town Council in its role as the Mansfield Resource Recovery Authority (MRRA) recently established rates for trash and recyclables collected up to four times per week. However, the owners have already exceeded the need for service four times per week. Consequently, we are requesting rates for trash and recycling collected in eight cubic yard dumpsters five and six times per week. Staff has developed proposed fees for these new services; the Solid Waste Advisory Committee endorsed the proposed fees at its January 10, 2013 meeting.

We are discussing with the trash contractor alternative methods of collection for this space-constrained location and may be returning to the MRRA in the near future if we need to establish rates for trash compactors.

Financial Impact

The proposed fees would not have a negative financial impact on the solid waste budget as they incorporate the hauler's cost and tipping fees. The proposed trash rates are based on the same cost differential that was used to create the twice per week collection fee for an eight cubic yard dumpster. The proposed recycling rates are based on the fees that we currently pay to the trash hauler. (The tipping fees are applicable only for trash.)

Legal Review

The Town Attorney has reviewed the proposed trash and recycling rates as to form and consistency with the current framework of the solid waste regulations.

Recommendation
Staff is recommending that the following new multi-family services be added to the Town's solid waste regulations:
1) Eight cubic yard **trash** dumpster collected five times per week
2) Eight cubic yard **trash** dumpster collected six times per week
3) Eight cubic yard **recycling** dumpster collected five times per week
4) Eight cubic yard **recycling** dumpster collected six times per week

Staff recommends that the Town Council in its role as the Mansfield Resource Recovery Authority (MRRA) approve the rates for these new services.

If the MRRA concurs with this recommendation, the following resolution is in order:

Resolved, effective January 28, 2013 to amend Section A196-12(G) of the Mansfield Solid Waste Regulations, to add the following fees for trash and recycling services:

Level of Service	Description	Monthly Fee
8-cubic-yard trash container (five times/week)	Providing and emptying an 8-cubic-yard covered refuse container five times per week.	$1,485.00
8-cubic-yard trash container (six times/week)	Providing and emptying an 8-cubic-yard covered refuse container six times per week.	$1,780.00
8-cubic-yard recycling container (five times per week)	Providing and emptying an 8-cubic-yard covered recycling container five times per week.	$460.00
8-cubic-yard recycling container (six times per week)	Providing and emptying an 8-cubic-yard covered recycling container six times per week.	$550.00

Attachments
1) Rates for 8 CY Dumpsters Collected 5 & 6 Times Per Week

Rates for 8 CY Dumpsters Collected 5 & 6 Times Per Week						
Proposed New Trash and Recycling Rates						
Service level	Collection cost per month	Tip Fee = 100 lbs/cy x 4.33 wks/2000 lbs x $72.42/ton	Payment to Hauler	Subtotal collection & tip fees (Column B+C)	Trash Dumpster Rates (new rates underlined)	Recycling Dumpster Rates (new rates underlined)
8 cy 5x/wk	456.79 {96.63 + (90.04 x 4)}	627.16	833.08 (456.79 + 376.29)*	1,083.95	1485.00	460
*Trash collected on M, W, Th, F & Sat. M & Th are part of the multi-family trash route. $376.29 is the estimated tipping fee for trash collected on the trash collector's commercial route W, F & Sat						
8 cy 6x/wk	546.83 {96.63 + (90.04 x 5)}	752.59	1,048.56 (546.83 + 501.73)**	1,299.42	1780.00	550
** Trash collected on M,T,W,Th, F & Sat. M & Th are part of the multi-family trash route. $501.73 is the estimated tipping fee for trash collected on the trash collector's commercial route T,W, F & Sat.						

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Town of Mansfield
Agenda Item Summary

To: Town Council
From: Matthew Hart, Town Manager MWH
CC: Maria Capriola, Assistant Town Manager; William Hammon, Director of Facilities Management; Dennis O'Brien, Town Attorney
Date: January 28, 2013
Re: Lease Agreement for Tredgold Hall

Subject Matter/Background

Since 1990, the Town has used Tredgold Hall located on the grounds of the Mansfield Training School located at 123 Walters Avenue in Mansfield for cold storage purposes. Storage contents consist of materials collected during evictions and old school property (desks, etc.).

The Town would like to extend its current lease for one year, commencing on March 1, 2013 and ending on February 28, 2014, at which point the lease may be renewed.

Financial Impact

The cost of the rent of the facility is minimal as the University of Connecticut leases this facility to the town for $1.00 per year. As enumerated under section 6 of the agreement, the Town is responsible for various expenses and services related to our use of the facility, including refuse removal and structural maintenance and repair.

Legal Review

The lease presented by the University of Connecticut has been reviewed and approved by the Town Attorney and is consistent with past lease agreements for this location.

Recommendation

The cold storage space is regularly used by the Town and is currently a necessary part of our facilities management operation. The lease of this facility and our arrangement with the University has functioned well for many years. Authorization to enter into the lease agreement with the University of Connecticut is respectfully recommended.

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

Move, effective January 28, 2013, to authorize the Town Manager, Matthew W. Hart, to execute a lease agreement with the University of Connecticut for the use of Tredgold Hall located on the grounds of the Mansfield Training School located at 123 Walters Avenue in Mansfield for cold storage, for a term of one year, commencing on March 1, 2013 and ending on February 28, 2014.

Attachments

1) Proposed lease between the University of Connecticut and the Town of Mansfield

LEASE

This Lease is made and entered into by and between the **UNIVERSITY OF CONNECTICUT** (hereinafter "UNIVERSITY"), acting herein by its Director of University Planning pursuant to the provisions of Conn. Gen. Stat. § 4b-38, as revised AND the TOWN OF MANSFIELD, (hereinafter "TOWN") having its principal address at 4 South Eagleville Road, Town of Mansfield, State of Connecticut, and acting herein by Matthew W. Hart, its Town Manager, duly authorized.

WITNESSETH:

The parties hereto for the consideration mentioned herein covenant and agree as follows:

1. **LEASE OF PREMISES**: The UNIVERSITY hereby leases unto the TOWN space comprising a total of approximately 14,170 square feet, the entire building known as 123 Walters Avenue, Mansfield CT (the building (hereinafter "PREMISES") and known as Tredgold Hall, located on the grounds of the University of Connecticut, Depot Campus, in Mansfield, Connecticut, together with the right of ingress into and egress out of the PREMISES.

2. **TERM OF LEASE**: The term of the Lease shall extend for one (1) year(s) commencing on March 1, 2013 and ending on February 28, 2014 (hereinafter "LEASE TERM").

3. **RENT**:

3.1 The TOWN shall pay the UNIVERSITY annual fixed rent of $1.00 for the period of March 1, 2013 to February 28, 2014, for a maximum total amount of $1.00 for the LEASE TERM.

Maximum Total Amount of Contract For LEASE TERM. $1.00

3.2 The TOWN shall pay rent in lawful money of the United States of America by non-refundable cashier's check or certified bank check, payable to the **University of Connecticut**, and mailed to:

University of Connecticut
Cash Operations
343 Mansfield Road, U-4231
Storrs, Connecticut 06269-4231

4. **USE OF PREMISES**: The PREMISES shall be used only for the purpose of cold storage for eviction property and old school property and related business activities of TOWN; and no other purpose. TOWN agrees that all activities conducted within the PREMISES shall be in full compliance with all federal and/or State rules and regulations, as well as any existing University of Connecticut written policies. Subsequent University policies (and amendments to existing policies) shall not be binding upon TOWN unless TOWN so agrees in writing.

5. **UNIVERSITY'S OBLIGATIONS**: UNIVERSITY will provide and pay for: snow and ice removal in the

parking and sidewalk areas, sanding, grounds-keeping and utilities to the building line, driveways, footways, sidewalks and the other facilities, if any, which are owned or controlled by the LESSOR and which are part of the demised premises for the purposes of loading and unloading merchandise.

6. **TOWN'S OBLIGATIONS**:

6.1 Except as otherwise provided for herein, TOWN shall be responsible for the following expenses, services and financial obligations related to use of the PREMISES:

a. a. refuse removal, repair and/or replacement for any damage caused to the property by the LESSEE or its invitees; structural maintenance and/or repairs; assessments, special assessments or special permits, or similar charges, if any, related to the Premises, of any nature whatsoever, utilities separately metered; leasehold improvements; renovations to the building which must comply with local fire, health, handicap and safety codes; plate glass replacement; signs, subject to reasonable consent of the LESSOR.

6.2 LESSEE agrees it will conform to all federal, State and University of Connecticut Environmental Health and Safety (EHS) requirements relating to hazardous waste removal, radiation safety and animal health and welfare. The LESSEE agrees for the University to provide monitoring and training in these areas. The LESSEE agrees to allow site inspections of the leased Premises at any time that may be determined necessary by EHS personnel.

6.3 LESSEE agrees to supply to the LESSOR, upon execution of this Lease or Lease Amendment, a copy of its incorporation papers including original, executed documents indicating current officer names and ownership.

6.4 LESSEE agrees to immediately notify LESSOR'S Department of Public Safety regarding any injuries or accidents occurring on the Premises.

6.5 LESSEE further agrees to promptly notify LESSOR of any new employees who will be working at the Premises to ensure that they receive timely orientation relative to applicable University policies.

7. **CONDITIONS OF PREMISES**: The PREMISES are leased to and taken by the TOWN "as is," and in its present condition; provided, however, that nothing contained herein shall modify UNIVERSITY'S obligations under Section 5 hereof, and this provision shall not apply to latent defects or conditions or to non-obvious structural matters. TOWN covenants that it will maintain the PREMISES in a clean, orderly and safe condition, ordinary wear and tear excepted, free from waste, and shall not permit any nuisance therein or the accumulation of trash or debris thereon or appurtenant thereto.

8. **ASSIGNMENT AND SUBLETTING**: TOWN shall not sublet the PREMISES, in whole or in part, or assign this Lease, or permit the PREMISES to be used or occupied, in whole or in part, by others without the prior written consent of the UNIVERSITY which shall not be unreasonably withheld, delayed or conditioned. In the event such consent is given, the TOWN shall not be relieved from any obligation under this Lease by reason of any such assignment or subletting.

9. **UNIVERSITY'S RIGHT OF ENTRY**: The TOWN agrees that the UNIVERSITY shall have the right to enter upon the PREMISES at any time or from time to time for whatever purpose the UNIVERSITY deems necessary to enforce its rights or perform its obligations under this Lease, provided that UNIVERSITY will use its best efforts to avoid interfering with TOWN'S business on the PREMISES.

10. **COMPLIANCE WITH LAW**: The TOWN agrees that it will use the PREMISES so as to conform with and not violate any laws, regulations and/or requirements of the United States and/or the State of Connecticut and/or any ordinance,

rule or regulation of the Town of Mansfield, now or hereafter made, relating to the use of the PREMISES to the extent applicable, and the TOWN shall indemnify and save the UNIVERSITY harmless from any fines, penalties or costs for violation of or noncompliance with the same, relating to the operation of TOWN'S business on the PREMISES.

11. **LIENS**: TOWN will not permit any lien for money claimed against or owing by TOWN to be placed against the PREMISES during the term hereof and should any such lien be recorded, TOWN shall, within fifteen (15) days after such lien is recorded, bond over or pay and discharge same. Should any such lien be recorded and not be bonded over, released or discharged, UNIVERSITY may, at UNIVERSITY'S option (but without obligation so to pay or discharge such lien), pay and discharge any such lien, at the cost and expense of TOWN.

12. DEFAULT BY TOWN; RIGHT TO TERMINATE

12.1 In the event TOWN shall: (a) fail to pay any rent payable pursuant to this Lease within ten (10) days following written notice that same is due or if; for a period of thirty (30) days after notice thereof has been given to TOWN; or (b) TOWN shall fail to perform or comply with any term hereof or any duty or obligation imposed upon it by this Lease or by any other rule or regulation of UNIVERSITY (provided, however, that if such cure cannot be accomplished within such thirty (30) days, and if TOWN promptly commences and diligently pursues such cure, TOWN may have up to thirty (30) additional days to effect such a cure); or (c) if TOWN shall abandon the PREMISES; or (d) there shall be filed by or against TOWN, or any guarantor of TOWN'S obligations hereunder, a petition in bankruptcy or insolvency or for reorganization, dissolution, liquidation or for the appointment of a receiver or trustee of all or a portion of TOWN'S or such guarantor's property and in the case of an involuntary bankruptcy, the same is not discharged within sixty (60) days thereafter; or (e) if TOWN or such guarantor makes an assignment for the benefit of creditors or enters into an arrangement or admits its inability to pay its debts as they become due, **then** and in any such event UNIVERSITY shall have the right, in addition to any other rights and remedies UNIVERSITY may have at UNIVERSITY'S option, to enter upon the PREMISES, repossess, and enjoy the same in accordance with applicable law, as if this Lease had not been made, and thereupon this Lease shall terminate without prejudice. Upon demand by UNIVERSITY, TOWN shall surrender to UNIVERSITY complete and peaceable possession of the PREMISES.

12.2 Without such re-entry as provided in Section 12.1, UNIVERSITY may recover possession thereof in any manner permitted by law, including summary process, it being understood that no demand for rent or re-entry for condition broken, as at common law, shall be necessary to enable UNIVERSITY to recover such possession.

12.3 Upon the breach by the TOWN of any terms and conditions of this Lease, the parties hereto agree that this Lease may be terminated immediately at the option of the UNIVERSITY, without any obligations being thrust upon the UNIVERSITY of any nature whatsoever.

12.4 Either party may terminate this Lease without cause or penalty upon sixty (60) days prior written notice.

13. **ALTERATIONS AND IMPROVEMENTS**: TOWN shall not make any alterations or improvements in or to the PREMISES without the written consent of UNIVERSITY, which consent shall not be unreasonably withheld or delayed. Any approved alteration or improvement shall be done by contractors consented to by UNIVERSITY, which consent shall not be unreasonably withheld or delayed. Such approved alteration or improvement shall be made in a good and workmanlike manner and in a manner so that the structural integrity of the Building shall not be impaired. TOWN shall obtain all necessary permits and, at UNIVERSITY'S option, shall submit to UNIVERSITY architectural renderings, insurance certificates and lien waivers as reasonably required by UNIVERSITY. Upon the making of such alterations or improvements the same shall become the property of UNIVERSITY, provided, however, that should UNIVERSITY require removal of such improvements, UNIVERSITY shall notify TOWN in writing at the time consent is given that UNIVERSITY will require that TOWN remove the same at no expense to UNIVERSITY and repair-any damage caused by such removal and that the PREMISES shall be left by TOWN in the condition that the PREMISES were in at the

commencement of the term of this Lease, ordinary wear and tear excepted.

14. PERSONAL PROPERTY: All personal property of every kind and description, which may at any time be on the PREMISES, shall be at the TOWN's sole risk and the UNIVERSITY shall have no liability therefore.

15. INSURANCE:

15.1 The TOWN shall maintain its own insurance policy covering such personal property.

15.2 TOWN shall obtain and keep in force at its sole expense during the Lease Term, the following insurance coverage:

(a) Commercial General Liability

1.	Each Occurrence	$1,000,000
2.	Personal and Advertising Injury	$1,000,000
3.	General Aggregate	$2,000,000
4.	Fire Legal Liability	$ 100,000

The insurance shall provide for a retroactive date of placement prior to or coinciding with the effective date of this Lease.

(b) Business Automobile Liability: Minimum Limits for Owned, Scheduled, Non Owned, or Hired Automobiles with a combined single limit of not less than $1,000,000 per occurrence.

(c) Workers' Compensation and Employer's Liability: As required under state law.

(d) Such other insurance in such amounts which from time to time may reasonably be required by the mutual consent of the UNIVERSITY and TOWN against other insurable hazards relating to performance.

15.3 All policies of insurance provided for in this Section shall be issued by insurance companies with general policyholder's rating of not less than A- and a financial rating of not less than Class VIII as rated in the most current available A.M. Best Insurance Reports and be licensed to do business in the State of Connecticut. All such policies shall be issued in the name of TOWN, and shall name, as Additional Insured, The State of Connecticut, University of Connecticut with respects to liability arising out of operations, maintenance or use of that part of the PREMISES leased to the TOWN. Certificates thereof shall be delivered to UNIVERSITY within thirty (30) days after execution of this Lease, and thereafter certificates thereof shall be delivered to UNIVERSITY within ten (10) days prior to the expiration of the term of each such policy, all at no cost to UNIVERSITY. All certificates delivered to UNIVERSITY shall contain a provision that the Town writing said policy will give to UNIVERSITY at least twenty (20) days notice in writing in advance of any material change, cancellation, termination or lapse of the Effective Date of any reduction in the amounts of insurance below the requirements of the Lease. Policies shall waive the right of recovery against the UNIVERSITY and shall be primary.

16. INDEMNIFICATION: The TOWN shall at all times protect, defend, indemnify and save harmless the UNIVERSITY and its officers, agents, and employees on account of any and all claims, damages, losses, reasonable litigation costs, expenses, reasonable counsel fees and compensation arising out of injuries (including death) sustained by or alleged to have been sustained by the officers, agents, and employees of the TOWN or the UNIVERSITY and from injuries (including death) sustained by or alleged to have been sustained by the public or by any other person or property, real or personal (including property of the TOWN or the UNIVERSITY), to the extent caused by the willful misconduct or gross negligence of the TOWN or the employees, agents, clients, contractors or invitees of the TOWN.

17. SURRENDER OF PREMISES: At the expiration or other termination of this Lease, the TOWN will surrender the PREMISES in as good condition as that existing at the beginning of the Lease Term (excluding reasonable use and wear thereof), and except for: damage caused by unavoidable circumstances; and any alterations or additions which may

have been made by the TOWN at the TOWN'S expense with the written consent of the UNIVERSITY, or otherwise permitted hereunder. Any such alterations or additions shall become, at no cost to the UNIVERSITY, the property of the UNIVERSITY, at the end of the Lease Term, unless as otherwise provided in Section 12 hereof. The UNIVERSITY reserves the right; however, at the termination or expiration of the Lease, to demand, upon reasonable notice to the TOWN, that the TOWN removes such alterations and additions at the TOWN's expense, leaving the PREMISES in substantially the same condition as it was at the beginning of the Lease Term.

18. HOLDING OVER: If at the expiration or termination of the Lease (including any applicable extension option periods contained therein) the TOWN shall hold over for any reason without the consent of the UNIVERSITY, the TOWN thereafter shall be a tenant at sufferance, and the base rent shall be one hundred fifty percent (150%) of the rent specified in the final year of the Lease. Any holding over by TOWN shall not operate to extend or renew this Lease.

19. NOTICES:

19.1 All notices, demands or requests provided for or permitted to be given pursuant to this Lease must be in writing. All notices demands and requests shall be deemed to have been properly served if sent by Federal Express or other reputable express carrier for next business day delivery, charges billed to or prepaid by shipper; or if deposited in the United States mail, registered or certified with return receipt requested, proper postage prepaid, addressed as follows:

If directed to UNIVERSITY, written notice shall be addressed to:

Real Estate Officer
Real Estate and Property Risk Management
31 LeDoyt Road, U-3094
Storrs, CT 06269-3094

If directed to TOWN, written notice shall be directed to:

Matthew W. Hart, Town Manager
Town of Mansfield
Audrey P. Beck Municipal Building
4 South Eagleville Road
Mansfield, CT 06268-2599

20. COMPLETE AGREEMENT: No prior stipulations, agreements or understandings, verbal or otherwise, of the parties hereto or their agents, shall be valid or enforceable unless embodied in the provisions of this Lease.

21. NON-DISCRIMINATION: References in this section to "Contract" shall mean this Lease and references to "Contractor" shall mean the TOWN.

(a) For purposes of this Section, the following terms are defined as follows: (i) "Commission" means the Commission on Human Rights and Opportunities; (ii) "Contract" and "contract" include any extension or modification of the Contract or contract; (iii) "Contractor" and "contractor" include any successors or assigns of the Contractor or contractor; (iv) "Gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose; (v) "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations; (vi) "good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements; (vii) "marital status"

means being single, married as recognized by the State of Connecticut, widowed, separated or divorced; (viii) "mental disability" means one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", or a record of or regarding a person as having one or more such disorders; (ix) "minority business enterprise" means any small contractor or supplier of materials fifty-one percent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise, and (3) who are members of a minority, as such term is defined in subsection (a) of Connecticut General Statutes § 32-9n; and (x) "public works contract" means any agreement between any individual, firm or corporation and the State or any political subdivision of the State other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, or which is financed in whole or in part by the State, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees.

For purposes of this Section, the terms "Contract" and "contract" do not include a contract where each contractor is (1) a political subdivision of the state, including, but not limited to, a municipality, (2) a quasi-public agency, as defined in Conn. Gen. Stat. Section 1-120, (3) any other state, including but not limited to any federally recognized Indian tribal governments, as defined in Conn. Gen. Stat. Section 1-267, (4) the federal government, (5) a foreign government, or (6) an agency of a subdivision, agency, state or government described in the immediately preceding enumerated items (1), (2), (3), (4) or (5).

(b) (1) The Contractor agrees and warrants that in the performance of the Contract such Contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, mental retardation, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such Contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut; and the Contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, mental retardation, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by the Contractor that such disability prevents performance of the work involved; (2) the Contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the Commission; (3) the Contractor agrees to provide each labor union or representative of workers with which the Contractor has a collective bargaining Agreement or other contract or understanding and each vendor with which the Contractor has a contract or understanding, a notice to be provided by the Commission, advising the labor union or workers' representative of the Contractor's commitments under this section and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the Contractor agrees to comply with each provision of this Section and Connecticut General Statutes §§ 46a-68e and 46a-68f and with each regulation or relevant order issued by said Commission pursuant to Connecticut General Statutes §§ 46a-56, 46a-68e and 46a-68f; and (5) the Contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Contractor as relate to the provisions of this Section and Connecticut General Statutes § 46a-56. If the contract is a public works contract, the Contractor agrees and warrants that he will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works projects.

(c) Determination of the Contractor's good faith efforts shall include, but shall not be limited to, the following factors: The Contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The Contractor shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

(e) The Contractor shall include the provisions of subsection (b) of this Section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Connecticut General Statutes §46a-56; provided if such Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the Contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State

may so enter.

(f) The Contractor agrees to comply with the regulations referred to in this Section as they exist on the date of this Contract and as they may be adopted or amended from time to time during the term of this Contract and any amendments thereto.

(g) (1) The Contractor agrees and warrants that in the performance of the Contract such Contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation; (2) the Contractor agrees to provide each labor union or representative of workers with which such Contractor has a collective bargaining Agreement or other contract or understanding and each vendor with which such Contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the Contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (3) the Contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said Commission pursuant to Connecticut General Statutes § 46a-56; and (4) the Contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Contractor which relate to the provisions of this Section and Connecticut General Statutes § 46a-56.

(h) The Contractor shall include the provisions of the foregoing paragraph in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Connecticut General Statutes § 46a-56; provided, if such Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the Contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

22. **EXECUTIVE ORDERS:** The Contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill, promulgated June 16, 1971, concerning labor employment practices, Executive Order No. Seventeen of Governor Thomas J. Meskill, promulgated February 15, 1973, concerning the listing of employment openings and Executive Order No. Sixteen of Governor John G. Rowland promulgated August 4, 1999, concerning violence in the workplace, all of which are incorporated into and are made a part of the Contract as if they had been fully set forth in it. At the Contractor's request, the Client Agency shall provide a copy of these orders to the Contractor. The Contract may also be subject to Executive Order No. 7C of Governor M. Jodi Rell, promulgated July 13, 2006, concerning contracting reforms and Executive Order No. 14 of Governor M. Jodi Rell, promulgated April 17, 2006, concerning procurement of cleaning products and services, in accordance with their respective terms and conditions.

23. **STATE ELECTION ENFORCEMENT COMMISSION (SEEC) CAMPAIGN CONTRIBUTION BAN:** This Lease is subject to the provisions of the State Election Enforcement Commission (SEEC) Campaign Contribution Ban. For all State Contracts as defined in P.A. 07-1 having a value in a calendar year of $50,000 or more or a combination or series of such agreements or contracts having a value of $100,000 or more, the authorized signatory to this Agreement expressly acknowledges receipt of the State Elections Enforcement Commission's notice advising state contractors of state campaign contribution and solicitation prohibitions, and will inform its principals of the contents of the notice. See SEEC Form (below):

CONNECTICUT STATE ELECTIONS ENFORCEMENT COMMISSION - Rev. 1/11

NOTICE TO EXECUTIVE BRANCH STATE CONTRACTORS AND PROSPECTIVE STATE CONTRACTORS OF CAMPAIGN CONTRIBUTION AND SOLICITATION LIMITATIONS

This notice is provided under the authority of Connecticut General Statutes §9-612(g)(2), as amended by P.A. 10-1, and is for the purpose of informing state contractors and prospective state contractors of the following law (italicized words are defined below "Definitions).

CAMPAIGN CONTRIBUTION AND SOLICITATION LIMITATIONS

No *state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor*, with regard to a *state contract* or *state contract solicitation* with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder

of a valid prequalification certificate, shall make a contribution to (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee (which includes town committees).

In addition, no holder or principal of a holder of a valid prequalification certificate, shall make a contribution to (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of State senator or State representative, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee.

On and after January 1, 2011, no state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor, with regard to a state contract or state contract solicitation with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder of a valid prequalification certificate, shall **knowingly** *solicit* contributions from the state contractor's or prospective state contractor's employees or from a *subcontractor* or *principals of the subcontractor* on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee.

DUTY TO INFORM

State contractors and prospective state contractors are required to inform their principals of the above prohibitions, as applicable, and the possible penalties and other consequences of any violation thereof.

PENALTIES FOR VIOLATIONS

Contributions or solicitations of contributions made in violation of the above prohibitions may result in the following civil and criminal penalties:

Civil penalties—Up to $2,000 or twice the amount of the prohibited contribution, whichever is greater, against a principal or a contractor. Any state contractor or prospective state contractor which fails to make reasonable efforts to comply with the provisions requiring notice to its principals of these prohibitions and the possible consequences of their violations may also be subject to civil penalties of up to $2,000 or twice the amount of the prohibited contributions made by their principals.

Criminal penalties—Any knowing and willful violation of the prohibition is a Class D felony, which may subject the violator to imprisonment of not more than 5 years, or not more than $5,000 in fines, or both.

CONTRACT CONSEQUENCES

In the case of a state contractor, contributions made or solicited in violation of the above prohibitions may resulting the contract being voided.

In the case of a prospective state contractor, contributions made or solicited in violation of the above prohibitions shall result in the contract described in the state contract solicitation not being awarded to the prospective state contractor, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

The State shall not award any other state contract to anyone found in violation of the above prohibitions for a period of one year after the election for which such contribution is made or solicited, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

Additional information may be found on the website of the State Elections Enforcement Commission, www.ct.gov/seec. Click on the link to "Lobbyist/Contractor Limitations."

DEFINITIONS

"State contractor" means a person, business entity or nonprofit organization that enters into a state contract. Such person, business entity or nonprofit organization shall be deemed to be a state contractor until December thirty-first of the year in which such contract terminates. "State contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Prospective state contractor" means a person, business entity or nonprofit organization that (i) submits a response to a state contract solicitation by the state, a state agency or a quasi-public agency, or a proposal in response to a request for proposals by the state, a state agency or a quasi-public agency, until the contract has been entered into, or (ii) holds a valid prequalification certificate issued by the Commissioner of Administrative Services under section 4a-100. "Prospective state contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further

any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Principal of a state contractor or prospective state contractor" means (i) any individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in, a state contractor or prospective state contractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, (ii) an individual who is employed by a state contractor or prospective state contractor, which is a business entity, as president, treasurer or executive vice president, (iii) an individual who is the chief executive officer of a state contractor or prospective state contractor, which is not a business entity, or if a state contractor or prospective state contractor has no such officer, then the officer who duly possesses comparable powers and duties, (iv) an officer or an employee of any state contractor or prospective state contractor who has *managerial or discretionary responsibilities with respect to a state contract,* (v) the spouse or a *dependent child* who is eighteen years of age or older of an individual described in this subparagraph, or (vi) a political committee established or controlled by an individual described in this subparagraph or the business entity or nonprofit organization that is the state contractor or prospective state contractor.

"State contract" means an agreement or contract with the state or any state agency or any quasi-public agency, let through a procurement process or otherwise, having a value of fifty thousand dollars or more, or a combination or series of such agreements or contracts having a value of one hundred thousand dollars or more in a calendar year, for (i) the rendition of services, (ii) the furnishing of any goods, material, supplies, equipment or any items of any kind, (iii) the construction, alteration or repair of any public building or public work, (iv) the acquisition, sale or lease of any land or building, (v) a licensing arrangement, or (vi) a grant, loan or loan guarantee. "State contract" does not include any agreement or contract with the state, any state agency or any quasi-public agency that is exclusively federally funded, an education loan, a loan to an individual for other than commercial purposes or any agreement or contract between the state or any state agency and the United States Department of the Navy or the United States Department of Defense.

"State contract solicitation" means a request by a state agency or quasi-public agency, in whatever form issued, including, but not limited to, an invitation to bid, request for proposals, request for information or request for quotes, inviting bids, quotes or other types of submittals, through a competitive procurement process or another process authorized by law waiving competitive procurement.

"Managerial or discretionary responsibilities with respect to a state contract" means having direct, extensive and substantive responsibilities with respect to the negotiation of the state contract and not peripheral, clerical or ministerial responsibilities.

"Dependent child" means a child residing in an individual's household who may legally be claimed as a dependent on the federal income tax of such individual.

"Solicit" means (A) requesting that a contribution be made, (B) participating in any fund-raising activities for a candidate committee, exploratory committee, political committee or party committee, including, but not limited to, forwarding tickets to potential contributors, receiving contributions for transmission to any such committee or bundling contributions, (C) serving as chairperson, treasurer or deputy treasurer of any such committee, or (D) establishing a political committee for the sole purpose of soliciting or receiving contributions for any committee. Solicit does not include: (i) making a contribution that is otherwise permitted by Chapter 155 of the Connecticut General Statutes; (ii) informing any person of a position taken by a candidate for public office or a public official, (iii) notifying the person of any activities of, or contact information for, any candidate for public office; or (iv) serving as a member in any party committee or as an officer of such committee that is not otherwise prohibited in this section.

"Subcontractor" means any person, business entity or nonprofit organization that contracts to perform part or all of the obligations of a state contractor's state contract. Such person, business entity or nonprofit organization shall be deemed to be a subcontractor until December thirty first of the year in which the subcontract terminates. "Subcontractor" does not include (i) a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or (ii) an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Principal of a subcontractor" means (i) any individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in, a subcontractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, (ii) an individual who is employed by a subcontractor, which is a business entity, as president, treasurer or executive vice president, (iii) an individual who is the chief executive officer of a subcontractor, which is not a business entity, or if a subcontractor has no such officer, then the officer who duly possesses comparable powers and duties, (iv) an officer or an employee of any subcontractor who has managerial or discretionary responsibilities with respect to a subcontract with a state contractor, (v) the spouse or a dependent child who is eighteen years of age or older of an individual described in this subparagraph, or (vi) a political committee established or controlled by an individual described in this subparagraph or the business entity or nonprofit organization that is the subcontractor.

24. **POWER TO EXECUTE.** The individual signing this Lease on behalf of the TOWN certifies that s/he has full authority to execute the same on behalf of the TOWN and that this Lease has been duly authorized, executed and delivered by the TOWN and is binding upon the TOWN in accordance with its terms. The TOWN shall provide a Corporate

Resolution or other signature authority documentation certifying that the individual executing this Lease has been authorized by the governing body of the TOWN to sign on behalf of the TOWN, signed on or after the date of the Lease execution by TOWN.

25. **ETHICS AFFIDAVITS AND NONDISCRIMINATION CERTIFICATION REQUIREMENTS**

25.1 The UNIVERSITY, as an agency of the State of Connecticut, requires that notarized Gift and Campaign Contribution Certificates (Office of Policy and Management "OPM" Form 1) and Consulting Agreement Affidavits (OPM Form 5) accompany Town all State contracts/agreements with a value of $50,000 or more in a calendar or fiscal year. (Form 1 is also used with a multi-year contract to update the initial certification on an annual basis.)

25.2 An executed Nondiscrimination Certification must also be provided by the TOWN at the time of Lease execution for all Leases with individuals, corporations and other entities, regardless of type, term, cost or value. The Certification requires the signer to disclose his/her title and certify that the TOWN has in place a properly-adopted policy, which supports the nondiscrimination requirements of Connecticut law. This Certification is required for all original Leases as well as Lease Amendments, signed on or after the date of the Lease execution by the TOWN.

26. **GOVERNING LAW**: This Lease shall be governed by the laws of the State of Connecticut.

27. **CLAIMS AGAINST THE STATE**: The TOWN agrees that the sole and exclusive means for the presentation of any claim against the State arising from this Lease shall be in accordance with Chapter 53 of the Connecticut General Statutes (Claims Against the State) and the TOWN further agrees not to initiate any legal proceedings in any state or federal court in addition to, or in lieu of, said Chapter 53 proceedings.

28. **MODIFICATION**: The terms of this Lease may be modified or altered only by written Amendment to Lease between the UNIVERSITY and TOWN, and no act or omissions of any employee or agent of UNIVERSITY or TOWN shall alter, change or modify any of the provisions hereof.

29. **APPROVAL OF BOARD OF TRUSTEES, ATTORNEY GENERAL AND TREASURER**: This Lease shall not be binding on the UNIVERSITY or TOWN unless and until approved by the UNIVERSITY'S Board of Trustees, approved and signed by both the Attorney General and the Treasurer of the State of Connecticut and delivered to the TOWN.

30. **FORCE MAJEURE.** UNIVERSITY and TOWN shall be excused for the period of delay in the performance of any of their respective obligations, excepting monetary obligations hereunder, and shall not be considered in default when prevented from so performing due to a labor strike, riot, war, fire, flood or other casualty, or Acts of God so extensive as to prevent TOWN from conducting business or preventing TOWN or UNIVERSITY from complying with their obligations under the Lease.

IN WITNESS WHEREOF, the parties have hereunto set their hands.

Signed in the presence of:

TOWN OF MANSFIELD

_____)
)
)
_____)

By_____
Matthew W. Hart, Town Manager
Duly authorized

Date signed: _____

State of Connecticut

ss: _____

County of _____ (Town/City)

The foregoing instrument is acknowledged before me this day of , 20__ by Matthew W. Hart, Town Manager, of the Town of Mansfield, a Connecticut municipality, on behalf of the municipality.

_____
Notary Public:
My commission expires:

Signed in the presence of:

UNIVERSITY OF CONNECTICUT

_____)
)
)
_____)

By_____
Alexandria Roe
Director of University Planning,
Duly authorized

Date signed: _____

State of Connecticut

ss: Mansfield

County of Tolland

On this the day of , 20____, before me, Melissa M. Frank, the undersigned officer, personally appeared Alexandria Roe, Director of University Planning for University of Connecticut, Storrs, Connecticut, known to me to be the person described in the foregoing instrument, and acknowledged that she executed the same in the capacity therein stated and for the purposes therein contained.

_____
Melissa M. Frank
Commissioner of the Superior Court

APPROVED pursuant to C. G. S. § 4b-38(g):

_____ Date: _____

Denise L. Nappier, State Treasurer

(Or designee, _____)

(Title of designee :_____)

APPROVED AS TO FORM:

_____ Date: _____

Assistant/Associate Attorney General

Draft Updated 1/9/2013 10:24 AM

Town of Mansfield
Agenda Item Summary

To: Town Council
From: Matt Hart, Town Manager
CC: Maria Capriola, Assistant Town Manager
Date: January 28, 2013
Re: Review and Amendment of Town Charter

Subject Matter/Background
Per Section C701 of the Town of Mansfield's Charter, the Town Council must review the Charter at least every five years and determine if it is necessary to establish a Charter Review Commission. The current version of the Charter went into effect on February 4, 2008.

Recommendation
From an administrative and operations perspective, staff has not noted any deficiencies with the current Town Charter. The Town Council will need to determine whether it believes that a more thorough review of the Charter is warranted.

Attachments
1) Town of Mansfield Charter Section C701

§ C701. Review and amendment of Charter.

A. The Town Council shall review the Charter at least every five years to determine if a Charter Review Commission shall be established.

B. This Charter may be amended in the manner prescribed by law.

To: Town Council/Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: January 10, 2013

Re: ***Monthly Report of Zoning Enforcement Activity***
For the month of December, 2012

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	5	10	8	61	67
Certificates of Compliance issued	7	5	8	49	52
Site inspections	17	27	20	180	158
Complaints received from the Public	5	3	5	29	23
Complaints requiring inspection	5	2	5	21	18
Potential/Actual violations found	4	1	2	16	10
Enforcement letters	6	10	5	54	31
Notices to issue ZBA forms	1	0	1	6	5
Notices of Zoning Violations issued	1	4	0	21	8
Zoning Citations issued	0	1	0	8	8

Zoning permits issued this month for single family homes = 0, 2-fm = 0, multi-fm = 0
2012/2013 fiscal year total: s-fm = 3, 2-fm = 0, multi-fm = 0

Sustainability Committee
Minutes of Meeting
December 19, 2012

Present: Lynn Stoddard (chair), Vera Ward, Kristin Schwab, Julia Sherman, Paul Shapiro, Bill Lennon, Coleen Spurlock (guest), Don Hoyle (guest), Virginia Walton (staff), Lon Hultgren (staff), Jennifer Kaufman (staff)

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

The October 17, 2012 meeting minutes were accepted on a motion by Stoddard/Lennon. The November 14, 2012 meeting minutes were accepted on a motion by Ward/Schwab.

The criteria for becoming a bike friendly community was circulated while Hultgren stated that he plans to begin the formal process of evaluating the Town's bike friendliness this winter. Sherman and Kaufman may be able to enlist volunteers to help with the project. Kathleen Paterson might be interested. Miller may also know of interested students. Stoddard stated that there is funding for complete streets through state law. The Public Works engineering intern will look into complete streets and funding opportunities which Hultgren will report to the committee in February.

The committee discussed the Clean Energy Communities Municipal Pledge. Part of the pledge is to create a municipal action plan. It was suggested by Sherman that an action plan be woven into the work of Mansfield Tomorrow (HUD grant). It was pointed out that if the Town does not fulfill the pledge, there are no repercussions. On a motion by Schwab/Lennon the committee recommended that the Town make a Clean Energy Communities Municipal Pledge. The motion was approved, with Shapiro abstaining.

Kaufman reported that she and Painter are actively working on Mansfield Tomorrow (HUD grant) with Goodie Clancy. A formal invitation will be coming from the planning and zoning commission to invite 15 to 30 people to participate in an advisory group. Schwab expressed interest in serving as the sustainability committee liaison for this group. The advisory group will meet five to six times, with the first meeting scheduled for January 17, 2013. In addition there will be agriculture, housing, economic development and zoning focus groups that meet two to three times during the process.

Stoddard reported that because there was not a lot of time to prepare comments the water study environmental impact evaluation (EIE), the committee was not able to arrange a special meeting with a quorum. It was noted that individuals can submit comments until January 4, 2013. Ward reported on the December 11, 2012 public hearing. Town Council forwarded all the comments from the various town committees to UConn. The planning and zoning commission expressed particular concern about pipeline sprawl, finding the Metropolitan District Commission (MDC) proposal the least appropriate because of distance and cost. They found the Connecticut Water Company (CDC) proposed route along Interstate 84 down Route195 crossing the Willimantic River via a Pedestian Bridge at the Mansfield/Coventry line, continuing on to Baxter Road (providing public

water to Goodwin Elementary School) as the least onerous of all the options. Of the Windham Water Works (WWW) proposal, Clover Mill Road was the preferred option since Chaffeeville Road could have the greatest environmental impact and Route 195 could invite the greatest potential for sprawl. Planning and Zoning noted that it is more cost effective to use local roads. The Clover Mill Road option would provide public water for the Mansfield Middle School as well as for the proposed Masonicare development. The Conservation Commission evaluated the WWW proposal as the best option. The CDC came in second with MDC a distant third. The Conservation Commission and the Four Corners Advisory Committee found the projections of water use to be high, which raised questions about intended use. The Conservation Commission noted that the EIE did not include the impact of dismantling the wells along the Willimantic and Fenton Rivers, and shared misgivings about becoming dependent upon a sole source of water. The Four Corners Advisory Committee wanted to know who would take charge of the water and questioned why there was no indication in the EIE to reclaim water. The Windham Council of Governments expressed their concern about regional development pressure with all of the proposals.

The committee revisited applying for the micro-grid grant and loan pilot program, which will be due on January 4, 2013. If there is another round of the micro-grid grant, the committee would like to consider applying. Staff will find out if there will be another opportunity to apply and if there is funding for fuel cells.

Walton reported that she reapplied for the Solarize CT Pilot, listing the Sustainability Committee as one of the partners for the pilot. Although there is no date for a car sharing and electric car charger press event, the car share program will begin as soon as Hertz, the car share vendor, issues a press release. Once the signs are posted at both charging stations (Community Center and parking garage), staff will issue a press release.

The committee reviewed the 2013 meeting schedule and accepted it on a motion by Sherman/Ward.

The next meeting is scheduled for January 9, 2013, 5:30 pm in conference room B.

The meeting was adjourned at 6:30 pm.

Respectfully Submitted,

Virginia Walton

MANSFIELD ZONING BOARD OF APPEALS – REGULAR MEETING
MINUTES
NOVEMBER 14, 2012

Chairman Accorsi called the meeting to order at 7:00 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building.

Present: Members – Accorsi, Hammer, Katz, Welch

Alternates – Brosseau, Clauson

Absent: Member – Gotch

ZBA MEMBER APPOINTED

Paul L. Hammer, Jr. has been appointed as a regular member of the Zoning Board of Appeals to fill vacancy caused by resignation of Carol Pellegrine.

EDWARD DRINKUTH – 7:00 P.M.

Brosseau acted as a voting member of the Board for this hearing.

To hear comments on the application of Edward Drinkuth for a variance of Art VIII, Sec A to construct a 20' x 28' garage located 50' from the front property line where 60' is required, at 95 Hillcrest Dr.

Mr. Drinkuth is requesting a variance to build a 20' x 28' detached garage. Due to the extreme slope of his property and the placement of the septic system, he would like to place it 10' within the setback line. The height of the garage will be 23'6", with the second story being used for storage.

A Neighborhood Opinion Sheet was received showing no objections from abutters.

BUSINESS MEETING

Katz moved to approve the application of Edward Drinkuth for a variance of Art VIII, Sec A to construct a 20' x 28' garage located 50' from the front property line where 60' is required, at 95 Hillcrest Dr, as shown on submitted plan.

In favor of approving application: Brosseau, Accorsi, Hammer, Katz, Welch

Reason for voting in favor of application:

- topography

Application was approved.

APPROVAL OF MINUTES FROM OCTOBER 10, 2012

Brosseau moved to approve the minutes of October 10, 2012 as presented, seconded by Katz. All in favor.

ADJOURNMENT

Meeting was adjourned at 7:15 p.m.

Respectfully Submitted,

Richard Brosseau, Secretary

ARTS ADVISORY COMMITTEE
Meeting of Tuesday, 04 December 2012
Mansfield Community Center (MCC) Conference Room

MINUTES

1. The meeting was **called to order** at 7:04p by Kim Bova. *Members present*: Kim Bova, Tom Bruhn, Anke Finger, Scott Lehmann,. *Members absent:* David Vaughan. {Blanche Serban, a faithful member since 2004, has resigned, citing competing obligations.} *Others present*: Norman Stevens, Mary Stanton (Town Clerk), Jay O'Keefe (staff).

2. **Art for Town Hall.** Norman Stevens, who has been helping retired UConn art professor Ken Forman find good homes for his paintings, indicated that Mr. Forman was interested in donating oils of Mansfield subjects to the Town for display at the Beck Municipal Building (our Town Hall). Mary Stanton noted that there have been discussions at the Town Hall from time to time about sprucing up the place with some nice paintings and that Mr. Forman's offer provides an opportunity to move beyond talk. Jay suggested the Committee might help facilitate this by surveying the hallways in the Town Hall to see what space is available for paintings, how many paintings could be attractively displayed, and what sort of hanging system and lighting would be required. Tom observed that the Town accepts responsibility when it accepts donations of art works; does it have insurance? a safe place to store works not on display?

Mr. Stevens advised selecting only a few paintings from Mr. Forman, even if many were offered; the Town, he thought, should aim to build a collection of works from various artists. He mentioned that Scott Rhodes, who won the top prize in the Festival on the Green Art Show, might be willing to make a long-term loan of one of his paintings of Mansfield's historic building. Mr. Stevens' offer to draft a "statement of purpose" governing donations of art to the Town, which the Committee would review, was gratefully accepted. Mr. Stevens & Ms. Stanton left the meeting.

The Committee was generally enthusiastic about placing art in the Town Hall, the corridors of which are now pretty dim, drab, and uninviting. It was agreed that Committee members should individually stop in at the Municipal Building to see where paintings might be hung and what lighting would be needed. Jay will ask Ms. Stanton to look into liability and insurance issues.

Tom remarked that Mr. Forman's problem of what to do with his paintings is one that many elderly artists face. Anke suggested that the Committee could offer to arrange for an auction of works to benefit some worthy cause, such as arts programs in the schools, perhaps at the Festival on the Green. A silent auction would not require an auctioneer.

3. The draft **minutes of the 10 July and 02 October meetings** were approved as written.

4. **Co-op art gallery.** Anke reported that plans co-op art gallery in Storrs Center have been put on ice. WindhamARTS is not in a position to help after all, and it has proved too difficult for those working on the project to pull together everything required to bring it off. Anke suggested redirecting effort to developing a website with information on what's happening in the arts in this region. At present, there is no one place to go for this information. Jay thought it might be possible to run such a website on the Town's server, using the same web-designers the Town used to set it up; he will check with the Town about this.

The Committee agreed that having such a website would be great, though building and maintaining it might be more work than we want to do. Jay thought that most of the required effort would be on the 'front end' – deciding what the site should look like, what should go on it, what links should be provided, etc.

5. Jay reported that the **art display policy** on the web is now up to date, though it could be posted in a more easily accessible place. He will ask the IT Department whether the exhibit application can be posted on the web as a fillable-form, so that applications can be submitted online.

6. **Committee vacancies**. Jay will let the Town Clerk know that the resignations of Joe Tomanelli and Blanche Serban leave the Committee with only five members (who are encouraged to suggest people who might be willing to serve).

7. **MCC exhibit applications.**

α. **Murray Wachman** has applied to show more oils, preferably starting 15 April. However, in recent years, the period from 15 April to 31 May has been reserved for a show of Mansfield school art – a tradition the Committee agreed should be continued, if possible. Kim will call Mr. Wachman and suggest 15 January to 14 April instead, suggesting also that the more colorful of the works photographed in his application would be best for a show "in the deep mid-winter".

β. The **Quiet Corner Photo Club** applied some time ago to show photos of varied subjects. Tom will call to offer the summer period 01 June to 15 August and to suggest that the show feature subjects other than trees and landscapes, inasmuch as these were prominent in the Club's 2012 exhibit of photos of Joshua's Trust properties

<table>
<tr><th rowspan="2">Exhibit Period</th><th colspan="2">Entry cases</th><th colspan="2">Sitting room</th><th colspan="2">Hallway</th></tr>
<tr><th>Double-sided</th><th>Shelves</th><th>Upper (5)</th><th>Lower (3)</th><th>Long (5)</th><th>Short (2)</th></tr>
<tr><td>8/27 – 10/14</td><td rowspan="2"></td><td rowspan="2">Festival on the Green advertising & Art Show winners</td><td colspan="2" rowspan="2">Carole Jeffries
(oils)</td><td colspan="2">DSS Have a Heart
(photos of adoptable kids)</td></tr>
<tr><td>10/15 – 1/14</td><td colspan="2">Jim Gabianelli
(machine art)</td></tr>
</table>

8. **Adjourned**at 8:20p. Next meeting: 7:00p, Tuesday, 08 January 2013

Scott Lehmann, Secretary, 06 December 2012; approved 08 January 2013.

Mansfield Board of Education Meeting
February 9, 2012
Minutes

Attendees: Mark LaPlaca, Chair, Shamim Patwa, Vice-Chair, Martha Kelly, Secretary, April Holinko, Holly Matthews, Katherine Paulhus, Jay Rueckl, Carrie Silver-Bernstein Randy Walikonis, Superintendent Fred Baruzzi, Board Clerk, Celeste Griffin; Director of Finance, Cherie Trahan

The meeting was called to order at 7:36pm by Mr. LaPlaca.

SPECIAL PRESENTATION: Karen Anger, Art Teacher, and Joan Carr, Music Teacher presented students and their artwork done during a Southeast School Enrichment Cluster. The artwork was used to support the grade 3 & 4 school musical, *I Have a Dream*.

HEARING FOR VISITORS: None

COMMUNICATIONS: The Board of Education will present its adopted 2012-2013 budget to the Town Council on Wednesday, April 11, 2012 at 6:30pm.

ADDITIONS TO THE PRESENT AGENDA: Mr. LaPlaca asked for a moment of silence in memory of Vanessa Zirakzadeh, daughter of Barbara Zirakzadeh, Southeast School Literacy Coach.

Southeast PTO: President, Cyndi Wells, and Vice President, Jessica Higham, discussed the activities the group participates in to support enrichment programs at Southeast School.

SCHOOL BUILDING PROJECT UPDATE: The next Town Council workshop will be on Tuesday, February 14th at 5:30pm in the Council Chambers.

COMMITTEE REPORTS: Mansfield Advocates for Children (MAC): Mr. LaPlaca reported Kathleen Krider, Early Childhood Services Coordinator, has been invited to a future meeting to discuss the Town's program.

REPORT OF THE SUPERINTENDENT:

- 2010-2011 Strategic School Profile: Mr. Baruzzi presented the SSP for Board review.
- Proposed 2012-2013 School Calendar: MOTION by Ms. Matthews, seconded by Mrs. Kelly to adopt the Superintendent's proposed calendar. VOTE: Unanimous in favor.
- Class Size/Enrollment: The principals reported no significant changes this month.
- 2012-2013 Proposed Budget – Board Detail Review and Adoption: MOTION by Mr. Walikonis, seconded by Ms. Patwa to adopt the Superintendent's 2012-2013 Proposed Budget of $20,588,160. VOTE: Unanimous in favor.

NEW BUSINESS: None

CONSENT AGENDA: MOTION by Ms. Patwa, seconded Ms. Silver-Bernstein that the following item for the Board of Education meeting of February 9, 2012 be approved or received for the record: VOTE: Unanimous in favor with Mrs. Paulhus abstaining.

That the Mansfield Public Schools Board of Education approves the minutes of the February 2, 2012 Board meeting.

HEARING FOR VISITORS: None

SUGGESTIONS FOR FUTURE AGENDA: Mr. LaPlaca requested the 2010-2011 Strategic School Profile be on the March 8, 2012 agenda for questions and discussion.

MOTION by Ms. Matthews, seconded by Mrs. Holinko to adjourn at 9:00pm. VOTE: Unanimous in favor

Respectfully submitted,

Celeste Griffin, Board Clerk

Mansfield Board of Education Meeting
May 10, 2012
Minutes

Attendees: Mark LaPlaca, Chair, Shamim Patwa, Vice-Chair, April Holinko, Katherine Paulhus, Jay Rueckl, Carrie Silver-Bernstein, Randy Walikonis, Superintendent Fred Baruzzi, Board Clerk, Celeste Griffin

Absent: Martha Kelly, Holly Matthews

The meeting was called to order at 7:31pm by Mr. LaPlaca.

SPECIAL PRESENTATION: Robert Burrington, Mansfield Middle School Technology Education teacher and students discussed Tech Ed and the projects they have completed during the current school year.

HEARING FOR VISITORS: None

COMMUNICATIONS: None

ADDITIONS TO THE PRESENT AGENDA: MOTION by Ms. Patwa, seconded by Mrs. Paulhus, to add a field trip request to the Superintendent's Report. VOTE: Unanimous in favor.

COMMITTEE REPORTS: Personnel Committee: Ms. Patwa reported that the Personnel Committee has begun negotiations with School Nurses and continues negotiations with UPSEU. Goodwin Bequest Committee: Minutes from the May 1st Committee were distributed to the Board. Mrs. Paulhus reported that she attended the EASTCONN Executive Board meeting and EASTCONN's annual meeting is May 22nd at the Capitol Theatre in Willimantic.

REPORT OF THE SUPERINTENDENT:

- Field Trip Request: Jeff Cryan, Principal Mansfield Middle School, discussed the request for qualifying students to attend the National History Day Competition at the University of Maryland. MOTION by Ms. Patwa, seconded by Mrs. Paulhus to approve the field trip. VOTE: Unanimous in favor.
- Youth Services Bureau: Patricia Michalak, Program Coordinator and Kathleen McNamara, Social Worker discussed the many programs they provide for the Town and Mansfield Public Schools.
- District Technology Plan: Jaime Russell, Director of IT, James Griffith, Mansfield Middle School, and Steve Sokoloski, pk-4 Technology Coordinators, discussed the proposed District Technology Plan and technology offered in the schools. MOTION by Mrs. Paulhus, seconded by Mr. Walikonis to approve the Education Technology Plan. VOTE: Unanimous in favor. Linda Robinson, Library/Media Coordinator, discussed Digital Resources at the Mansfield Public School Libraries.
- Summer Programs: Mr. Baruzzi reviewed the summer programs the district will offer this summer (Online Summer School, Special Education pk-4 Summer School at Goodwin, and MMS upcoming gr. 6-8 Summer School).
- Staff Appreciation: Mr. Baruzzi reported that in addition to the annual donation to WAIM, there will also be a staff appreciation breakfast at each school on June 20th. Board members are encouraged to attend.
- 2012-2013 Budget: The budget was adopted as proposed at the annual town meeting on May 8, 2012.
- Upcoming Retreat: The agenda will include discussion of goals and objectives and budget considerations.
- Class Size/Enrollment: The principals reported no significant change in enrollment.

Process for determining wage increase of non-union employees below the rank of the Superintendent: MOTION by Mr. Rueckl, seconded by Ms. Silver-Bernstein to refer to the Personnel Committee for discussion and recommendation to the Board wage increase of non-union employees below the rank of the Superintendent. VOTE: Unanimous in favor.

NEW BUSINESS: None

CONSENT AGENDA: MOTION by Ms. Patwa, seconded Mr. Walikonis that the following items for the Board of Education meeting of May 10, 2012 be approved or received for the record: VOTE: Unanimous in favor.

That the Mansfield Public Schools Board of Education approves the minutes of the April 12, 2012 Board meeting.
That the Mansfield Public Schools Board of Education approves the request for maternity and unpaid child rearing leave from July 1 through March 29, 2013 from Katherine Harbec, Vinton School teacher.
That the Mansfield Public Schools Board of Education approves the request for maternity and unpaid child rearing leave for the 2012-2013 school year from Roseann Holden, Goodwin School Psychologist.
That the Mansfield Public Schools Board of Education approves the request for a year's leave of absence from Barbara Hunter, MMS sixth grade teacher.

HEARING FOR VISITORS: None

SUGGESTIONS FOR FUTURE AGENDA: None

Executive Session: MOTION by Ms. Silver-Bernstein, seconded by Mrs. Paulhus to move into Executive Session for the purpose of discussion contract negotiations and Superintendent's evaluation at 9:41. VOTE: Unanimous in favor.
The Board returned to open session at 10:33pm.

MOTION by Mrs. Paulhus, seconded by Mr. Rueckl to adjourn at 10:34pm. VOTE: Unanimous in favor

Respectfully submitted,

Celeste Griffin, Board Clerk

Mansfield Board of Education Retreat
July 10, 2012
Minutes

Attendees: Shamim Patwa, Vice-Chair, Martha Kelly, Secretary, April Holinko, Holly Matthews, Katherine Paulhus, Jay Rueckl, Carrie Silver-Bernstein, Randy Walikonis

Absent: Mark LaPlaca

I. Call to Order

The meeting was called to order at 6:45p.m. by Ms. Patwa

II. The Board discussed 2012-2013 Goals and Objectives with the Superintendent

III. Adjournment – 8:28pm.

Respectfully submitted,
Martha Kelly
Secretary
Mansfield Board of Education

TOWN OF MANSFIELD
Solid Waste Advisory Committee
Minutes of the Meeting
November 8, 2012

Present: Knox (chair), Ames, Coughlin, Milius, Nora Stevens (guest), Walton (staff), Hultgren (staff)

The meeting was called to order at 7:36 p.m.

The minutes of the September 13, 2012 meeting were accepted on a motion by Ames/Coughlin.

The committee discussed rearranging the transfer station for single-stream recycling. Currently residents place bottles and cans, newspaper and corrugated cardboard in separate containers. Even though these items are separated at the transfer station, Willimantic Waste Paper piles them together at their single stream sorting facility. Committee members agreed that the transfer station should be arranged so that residents can place their cans, bottles, paper and cardboard together. Converting to a cashless system at the transfer station has taken on new importance as it has been one of the recommendations of the Town's auditors. Staff will be discussing ways to do this with the finance director. The auditors also recommended moving the swap shop into its own building. Hultgren suggested hiring a part time employee to oversee the swap shop. Members liked the idea of moving the swap shop, but asked staff to bring the cost of a building and part time staff to a future meeting for further evaluation. Hultgren also informed the committee that soon residency will be enforced at the transfer station. Stevens stated that about half the people who use the swap shop are from other towns.

A resident had requested that SWAC consider collecting compact fluorescent bulbs in other municipal buildings, such as the library, community center and senior center. Walton stated that to purchase a pre-paid postage bulb collection box (which holds up to 180 bulbs) from Northeast Lamp Recycling would cost $189. The Town currently pays a far cheaper price of $0.23 per pound for bulbs collected at the transfer station. One suggestion was to collect the bulbs from the boxes and transport them to the transfer station for the cheaper cost, but because there were reservations about bulb breakage in these buildings and adding another task to public works staff, it was decided not to add bulb collection locations.

Walton reported that the contract with Mayo was extended for one more year until September 30, 2013. At the end of the extension, Diane Mitchell (trash truck driver) and her husband, Phil (recycling truck driver) will be moving out of the area.

Walton stated that the Oaks on the Square Apartments has requested more frequent trash service, but rates have not been set for trash service collected more than twice per week. Additionally, rates need to be established for recyclables that are collected in dumpsters. The committee reviewed the proposed trash and recycling rates and asked staff to recommend the following rates to Town Council:

8 cubic yard **trash** dumpster	three times per week	$902.00
8 cubic yard **trash** dumpster	four times per week	$1,188.00
8 cubic yard **recycling** dumpster	once per week	$98.00
8 cubic yard **recycling** dumpster	twice per week	$190.00
8 cubic yard **recycling** dumpster	three times per week	$280.00
8 cubic yard **recycling** dumpster	four times per week	$370.00

The committee agreed on the following dates for calendar year 2013 with the meeting time changing to 7:00 pm: January 10, March 14, May 9, July 11, September 12, November 14.

The meeting was adjourned at 9:12 pm.

Respectfully Submitted,

Virginia Walton
Recycling/Refuse Coordinator

Mansfield Community Playground Project
Meeting Minutes

Date: 12/13/12

Present: Sara Anderson, Megan Huff, Kathleen Krider, Kelly Zimmerman, Heather Bunnell. Julia DeLapp, Chad Rittenhouse, Cristina Colon-Semenza, Paul Johnson, Jean Johnson, & Ellen Tulman

Next Meeting: Thursday January 10, 2013 at 7pm

Minutes from November minutes approved
Project date discussed
On our current timeline 1/13/13 would be midpoint for our project.
Decision was made defer setting of definite build date until a later point (possibly when 1/2 funds have been raised)
Maintaining UCONN involvement is a priority. It is unclear if changing timeline will impact UCONN commitment.
Collaboration with town is crucial. Delaying build date should improve the ability to access town resources.
Matt Hart has met with UCONN re: land use. At this it appears as though a no cost/low cost lease will be established.
Fundraising discussion
Approximately $1000 raised at Holiday Market
Susanna is organizing picket sales. Sara to email out holiday picket flyer.
Possible direct mail campaign was discussed. Someone(s) will have to attend post office training if we choose to go this route. There are 5,430 households in Mansfield. Potential cost would be $.17-$.22/envelope.
Take Note Concert will be Sunday 2/10/13. Julia distributed a list of what is needed (baked goods, supplies, & "people power").
Public Relations Discussion. Possible means for "getting the word out"
Full page ad in MCC brochure. Possible to include picket flyer. Sara to speak with Kurt.
Flyers in the Chronicle
Letters to the Editor
Possibly writing our own articles & submitting (with pictures) to the Chronicle
Getting on Wayne Norman's talk show on WILI radio. Julia suggested timing this with the Fun Run.
Kelly will be meeting with student council at MMS.

Minutes prepared & respectfully submitted by Ellen Tulman on 12/13/12

Approved 1/14/2013

Commission on Aging

Minutes of the December 10, 2012 Meeting

MEMBERS PRESENT: Will Bigl (2012), Sam Gordon (2014), April Holinko (2014), Bev Korba (2014), Laurie McMorrow (2014), Don Nolan (2014), Joan Terry, (2013)
COMMUNITY REPRESENTATIVES: Marilyn Gerling (Glen Ridge), Emil Poirier (Jensen's), Martina Wharton (Juniper Hill)
STAFF: Kevin Grunwald (Dir. of Human Services)
GUESTS: Lida Bilokur, Betty Jane Karnes

Minutes: The minutes of the November, 2012 meeting were approved as written.

Correspondence – April shared the memos she received from Lida Bilokur regarding how committees like ours work in other communities.

Wellness Center – Kevin reported that he and Cindy Dainton had interviewed the only qualified candidate for the Social Worker position. That person withdrew her application following the interview. After some discussion, it was moved that April and Laurie write a letter to the Town Council regarding the qualifications for the position stating that the Commission on Aging feels the job description should not require a licensed clinical social worker.

Kevin announced that Beth Hudson Hankins has been hired to work as the Senior Social Worker on a temporary basis until a permanent individual is hired. Beth has excellent experience in elderly services and is able to combine a temporary appointment with her established practice.

FoodShare – This program continues to go well. An additional delivery of turkey dinners was made in November to about 80 families.

Senior Center – Kevin distributed copies of the Senior Center report in Cindy's absence. He mentioned that special afternoon programs are planned for both Christmas eve and New Year's eve.

Community Information – There was discussion of ways in which we might find representation on the Commission from Wrights Way. April will contact the Wrights Way Commisioners to ask if they have a suggestion or if one of them would volunteer. Martina said Juniper Hill continues its wellness programs and they had a successful bazaar. Emile told us that Jensens had a tree lighting and carol sing recently. Marilyn Gerling reported that Glen Ridge has a number of ongoing community-building events.

New Business –Three people have applied to be members of this Commission but all three are registered Democrats so only one of them can be appointed. The two persons present (Lida Bilokur and Betty Jane Karnes) made some remarks about their interest in serving. It was decided that we would invite the third applicant (Jeanne Haas) to come to talk to us at our next meeting prior to voting. April will try to find Republicans or Independents who are interested.

April told us that our meetings will continue to be held at Juniper Hill as there is no space at the Senior Center at the time we meet.

Kevin will re-send our letter to the Transportation Committee asking for a bus shelter at the Community Center bus stop. Copies will go to Lon Hultgren and Matt Hart.

Old Business - It was agreed that our goals for this year will be as presented on the attached list. Goal #4 (making downtown Storrs senior friendly) was discussed. Joan Terry agreed to set up a meeting with Cynthia van Zelm to find out if this issue is being considered as the center progresses.

Transportation Issue – No word has been received regarding the issues we raised at this meeting in September.

Triad – Will said the senior police academy has 14 applicants and the plans are moving ahead.

Opportunity for the Public to Address the Commission – There were no comments.

Respectfully submitted, Joan Terry, secretary

Next Meeting: January 14

Goals for the Commission on Aging 2012-2013

1. Monitor Mansfield's Long-Range Plan for seniors with a continued focus on priority issues of senior safety, information dissemination, senior center space needs and health care needs including changing federal benefit programs.
2. Continue to advocate for the installation of a bus shelter at the Route 275/Community Center bus stop.
3. Advocate for improvements to the local transportation system.
4. Encourage the Downtown Partnership to make the new Storrs downtown senior friendly.
5. Provide information regarding tax relief available to residents.
6. Monitor the development of an independent living/assisted living facility in Mansfield.
7. Support the hiring of a Senior Services Social Worker.
8. Support the implementation of the FoodShare program.

Personnel Committee
Monday, November 19, 2012
Conference Room B, Audrey Beck Municipal Building

Minutes

Members Present: Deputy Mayor Toni Moran (Chair), Denise Keane, Paul Shapiro

Staff Present: Maria Capriola, Assistant Town Manager

The meeting was called to order at 6pm.

1. PUBLIC COMMENT
Betty Wassmundt, Old Turnpike Road. Ms. Wassmundt inquired as to the Ethics Code appeal process and the state statute that permits citizens to appeal decisions made by the Ethics Board.

2. APPROVAL OF MINUTES
The minutes of October 15, 2012 were moved by Keane and seconded by Shapiro. The minutes were unanimously approved as presented.

3. REGISTRAR COMPENSATION FOR 2013-2014 TERM
The Committee reviewed and discussed compensation data for registrars. Shapiro made the motion, seconded by Keane, to recommend to the Council as a whole to increase the hourly rate of pay for the Registrars and Deputy Registrars by 2% for the 2013-2014 term, or to $21.56 per hour for the Registrars and $16.17 per hour for the Deputy Registrars. Motion passed unanimously.

4. REGULAR MEETING SCHEDULE FOR 2013
Shapiro made the motion, seconded by Moran for the Committee to meet the third Monday of every month at 6pm except when the third Monday is a holiday, of which the Committee will meet on the third Tuesday at 6pm. The motion passed unanimously.

The meeting adjourned at 6:24pm.

MINUTES

Human Services Department Advisory Committee
July 20, 2011
2:00-3:00 PM
Conference Room B

I. **Call to Order:** Chair E. Mantzaris called the meeting to order at 2:00 PM. In the absence of the Secretary K. Grunwald agreed to take minutes for the meeting.

PRESENT: K. Grunwald (staff), Sandy Baxter (staff), E. Mantzaris (Chair, Youth Service Advisory), D. Eddy (Mansfield Housing Authority), V. Nimirowski (WAIM), J. Terry (Commission on Aging), Chuck Boster (guest), F. Perrotti (Member at Large), Bev Korba (guest/prospective member).
REGRETS: J. Blanshard (Advisory Committee on the Needs of Persons with Disabilities), J. Quarto (Mansfield Senior Center Association), S. Anderson (Mansfield Advocates for Children)

II. **Approval of minutes:** June 15, 2011: Under "call to order" clarify the typo. Minutes approved unanimously with that correction.

III. **Staff Presentations:**

Sandy Baxter: Early Childhood Services: Members introduced themselves and the groups they represent. Sandy works with Mansfield Advocates for Children and also coordinates the State School Readiness grant, which subsidizes 16 children in 4 nationally accredited Centers in Mansfield. The grant was started in 1998 with the stipulation that the Town establish a School Readiness Council with specific requirements for membership including representation from the Town and the school system, and the four centers participating in the grant. Centers are accredited by NAEYC. This grant is for 3 & 4 year old children. Sandy is responsible for the application, the six-month program evaluation of the Centers, and the annual evaluation. She also meets with all families who apply for the program. Referrals sometimes come through other departmental programs. Requirements are that participants are Mansfield residents, and there is a requirement that 60% of the participants are at or below the State Median Income. There is a minimum family share that must be paid to the program. The grant and the family share may not cover the total cost of services. Services provided meet the standards of

Early Care and Education. Early Childhood services cover the ages birth-8. Through the School Readiness grant the Town puts out a number of publications that Sandy distributed copies of. This included a directory of licensed early care providers in the Town of Mansfield and the publication Family Fun in Mansfield. The State Department of Education also expects the School Readiness Council to participate in policy development at the local level.

The other grant that Sandy is responsible for is the Graustein Memorial Fund Discovery Grant, which has been in operation since 2002. The goal is to improve the quality of life for children birth-8 through policy initiatives and parent engagement, along with collaboration with existing entities and providers. The plan was developed by a 27-member work group, and is being implemented by Mansfield Advocates for Children. The first task for this group was to develop a results statement: "All Mansfield children ages birth-8 are healthy, successful learners, connected to the community." The plan utilizes a Results Based Accountability model. The group has randomly surveyed 590 residents around the issue of Community Connectedness and is in the process of analyzing this data to determine where and how residents tend to feel connected to the community and each other. The Library has been identified as a significant institution where families connect with each other. There are 3 teams working on this plan, and each team has developed indicators within their area of interest. The plan continues to be revised over time as the group works on it. The Community Connectedness group has utilized the survey to develop a baseline measure for connectedness. The question was asked whether or not the program is evaluated, and it was explained that the funding is intended to influence policy and to develop capacity and infrastructure within the community. The example of the work that was done around Full-Day Kindergarten was given.

IV. Membership

- Representative from the Mansfield Senior Center Association: Bev Korba has expressed an interest in serving in this capacity; K. Grunwald explained that the Executive Council of MSCA needs to recommend Bev to the Committee on Committees, who would then recommend her appointment to the Town Council
- Member-At-Large: There is a second committee opening that is still vacant.
- Committee Secretary: J. Quarto has announced that she will be resigning from the Committee, and J.

Blanshard was nominated as the Secretary. She was not present to accept or decline.

V. **Departmental Update** (K. Grunwald) provided a brief update on the following departmental programs:

Adult Services:

- Masonicare has finalized purchase of property on Maple Rd. for an Independent/Assisted Living facility. A presentation was made to residents of Glen Ridge Cooperative.
- Staff worked with Storrs Congregational Church to provide summer food baskets to 15 families.
- Referrals to the summer meals program operated by Windham Public Schools are being made.

Youth Services:

- Completed Mansfield Challenge 35; recognition event tonight.
- Camperships have been provided through the Noah Farland Fund and the Youth Services Special Needs Fund.
- Camperships have also been provided at the Rectory School day camp through the Episcopal Bishop's Fund.

Senior Services:

- Grant application was awarded for purchase of a wheelchair accessible van for seniors and residents with disabilities.
- A matching grant was awarded from DOT for elderly/disabled transport with a 25% reduction due to a reduction in the State budget.
- Thursday evening program started June 30 and will continue through September 1.

Early Childhood Services:

- Staff attended a recognition event for participants in the Community Conversation. Mansfield was recognized for our success in involving Chinese and Korean community members in our conversation.
- Playground committee has formed and is looking at playground developers to assist with a community design process.
- Program Assistant Jillene Woodmansee has begun work; 10 hours/week.

VI. **Future Advisory Committee Initiatives (discussion):**

- Impact of undocumented aliens: D. Eddy had brought this up, and E. Mantzaris questioned whether or not

this is an issue? What would these problems be? Committee members came to agreement that people should receive services regardless of whether or not they are undocumented.

- Bev Korba talked about the possibility of starting a grief group, but decided that the group should just focus on the issues of people who are living alone. This would not be limited to seniors, but can be for people who are living alone for a variety of reasons. K. Grunwald will follow-up with her on this.
- Goals: E. Mantzaris would like to look at departmental statistics re: the potential overlap of services resulting from referrals within the department. She would also like to look at referral numbers that are made to outside agencies, and where are they going? K. Grunwald will provide report data for the next meeting to see if it answers these questions.

VII. **Other** (can be added by 2/3 vote):

Chuck Boster announced that the Attorney General has proposed banning outdoor wood furnances, which are currently permitted in the Town. E. Mantzaris questioned whether or not this is in the purview of the Committee.

VIII. **Future Agenda Items/ Adjournment:**

- Barbara Lavoie will present on the social work services that she offers at the Senior Center
- Committee Goals (is there an overlap of services?)
- Meeting adjourned at 3:05 PM.

Respectfully submitted,

Kevin Grunwald

Minutes of Human Services Advisory Committee, August 17, 2011. 2 p.m.
Present: Kevin Grunwald, Human Services Director; Barbara Lavoie, Senior Social Worker; Ethel Manzaris, (chair Youth Services advisory committee) chairperson; Sara Anderson (Mansfield Advocates for Children); Jane Blanshard (Advisory Committee on the Needs of Persons with Disabilities); Beverly Korba (Senior Center Association; Joan Terry (Commission on Aging). Absent: Frank Perotti, vice-chairperson.

Ethel called the meeting to order at 2:05. Following the resignation of Joan Quarto, Jane accepted the position of secretary.

Barbara gave a presentation outlining her job and her many responsibilities, which focus on the rapidly growing senior population in Mansfield. She does many referrals, seeking doctors who will accept Medicaid and explaining benefits to those who are eligible to receive them. She runs a low-vision group and a caregivers' support group, and serves on the board of the Mansfield Center for Nursing and Rehabilitation. Her hours have been extended from three days a week to four, because of the expanding needs of the senior community. When asked about her efforts to attain a license for counseling, she replied that she has been so busy with so many varied tasks that her supervision time has been reduced to one hour a month when her supervisor goes over cases with her. Ethel pointed out that this would mean years before she receives the license, and Kevin explained that after she was hired the requirements were modified so that this is no longer necessary. She does counseling, but does not do therapy. For that she makes referrals to qualified counselors.

Barbara has supervised two senior UConn social services students, one of whom updated the refrigerator packets, which provide medical information in case of emergency. Both helped in such projects as the pamphlet, which will be published this fall, *At Your Fingertips,* to provide information on all kinds of available senior services.

Ethel asks how she keeps track of weekly contacts as listed in a handout from Kevin. Barbara replied that while the referrals might not all be listed in her computer, they would be listed in the records of the people she referred to.

Bev said there is a big concern about local doctors not accepting Medicare patients, a scary rumor. Kevin said that he is not aware of any doctors locally who do not accept them, but thinks there was a recent political rumor about a reduction of Medicare payments to doctors, which may have given rise to the fear that some of the doctors would not be able to afford to accept such patients.

Kevin reported that the department has received a grant to educate off-campus UConn students about local laws and regulations regarding rental housing, and their landlords as well.

The town helped a number of local children to go to camp this summer, and is advertising slots in its school readiness program.

The Senior Center, which is now open till 7:30 on Thursday evenings, is hoping to have one night a month of programming, such as a speaker or a movie.

Kevin reported that a committee is interviewing people to replace Sandy Baxter, Early Childhood Services. The committee consists of Sandy, Pat Michalak, and a person from Colchester. The question was raised as to why Sandy is on the committee to replace

herself, but the response was that since she is retiring she could be helpful to a new person. For the second interview the committee will consist of Kevin and Maria Capriola, as well as a child advocate. Jane asked why they haven't asked Louise Bailey to interview people who might replace her as librarian.

Kevin explained the statistics he had handed out. Ethel asked if we should improve our tracking of referrals and he agreed that we should.

The meeting adjourned at 2:55.

Respectfully submitted,

Jane Blanshard, Committee Secretary

Human Services Advisory Committee Minutes, October 19, 2011

Present: Jane Blanshard (Disabilities); Dexter Eddy (Housing Authority); Kevin Grunwald (ex officio); Lorraine Kenowski (at large); Bev Korba (Senior Center); Victoria Nimirowski (WAIM); Joan Terry (Commission on Aging). Absent: Sara Anderson (Advocates for Children) (Ethel Manzaris (YSB); Frank Perrotti (at large).

The minutes of the meeting of September 21 were unanimously approved after a typo in the date of the present meeting was corrected.

In the absence of Chair Ethel Mantzaris and Vice-Chair Frank Perotti, Victoria called the meeting to order at 2:01. At Kevin's request we said what we were representing there for Lorraine Kenowski who is a new member at large. She has worked with Natchaug Hospital and other organizations.

Victoria asked for an update on our effort to reach out to McSweeney Center. Kevin said that he had talked to Marge Roach and that she would be joining us later. He said that he had talked to Cindy Dainton, who is currently on a month's medical leave, and her only concern was space in the present Senior Center. What we would need in terms of staffing if we increased the number of people who eat lunch at the center? Currently, TVCCA, the agency that pays part of the salary of our part-time kitchen worker, and the town pays the rest. This would have to be negotiated with them.

Kevin said that McSweeney is having major financial problems. Marge is acting coordinator. They also have staffing problems because of lack of money. In the past they have survived on various grants, but this has all been significantly cut back, including the dental program.

Bev asked if other towns have offered to share services, but most of them have their own centers and can't ask for additional money to support other centers.

Kevin said that Mansfield's special needs fund is running out and they are seeking contributions. We spent about $11,000 last year in help for heating, medication, and sometimes food. The minimum fuel delivery is 100 gallons,

which is now $400, though Potter's will occasionally deliver less. The fund was used for some camperships, drug copays, but we are down to about $3000. Victoria asked if Mansfield ever refers people to WAIM or ACCESS. Kevin said we do, but we are the third step in the process. Victoria said she hoped we would coordinate so that people wouldn't be coming to Mansfield after getting enough assistance elsewhere. Kevin says we expect a great need for holiday donations. We will ask for sponsors for individual families as well as contributors to our holiday fund. Dudley Hamlin and Paul Kozelka have managed the fund in the past. We are trying to combine solicitations for this and for Mansfield Challenge and for the Mansfield Community Fund. People involved in the Community Fund feel they can't continue it without Betsy Hamill who died recently. Gifts to town are tax deductible. Kevin says we may need to start a foundation. The problem is getting too complicated. Jane asked if Kevin has access to Betsy's mailing list, and he said Mary Stanton has that, and he does plan to combine the various lists and send one letter twice a year. Victoria suggested that he ask someone connected with the Community Fund for help in combining it with the other Mansfield funds. Victoria suggested that the Eastern CT Community Foundation would be the place we should seek help from. She said she would give Kevin the name of a contact person. And also that WAIM would help out.

Joan asked about a press release dated October 7, whether there'd been any response. Kevin said it hadn't been sent out yet, but they usually have a good response. He plans to put it in the Chronicle and the Patch. Victoria asked if it could include the recycling bill. Joan suggested that he include two copies of the letter in each envelope and ask the recipient to pass it on to a friend not on the list yet. Kevin received a request from an EOSmith student who needs a community service project, and he asked her if she'd be willing to help with this effort, and she was enthusiastic. Victoria said she could set up a Mansfield fund at WAIM and have whatever goes into that fund be used only for Mansfield residents. They have many other different funds.

Kevin announced that a successor for Sandy Baxter has been hired: Kathleen Krider. She will be the new early childhood services coordinator, having directed Mt. Hope Montessori for eight years. Before that she was an athletic trainer at Branford High School and Windham High School. She is Deb Walsh's daughter. Kathleen, like her mother, is very much a networker.

Goals and Initiatives: Matt wants Kevin to analyze our role in terms of town government, Kevin will do some "bench marking" by looking at other towns of similar size: whom are we serving, what are we accomplishing, what staffing is needed? Develop performance measures so we can do periodic evaluations. Perhaps we can do a simple survey, are we providing necessary services.

Bev asked who evaluates Kevin and how does it happen. He said Matt evaluates him. Kevin said that the bench-marking process involves evaluation ourselves against our peers. Strategic planning must take into account the unique qualities of Mansfield: aging population, realistically what can be provided for instance in terms of public transportation. Jane suggested an outside evaluation, but that would be expensive. Kevin suggested maybe an outside facilitator. Dexter said this has worked well with several organizations. Victoria said it has worked well at WAIM.

Joan asked if our human services is involved with the university. Kevin said he participates in the healthy campus grant initiative and other issues. That's another thing to define: how much involvement should we have? There is a health fair going on now at the Senior Center, conducted by UConn students, and many of them volunteer at YSB. So should we tap into that resource more. Kevin will report next month on what he's learned in the bench-marking process and will work on his time line so it doesn't go on indefinitely.

Dexter asked what towns Kevin will compare our services to. Windham is about the same size, but they don't operate their youth services or senior center. Coventry is similar, Tolland perhaps more so. Others we have compared ourselves to in the past are Glastonbury and others, but they are very different demographically.

Next meeting: November 16, 2:30

Respectfully submitted, Jane Blanshard

MINUTES, HUMAN SERVICES ADVISORY COMMITTEE
NOVEMBER 16, 2011

PRESENT: Ethel Mantzaris (YSB), chair; Jane Blanshard (Disabilities), secretary; Sara Anderson (Advocates for Children); Kevin Grunwald (ex officio); Matt Hart (Town Manager); Kathleen Krider (Coordinator, Early Childhood Services); Bev Korba (Senior Center); Victoria Nimirowski (WAIM); Joan Terry (Commission on Aging).

ABSENT: Dexter Eddy (Housing Authority); Lorraine Kenowski (at large); Frank Perotti (at large), Vice Chair.

Meeting called to order at 2:06. Jane should have signed the minutes. She said she did and it didn't fit on the page. Minutes accepted.

Kathleen Krider was next on the agenda, but we skipped over to Matt Hart. Kevin pointed out the last page of the packet included a draft of planning and work plan.

Matt Hart talked about strategic planning for the department. He has asked Kevin to work with his staff and various other "stake-holders" to review our operations and develop a strategic plan for the department. He wants to make sure we are deploying our resources in the most efficient and effective way, and as part of this we need to look to see if there are any gaps in our services. We must look at every level, nonprofits, etc. Do we see unaddressed needs that must be addressed? Some shifting of funds might be necessary. We will be asking you as a committee to advise us. This may take as much as a year because it takes time away from regular tasks.

One example of analyzing need is the combination of our fire departments, which has made the whole fire system much more efficient. Another example going on at present is our police study. We have taken a critical look at several options as to how best to provide police services.

Kevin has attempted to put the outline into a format for a reasonable work plan. Which amounts to strategic planning. Initially, this is mostly collection of information. People who would be responsible include an intern in the manager's office, who could work with him on "bench-marking."

The committee pointed out that we need to know what other towns our size are doing so we can see if we are lacking in anything. We are at a standstill until we can make comparisons. Do we need to do more than we are doing? We need to know what services are available to us in other towns. Are we making sure that people are aware of services available to them in this difficult economic period?

Kevin: we don't ordinarily collect information about income. It is difficult to determine how to prioritize services. Should something have a higher priority than something we are doing now? We may need to do a lot more outreach.
Ethel pointed out that groups are competing for resources, i.e. youth and elderly. The great middle group may have no advocates. Victoria said that our top priority should be people losing jobs, homes, heat. Then we think of other services.
Kevin: our mission has to be to the people with the fewest resources. But the town ultimately needs to come to an understanding of what we should be doing. Jane: How are you going to find out how the town feels? Kevin: a couple of different ways to do this. The advisory committees can speak for some people. Surveys can be costly and not very effective. Focus groups are an easy way to get information. Websites are good, assuming all the people we want to reach have computers. Matt: conversations with service providers are valuable.
Sara: Could we look at towns outside of CT? There are plenty of other university towns. Matt: We do belong to a college town network. That might be worth looking at, but the state comparisons are important because of the funding issues.
Someone asked why we can't ask how other college towns handle the town-gown relationship. Matt: College towns are unique in that they have a large number of temporary residents. Ethel: How to initiate conversations with other similar towns? Matt: Perhaps a brief survey, telling them what we provide. Ethel: You and Kevin will do this? It would be a good starting point.

Victoria: Have you looked at Willimantic—after school programs? Also a college population. The income level is totally different. But we should look at it as something we are part of. Kevin: the data is very skewed when we compare.
Victoria: set goals, and then look at the map. Kevin: we have pretty simple work measures we submit as part of our budget, pretty similar from year to year. Not necessarily tied to any larger strategic plan. We do actually have goals but not necessarily ones that are well developed.

Matt: we are better off addressing needs as a region, especially in dealing with nonprofits. Bring in regional network. Kevin: that's why we need performance standards. Ethel: should we ask local nonprofits what services they are actually providing? How many from Mansfield? Age range? Income? Victoria: some of this information is not being recorded. But first we identify who we want to be. What is the current goal of Mansfield Human Services? Victoria: It is always helpful to bring in a facilitator who knows about strategic planning who can guide you in the right direction to identify your goals. Ethel: You have to look at the needs first and then come up with a vision. To say we want to provide best services possible is meaningless if we don't know what the needs are. Kevin: but we might see limitless needs. We should think what we are really good at and how that helps prioritize.
Kathleen: You do have data available and could you use it first in the direction you need to go in? Kevin: some data, yes. Kathleen: so data collection would be a first step of your department? You probably will find some holes in the data, which will enable you to identify more partners. If there are holes, you need to know why. This would help establish a plan.

It was pointed out that people who have received services all their lives know where to turn, but those who have suddenly lost a big job and never had to

ask for help don't know where to begin. But the town can't be all things to all people. The whole prioritization process is key: we need to establish what is out there now. Ethel: we need to find out what services are available to us from outside agencies.

Bev: is there anything we as a committee can do? Kevin: you represent various aspects of the town, Glen Ridge, the Commission on Aging. Perhaps host a focus group at Glen Ridge. We must acknowledge that the Storrs population is aging rapidly.

Matt: this committee can take helping us out as a primary goal.

Kevin will email committee members to let us know where he is going to start collecting data, and we can offer suggestions. Victoria: we might find people in the area to help with specific areas of need, such as heating assistance.

Kathleen Krider was urged by committee to continue to attend our meetings. She has replaced Sandy Baxter as early childhood services coordinator. She has lived in the community since 1971.

Kevin: 66 food baskets for Thanksgiving, 20 of which came from Storrs Cong. Church. We were able to respond to all requests. Roughly the same number as last year, but quite a few are new. We probably will have helped close to 70 families, including Christmas. We got a thank you letter, a poem, from a recipient. Kevin will email it to us. About 40 of the families will get some cash from the holiday fund. They collected around $12,000, including one anonymous $2000 donation.

Quarterly report on July-October. Frank Perotti is resigning as an at-large representative. If we know anyone, contact Peter Kochenberger, chairman of the Committee on Committees. Kevin contacted him and Mary Stanton, and if she hasn't yet had a letter, it will be forthcoming.

Kevin: future agenda items—review some applications from private agencies for funding. Many provide services regionally. Ethel: email them before the meeting? The deadline is the 20th, just after our next meeting. But some will get in early, so he will distribute them.

The applications will be divided up among Youth Services, Commission on Aging, etc., but there will be some for us to review.

Next meeting January 18th.

Adjourned at 3 p.m.

Respectfully submitted,
Jane Blanshard

MANSFIELD DOWNTOWN PARTNERSHIP
ADVERTISING AND PROMOTION COMMITTEE
Meeting
Tuesday, September 25, 2012
860.429.2740
4:00 pm

Minutes

Present: Kristin Schwab, Marcia Firsick, Janet Jones, Shawn Kornegay, Connie Neal, Betsy Paterson, and Dermot Pelletier

Staff: Cynthia van Zelm and Kathleen Paterson

1. Call to order
Kristin Schwab called the meeting to order at 4:03 pm.

2. Public comment
There was no public comment.

3. Approval of Minutes from July 24, 2012
Betsy Paterson moved to approve the minutes.

Marcia Firsick seconded the motion.

The minutes were approved unanimously.

4. Recap of 9th Annual *Festival on the Green*
The committee shared their thoughts on improving the event, including: changing the schedule so the headliner plays earlier in the day; shortening the length of the event; having an evening concert the day before and making the *Festival* just for children; adding more food vendors; and getting the new Storrs Center businesses more involved. The general consensus was that the 9th Annual *Festival* was the best one yet, although improvements could be made to make it even more successful.

Kathleen Paterson will share the committee's suggestions with the *Festival* sub-committee at their debrief meeting.

5. Update on Storrs Center Project including communications
Cynthia van Zelm provided an update on the master developer LeylandAlliance's marketing plans for Storrs Center, including events that are in the beginning stages of planning. She reviewed the list of businesses that have opened and gave estimated opening dates for the remaining businesses.

The committee expressed a desire to be more involved with the event-planning and marketing for Storrs Center. They suggested a number of activities including a procession of carolers from the

Mansfield Community Center to the downtown; a holiday walk; and inviting E. O. Smith students to get involved.

Ms. van Zelm will share these ideas with the Leyland team.

6. Update on Public Spaces Plan

Ms. Schwab explained that she and Ms. K. Paterson had met to work on the brochure to incorporate the committee's suggestions from the July meeting. She said that, as they worked on the piece, they focused on the goal of highlighting the existing public spaces such as hiking trails and bike paths. She said the secondary goal is to inform people of the Public Spaces Plan and the proposed projects within that document.

Ms. K. Paterson shared an outline for the brochure that was based on the committee's suggestions from the July meeting. She noted that the maps and images were placeholders for the draft. **Ms. Schwab will work with her students to update the maps with different graphics based on the committee's suggestions.**

The committee approved the outline and reiterated concerns about the graphics being difficult to read, especially for older residents.

7. Other

The committee discussed the signage program for Storrs Center. Their concerns were not "over-signing" the area and getting community groups involved with the maintenance of the signs.

The committee also discussed the idea of commemorative bricks in the Town Square. The general consensus was that a more creative way to recognize contributors could be found but first there should be a discussion of what the goal of such a program is (e.g. to simply recognize contributors and community members or to serve as a fundraiser)

8. Adjourn

The meeting adjourned at 5:20 pm.

Minutes prepared by Kathleen M. Paterson

MINUTES

Mansfield Advisory Committee on the Needs of Persons with Disabilities

Regular Meeting - Tuesday May 22, 2012

2:30 PM - Conference Room B - Audrey P. Beck Building

I. Recording Attendance-

Present: K. Grunwald (staff), F. Goetz (Chair), J. Blanshard, J. Tanner, S. Holinko, KA Easley (staff)

Regrets: G. Bent, C. Colon-Semenza, W. Gibbs

II. Approval of the Minutes for April 24, 2012: J. Blanshard moved and J. Tanner seconded approval of minutes. Approved unanimously.

III. New Business

a. Transportation Issues: K. Grunwald distributed a draft memo to be sent to the Transportation Advisory Committee from this committee, Human Services Advisory and Mansfield Advocates for Children re: public transportation needs. The committee endorsed this unanimously and it will

be sent on to the other two committees for their approval before sending it to the Transportation Advisory Committee.

b. Other: J. Blanshard reported that a friend told her that the ramp at Chuck's/Margaritaville is dangerous. K. Grunwald will ask the building inspector to look into this.

IV. Old Business

a. Membership: S. Holinko has emailed staff at Horizons to see if they are interested in joining. Her last meeting will be in June unless she can arrange her schedule to attend meetings. K. Grunwald was approached by someone who expressed interest in joining. F. Goetz will talk to someone that he knows about this.

b. Accessibility issues previously identified: Post Office: K. Grunwald reported that there is no response from Joe Courtney's office to the letter; he will follow up.

c. Other:
   - J. Tanner reported that the signs for the $150 fine are still not up in the Community Center's upper parking lot.
   - K. Grunwald reported that the new Library Director is working on getting an automatic door installed.
   - K. Grunwald reported on the development of the Community-Designed/Built playground, which will be designed to be fully accessible.

- F. Goetz reported that curb cuts have still not been installed at the cross walks on South Eagleville Rd. K. Grunwald will draft a letter from the committee to the Transportation Advisory committee.
- K. Easley asked for suggestions to make the committee's website more appealing. J. Tanner will look at this and will report back at the June meeting.

V. Adjournment: Meeting adjourned at 3:05 PM. The next meeting will be June 26, 2012. The committee does not meet in July and August.

Respectfully submitted,
Kevin Grunwald

Minutes

Mansfield Advisory Committee

on the Needs of Persons with Disabilities

Tuesday April 24, 2012

Attendance: Gloria Bent, Jane Blanshard, Christina Colon-Semenza, Fred Goetz, Stephanie Holinko , Jennifer Tanner, Kathy Easley (staff), Kevin Gruenwald, (staff)

Regrets: Wade Gibbs, Donna Korbel

Approval of the Minutes for February 28, 2012. Moved J. Blanshard, seconded C. Colon- Semenza

New Business:

a. Membership:
S. Holinko will be attending graduate school in the fall. Her last meeting will be in June. K. Grunwald noted that Joan Dorion is interested in serving on the commission.

b. Other:
The group agreed to the addition to the agenda of discussion of transportation issues as suggested by G. Bent. She noted that three town advisory committees (MACNPD, MAC and the Commission on Aging) have all expressed concern on public transportation and suggested MACNPD work to bring them together to explore common areas of focus. J. Blanshard will raise the issue on our behalf at the Human Services Advisory Committee where all three groups are represented

Old Business

a. CT Family Empowerment Network Presentation was reviewed and the possibility of future events was

discussed. C. Colon-Semenza suggested the committee try to determine the number of families with children with disabilities in the community.

b. Review of ADA grievance.
K. Grunwald distributed the committee's response to the grievance brought in January. Discussion of ADA issues in general followed.

c. Accessibility issues previously identified:
K. Grunwald shared a letter drafted to Rep. Courtney asking for suggestions as to how the post office accessibility issue can be resolved.

Adjournment at 3:30 p.m.

Next meeting May 22, 2012.

Respectfully submitted,
Gloria Bent, recording secretary

Mansfield Advisory Committee on the Needs of Persons with Disabilities
January 24, 2012
Audrey P. Beck Building, Conference Room B

Present: Gloria Bent, Jane Blanshard, Kathy Easley (staff), Kevin Grunwald (staff), Fred Goetz, Jennifer Tanner Stephanie Holinko (guest)

Regrets: Wade Gibbs

I. CALL TO ORDER at 2:35 by committee chair, Fred Goetz.

II. APPROVAL OF MINUTES

Kevin noted that minutes to be reviewed are from October due to a lack of quorum in November and December.

The minutes of the October 25, 2011 meeting were approved (Moved Jennifer Tanner, seconded Jane Blanshard)

III. NEW BUSINESS

Review of Membership: J. Blanshard has renewed for one year. J. Sidney has resigned. S. Holinko is considering membership. Donna Korbel, Director of the UCONN Center for Students with Disabilities is interested in joining the committee. If her schedule does not permit, she will identify a staff person who can attend. G. Bent will contact Joan Dorion as a prospective member.

Resources for parents of children with disabilities: G. Bent spoke about the DDS CT Family Empowerment Network.
The committee agreed to invite them to come and offer an information event for parents of children with developmental disabilities. G. Bent will contact CTFEN.

Other: F. Goetz noted the lack of pull cords in the men's room in town Hall. J. Blanshard and J. Tanner noted a similar lack in the womens' restroom. K. Grunwald will check with facilities.

OLD BUSINESS

Review of ADA grievance: The committee reviewed the information gathered regarding the grievance. The committee agreed that K. Grunwald will draft our response and share it with Maria Capriola for review.

Accessibility issues: There has been no response to letter sent to Mansfield Supply on September 28,2011. K. Grunwald and F. Goetz will draft a follow-up letter.

Transportation concerns: Transportation limits remain an issue, especially for seniors who no longer drive. Some current public transports are not able to accommodate walkers, scooters, wheel-chairs. After reviewing current public transportation options and agreed to invite Lon Hultgren, Department of Public Works, to come and talk with us about the town's transportation plan.

Adjourned at 3:35 p.m.
Respectfully submitted,
Gloria Bent, recording secretary.

Minutes

Mansfield Advisory Committee on the Needs of Persons with Disabilities October 23, 2012

Attendance:

Fred Goetz, Christina Colon Semanza, Gloria Bent, Donna Korbel, Kevin Grunwald, staff; Kathy Easley, staff; Donna Clauson, prospective member

Regrets: Jennifer Tanner

Committee Chair F. Goetz called the meeting to order at 2:35 p.m.

The minutes for June 26, 2012 were approved (Moved C. Colon-Semanza, seconded F. Goetz)

New Business

a. Membership/Time of Meeting: After surveying those in attendance it was decided to make no change to the time of the meeting.
b. Representation on the Human Services Advisory Committee: The committee will submit F. Goetz' s name to the Committee n Committees.
c. DOT Transportation Hearing: 9/27/12: K. Grunwald reported on his testimony to the Transportation Commission. He also noted that towns receive grants for transport for elderly residents and that those grants have been cut over the last few years. We are one quarter of the way through the year and Mansfield has used half of the funding. It will probably be necessary to discontinue services before the fiscal year is out.

d. Transportation Advisory Committee Meeting: K. Grunwald and G. Bent reported on their attendance at the recent Transportation Advisory Committee meeting. TAC members agreed they are the appropriate body to work with on our transportation concerns. TAC suggests they and we need to work with UCONN and WRTD. All groups concerned will need to gather data and be specific in identifying needs.

e. Annual Report: K. Grunwald shared the draft of the advisory committee's goals for the coming year as noted in our annual report. The group agreed to:

- continued focus on access to buildings and services (including Post Offices)
- a commitment to accessibility of any new recreational facilities
- promoting wider community awareness of the committee and it's mission
- continuing to gather information on the needs of adults with developmental disabilities

f. Review of PZC referrals

Whispering Glen: K. Grunwald noted the committee has previously responded to the initial proposal

Kueffner and Stoddard proposal for a High Ropes Course: MACPD will ask if accessibility for the course itself is a part of their plan. Kevin will draft letters.

Old Business

a. The van purchased with grant funds (lift equipped) is being delivered for preparation. It will be used for group transportation to medical facilities outside our area.

Adjourned at 3:25p.m. Next meeting November 27, 2012.

Respectfully submitted,
Gloria Bent, recording secretary

Mansfield Advisory Committee on the Needs of Persons with Disabilities
February 28, 2012
Audrey P. Beck Building, Conference Room B

Present: Gloria Bent, Jane Blanshard, Kathy Easley (staff), Fred Goetz, Kevin Grunwald (staff), Donna Korbel, Jennifer Tanner, Stephanie Holinko

Regrets: Wade Gibbs

I. CALL TO ORDER at 2:35 by committee vice chair, Jennifer Tanner

II. APPROVAL OF MINUTES

The minutes of the January 24, 2012 meeting were approved (Moved J. Blanshard, seconded J. Tanner)

III. NEW BUSINESS

Welcome to Stephanie Holinko who was recently appointed to the committee by the town council.

Presentation by Connecticut Family Empowerment Network

G. Bent noted that a representative from the Family Empowerment Network will be in Mansfield on April 2, 2012 for a presentation on legislative action underway this session which will impact services to people with developmental disabilities. The event will be held at the Buchanan Auditorium and begin at 7 p.m. The speaker will also talk about advocacy strategies. Discussion followed on publicity efforts. K. Easley suggested we contact the UConn Center for Students with Disabilities to help disseminate information and perhaps co-sponsor. K. Grunwald suggested we also

contact the Special Services Co-coordinator at E.O. Smith High School. G. Bent will follow up.

OLD BUSINESS

Review of ADA Grievance:

K. Grunwald has drafted a response, which is being reviewed by the town attorney, Dennis O'Brien.

Accessibility issues previously identified:

Letter to Mansfield Supply: A response has been received from Mansfield Supply indicating a willingness to change the entrance if the town will allow a partial modification. K. Grunwald will talk with the town building inspector to see what the ramifications would be for the store if they undertook a modification.

Pull cords in restrooms:

Mike Ninteau responded to the question about the lack of pull cords in the public restrooms in town hall. Pull cords are required if the restroom only accommodates one person.

Post Office access:

The lack of automatic doors at the Storrs post office was discussed and it was noted that federal buildings are exempt from ADA legislation. K. Grunwald will draft a letter to Representative Joe Courtney.

Transportation concerns:

K. Grunwald shared the town's list of transportation improvement needs. He noted that Linda Painter would be the staff person to speak to which improvements from the list are underway. He will invite her to attend the committee's next meeting.

Adjourned at 3:15 p.m.

Respectfully submitted,
Gloria Bent, recording secretary

Minutes

Mansfield Advisory Committee

On the Needs of Persons with Disabilities

June 26, 2012

Present: Gloria Bent, Christina Colon Semenza, Wade Gibbs, Stephanie Holinko, Staff: Kathy Easley, Kevin Grunwald
Regrets: Jane Blanshard, Fred Goetz, Jennifer Tanner

I. Call to order
In the absence of both the chair and vice-chair the meeting was facilitated by K. Grunwald and called to order at 2:35 p.m.

II. Approval of the Minutes for May 22, 2012.

The minutes of 5/22/12 were reviewed and approved as presented. (Moved S. Holinko, seconded G. Bent)

III. New Business

The committee agreed to G. Bent's request for the addition of the Mansfield Advocates for Children's Community Playground project to the agenda. C. Colon-Semenza presented background information on the history of the MAC project. G. Bent noted that of the five playgrounds in town, three are over 20 years old, four have wood chips as their base and therefore meet only minimal disability standards and none of them are accessible via public transportation. She presented a draft letter to the Town Council in support of the new playground to be constructed behind the community center. This playground will meet higher accessibility standards and be accessible by public transportation. G.Bent moved that MACNPD send the letter of support

for the MAC Community Playground project to Town Council. (Seconded by C. Colon Semenza) Motion Approved.

IV. Old Business

Membership:

W. Gibbs announced his acceptance of a new position in West Hartford, which will not allow him to attend afternoon meetings. The committee noted his service with thanks.

S. Holinko noted that her class schedule for fall also creates a conflict. She will return in the spring when her schedule permits.

A general discussion of potential members followed and current members took responsibility for contacting those identified.

V. Accessibility issues previously identified:

Post Office

We have no response from the letter sent to Rep. Courtney yet. C. Colon Semanza noted that J. Tanner was part of a discussion panel on disability culture and local challenges at a UConn class in physical therapy. The students generated several ideas for raising awareness of the issue.

Ramp at Margaritaville

At a previous meeting J. Blanshard raised a concern brought to her about the safety of the ramp at Chuck's Margaritaville. Kevin reported the concern to town building inspectors. Their examination revealed no issues.

Transportation

The letter to the Transportation Advisory Committee approved at the last meeting has also been endorsed by

Mansfield Advocates for Children and the Commission on Aging. The letter has been sent to the Transportation Committee and cc'd to Town Council.

VI. Adjournment
The meeting adjourned at 3:30 p.m. Next meeting September 25, 2012.

Respectfully submitted,
Gloria Bent, secretary

TOWN OF MANSFIELD
FINANCE COMMITTEE MEETING
MINUTES OF DECEMBER 10, 2012

Members Present: W. Ryan, D. Freudmann, C. Schaefer

Other Council Members Present: P. Shapiro joined at 6:03pm

Staff Present: C. Trahan, M. Hart

Meeting called to order at 6:00pm.

1. Minutes from 11/13/12 meeting approved as presented.

2. Opportunity for Public Comment – B. Wassmundt, Old Turnpike Road, requested that the Finance Committee take a more active roll in providing direction for the upcoming budget, including reviewing town programs and department efficiencies.

3. The Committee reviewed the proposed salary budget transfers for FY 2012/13 per Cherie Trahan's December 5, 2012 memo to Matt Hart. The majority of the increases are due to the general wage increase budgeted for in Contingency because they were not awarded until after the budget was passed. The net effect is an increase of $110,690, leaving a balance of $64,310 in Contingency for the remaining contracts that need to be settled. This should be sufficient to meet our needs.

4. The Committee reviewed the proposed Finance Committee Schedule for calendar year 2013.

5. David Freudmann requested information on the allocation of the cost of the finance department to the following agencies – Town, Board of Education, Region 19, Eastern Highlands Health District, and Mansfield Discovery Depot. David requested what percentage of the workload applies to each agency, what the total cost of the finance department is,; what are we charging the four other agencies; and how are post-employment benefits considered. Cherie will provide an estimate of when this analysis can be provided at the next meeting.

6. Adjournment. The meeting adjourned at 6:55 pm.

Motions:
Motion to approve the November 13, 2012 minutes by David Freudmann. Seconded by Carl Schaefer. Motion so passed.

Motion to recommend approval of the Proposed Budget Transfers for FY 2012/13 by the Town Council by Carl Schaefer. Seconded by David Freudmann. Motion so passed.

Motion to approve the Finance Committee meeting schedule for calendar year 2013 by David Freudmann. Seconded by Carl Schaefer. Motion so passed.

Motion to adjourn.

Respectfully Submitted,
Cherie Trahan
Director of Finance

C:\Users\DeliaS\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\U5LA7OSS\Fin Comm 121012.doc

Historic District Commission
Minutes

Meeting December 11, 2012

The meeting convened at 7:00 p.m.

Members Attending: G. Bruhn, J. McGarry, L.Minearo, A. Bacon

Public Hearing:
The request by Jill Barton and Anne Blanden, 88 Mansfield Hollow Road, Mansfield Hollow Historic District, to erect a 12' by 20' shed in the southeast corner of their property was approved. The structure will be in a cape style with a crushed stone pad and will not be visible from the road. There was no objection from the public. G.Bruhn will notify Curt Hirsch and the Building Dept.

Old Business:

The minutes of the November meeting were approved.

New Business:

I. Jo-Anne Roberts, representing the First Church of Christ, 549 Storrs Road, Mansfield Center Historic District presented plans for a new sign to replace the existing sign, to be located in the same spot. The sign can be no larger than 12 square feet per town zoning regulations. The church has contracted with Signs Plus to build the sign, which is planned to be in PVC with vinyl letters. Given the significance of the church to the Historic District the Commission asked Ms. Roberts to request that the church consider a wooden sign, with a simpler design and fewer words. The committee also suggested that design help be solicited. Ms. Roberts will present examples of Signs Plus work for our next meeting and will discuss suggested changes with the various church committees involved. The Commission will work to find examples of signs that may be more appropriate to such an important historic structure.

II. Meeting dates for 2013 were distributed.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Gail Bruhn
Chairman

TOWN OF MANSFIELD
Ethics Board
Thursday, September 20, 2012
Audrey Beck Municipal Building, Conference Room B

Minutes

Members Present: Lena Barry, John DeWolf, Win Smith, Nora Stevens (Chair)

Staff Present: Maria Capriola, Assistant Town Manager, Mary Stanton, Town Clerk

The meeting was called to order at 5:02pm.

I. PUBLIC COMMENT
None.

II. APPROVAL OF 7/5/2012 MINUTES
Mr. Smith made the motion, seconded by Mr. DeWolf to adopt the minutes. The minutes were unanimously approved as presented.

Ms. Barry voted during the meeting of 9/20/12 since Mr. Nesselroth and Mr. Raynor were unable to attend the meeting.

III. ETHICS TRAINING
Ms. Capriola and Ms. Stanton presented a draft version of an ethics training workshop for staff and officials. Board members offered feedback and suggestions.

IV. 2013 REGULAR MEETING SCHEDULE
By consensus, the Board agreed to meet the third Thursday of January, April, July, and October 2013 at 4:30pm.

V. ELECTION OF OFFICERS: November 2012 – October 2013
Mr. Smith made the motion, seconded by Mr. DeWolf to nominate Ms. Stevens as Chair. Motion passed with Smith, DeWolf, and Barry voting in favor and Ms. Stevens abstaining.

Mr. DeWolf made the motion, seconded by Mr. Smith to nominate Ms. Barry as Secretary. Motion passed with Smith, DeWolf, and Stevens voting in favor and Ms. Barry abstaining.

Mr. Smith made the motion, seconded by Mr. DeWolf to nominate Mr. Nesselroth as Vice Chair. Motion passed unanimously.

VI. 2011-2012 ANNUAL REPORT
By consensus, the Board agreed to submit its annual report to Council as presented with one correction (replacing the words "participated successfully" with "prevailed").

VII. UPDATE TO COMPLAINT PROCEDURES
This will be a future agenda item for the January meeting. The Board will ask the Town Attorney to assist in reviewing the procedures and making recommendations based on the revised Code.

Mr. Smith made the motion, seconded by Mr. DeWolf to adjourn the meeting. Meeting adjourned at 6:19p.m.

Respectfully Submitted,
Maria E. Capriola, Assistant Town Manager *on behalf of Lena Barry, Secretary*

APPROVED

Human Services Advisory Committee
Minutes of December 19, 2012 Meeting

Present: Ethel Mantzaris (YSB), chair; Sara Anderson (Advocates for Children); Ron Baker (Member At Large); Dexter Eddy (Housing Authority); Fred Goetz (Advisory Comm. on the Needs of Persons with Disabilities); Lorraine Kenowski (Member At Large); Bev Korba (Senior Center); Victoria Nimirowski (WAIM); Joan Terry (Comm. on Aging); Kevin Grunwald (Staff)

The minutes of the November 28, 2012 meeting were approved as submitted.

Highlights – Kevin reported the following activity for the department.

- The department acts as the intermediary at holiday time connecting families in need to those willing to help. Over 70 families are on the Christmas list, more than last year. Kathy Ann has been very busy sorting the gifts to be distributed.
- The Holiday Fund, in its 43rd year, collected over $11,000, enabling the department to send checks to 54 families. The Liberty Bank was very helpful in this project.
- Kevin is beginning work on next year's department budget with the understanding that funds will be scarce.
- Youth Services staff helped out at our schools following the crisis in Newtown. They are compiling information on how to talk to children regarding tragedies. The YSB sponsors a group for those who experience losses in their lives. Twenty-one people attended a recent meeting.

- The Senior Center is sponsoring a number of special programs during the holidays including special events on Christmas and New Year's Eves.
- The playground is pleased to know that UConn is willing to make land available for the project. They are currently concentrating on raising the $300,000 needed to proceed with construction.
- A temporary senior services worker, Beth Hudson Hankins, has been hired. She is an LSW and has experience working with seniors.

Recommendations Regarding This Committee – When this Committee was formed almost two years ago, we were asked to review its effectiveness after meeting for two years. The Roles and Responsibilities outlined for this Committee were reviewed. Members expressed their feelings about how the Committee has functioned and whether we understand our mission. The consensus was that we should all give this matter further consideration and we will continue the discussion at our next meeting.

Respectfully submitted,
Joan Terry

Next Meeting
January 16, 2013

MANSFIELD ADVOCATES FOR CHILDREN
EXECUTIVE COUNCIL
MINUTES
Wednesday, November 14, 2012
1:15pm-2:45pm, Town Hall, Conference Room B

MEMBERS PRESENT: G. Bent (co-chair), V. Fry (co-chair), A. Bloom, A. Bladen, J. Stoughton
K. Grunwald (staff), K. Krider (staff) and, J. Woodmansee (staff)

WHAT (Topic)	**DISCUSSION**	**OUTCOME**
Call to Order	G. Bent called the meeting to order at 1:20pm.	
New Business	1. <u>Plan Revision</u> K. Krider discussed that she continues to work with David Bechtel on the revision of the plan. She provided each of the teams with data which David Bechtel produced and that each team use this data to affirm their indicators. In addition, each team is asked to formulate any secondary indicators, a story for behind the data and, strategies. K. Krider stated that this work will continue in the December full MAC meeting and that David Bechtel will be present for the January and February MAC meetings. K. Grunwald noted that the transportation survey was completed at Holinko Estates and that of 35 units, 17 surveys were conducted of households with children 18 years and under.	K. Krider asked each team to provide a summary of their work today.
Adjournment	The meeting adjourned at 2:45pm. Next MAC meeting: **Wednesday, December 5, 2012** **5:00pm – 5:30pm** Arrival and Dinner **5:30pm – 7:30pm** MAC Meeting Next Executive Council meeting: **Wednesday, December 12, 2012** **1:15pm – 2:45pm** at Town Hall in Conference Room B Agenda topics: Please send to Kathleen at kriderk@mansfieldct.org Respectfully submitted, Jillene B. Woodmansee Assistant to Early Childhood Services Coordinator **All Mansfield Children ages birth through 8 years old are healthy, successful learners connected to the community.**	

MANSFIELD ADVOCATES FOR CHILDREN
EXECUTIVE COUNCIL – **SPECIAL MEETING**
MINUTES
Wednesday, October 17, 2012
1:15pm-2:45pm, Town Hall, Conference Room B

MEMBERS PRESENT: G. Bent (co-chair), V. Fry (co-chair), C. Guerreri, K. Grunwald (staff) and K. Krider (staff)

WHAT (Topic)	**DISCUSSION**	**OUTCOME**
Call to Order	G. Bent called the meeting to order at 1:15pm.	
Minutes	Review and approval of MAC Executive Council Minutes of September 12th.	
Old Business	1. Parent Stipends – tabled till next meeting 2. Community Champion – discussed the idea of three CC's one for each of the teams. Several names were offered and job descriptions considered 3. Decision Making Policy – no further action required	Agenda item for 11/14 meeting Kathleen will report on this at the next meeting. Kathleen will write job descriptions
New Business	1. Nov. 7th MAC Meeting – David Bechtel – over view of Plan rewrite process and update on current status 2. Representation from each (3) Elementary Schools on MAC - Tabled	Next meeting agenda item
Action Updates by Strategy Teams	Updates from teams: 1. Transportation – Students from Uconn have met with Kevin and Kathleen 2. CC - tabled 3. Health - tabled 4. One Book - tabled 5. Successful Learners - tabled 6. Plan Re-write – see new business	Kevin and Kathleen will report as needed.
Adjournment	The meeting adjourned at 2:00pm Next MAC meeting: **Wednesday, November 7, 2012** **5:00pm – 5:30pm** Arrival and Dinner **5:30pm – 7:30pm** MAC Meeting Next Executive Council meeting: **Wednesday, November 14, 2012** **1:15pm – 2:45pm** at Town Hall in Conference Room B. Agenda topics: Please send to Kathleen at kriderk@mansfieldct.org **All Mansfield Children ages birth through 8 years old are healthy, successful learners connected to the community.**	

CAN

Collaborative Assistance Network

Wednesday, December 10, 2012, 3:00pm
Town Hall, Conference Room B

Minutes

Present: **Deb Adamczyk, Kelly Allen, Anne Bladen, Susan Daley, Lisa Dahn, Kathleen Krider (staff), Rachel Leclerc, Susan Rozelle, Kate Vallo and Jillene Woodmansee (staff)**

Regrets: **Susan Angelides**

WHAT (Topic)	*DISCUSSION*	*OUTCOME*
Call to Order	K. Krider called the meeting to order at 3:02pm.	
Old Business	Review and approval of 11/14/12 Minutes.	*Motion:* *S. Daley moves to accept the 11/14/12 Minutes as written. A. Bladen seconds and the motion passes unanimously.*
New Business	**CAN Brochure:** K. Krider provided members with a draft Brochure regarding CAN which could potentially be mailed out to parents of incoming kindergarteners. Members discussed why they would advertise together which the goal is to fill each specific center/school. It was noted that parents might appreciate information regarding available choices. Kate Vallo stated that she also had prepared a similar brochure. **Involvement of Home Care Providers:** K. Krider reminded members that CAN has $4,386 in funds provided by a Quality Enhancement Grant which must be utilized by June 30th. The money can be used to design a way to include home care providers into the network of providers. Some ideas contained in the grant narrative included hosting a ½ day in – service for CPR or benchmark training. These funds must be utilized by June 30th. K. Krider stated that she is intending to personally visit each of the six (6) home care providers in town and will ask for feedback regarding CAN's message to them. Members asked how many preschoolers are currently being cared for by home care providers. Members suggested that K. Krider find out what kind of training opportunities	K. Vallo will email a copy of her brochure to members. K. Krider will prepare a draft letter to the home care providers which introduces herself and CAN. She will email the draft to members.

	they could benefit from. R. Leclerc noted that the home care providers should have representation on MAC. **K-transition handout (S. Daley):** S. Daley reported that she looked at what some of the other towns were doing with regard to a K. transition plan and prepared the document entitled "K-Transition." With regard to the *Big Books* members questioned if they are located in the Montessori schools and in the home-care providers. A. Bladen stated that she is missing two of hers. K. Krider recalled that Mt. Hope may have one binder which covers all three schools. Members discussed *CAN as a part of a SRBI partnership*. Members discussed their individual policies. Members discussed the effectiveness of the *pre-k teachers visits to K programs in the fall* and the *K teachers visits to pre-K's in the spring*. Some felt the visits were effective for assessment feedback while others did not find them effective for a transition plan. Members discussed how difficult it is for teachers to leave their classrooms.	Center and school directors should email K. Krider their individual polices and she will see where they might align.
Child Referrals	There are no child referrals at this time.	
Adjournment	Next CAN meeting: Monday, January 14, 2013 at 3:00PM Agenda topics: Please send to kriderk@mansfieldct.org Respectfully submitted, Jillene B. Woodmansee Assistant to the Early Childhood Services Coordinator	

Town of Mansfield Traffic Authority
Minutes of the Meeting – November 27, 2012

Present: Hart, Hultgren, Painter, Cournoyer, Raiola, Meitzler

The meeting was convened at 10:38 AM. The minutes of the October 23, 2012 meeting were reviewed and no corrections made.

Ravine Road traffic – still no progress. DOT will be contacted again for their response to the request for directional signs to UConn from the West.

Route 275 pedestrian/bicycle safety concerns – no progress. Waiting for DOT response.

Construction Traffic in Storrs Center – no new concerns. Hultgren said that the Storrs Road and Dog Lane projects were going into winter shutdown on December 3rd. The Village Street project (to the east of Storrs Road) will continue, with blasting scheduled to continue into January.

Willowbrook Road traffic concerns – Meitzler is working on design concepts for the intersections for review at a future meeting.

Speed Hump Request on Davis Road – waiting for additional traffic count data.

Whispering Glen Apartments proposal review – Painter updated members on the new proposal off Meadowbrook Lane. After discussion the Authority concluded that the additional traffic generated by the proposed development will not affect the service level of Meadowbrook Road and recommended that a pedestrian walkway be required to the nearby Sunny Acres Park and potentially also to the Eastern CT ball fields.

Codfish Falls Road speed concerns – waiting for additional traffic count data.

Safety concerns on Rte 195 near Birchwood Heights Road – the matter was referred to the DOT at the October meeting, but the letter has not been sent yet. In addition to sending this referral, Hultgren will survey the area for existing and potential additional streetlights.

Beacon Hill subdivision expansion review – Painter introduced the proposed addition to Beacon Hill and noted that PZC has not yet determined if the entrance road qualifies as a through (not dead end) street or not. After discussion the Authority recommended that a second connection to Mansfield City Road be required for municipal and emergency access to the new lots.

The meeting was adjourned at 11:23 AM.

Respectfully submitted,

Lon Hultgren
Director of Public Works

PAGE
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Item #8

Julia DeLapp
87 Lynwood Road
Storrs Mansfield CT 06268

January 22, 2013

Dear Mansfield Town Council Members:

My family moved to Mansfield in October 2010. We chose Mansfield for the schools—for the quality of the academics, for the district's investment in the arts, and for the small, neighborhood-like feel of the schools. We strongly support having ***Goodwin Elementary School*** continue to be one of Mansfield's elementary schools for the following reasons:

- It is the only school that feels like a *neighborhood* school—because it is located in an actual neighborhood rather than on a busy road.
- It is located in and near a population-dense area, which increases the neighborhood feel—many students live within a mile or two of the school. This also means that most students spend less time traveling to and from school.
- It is possible to walk or ride a bike to the school because there are sidewalks and roads with low speed limits leading to it. (There really is no safe way to walk to Southeast, even for an adult.)
- It is close to areas of Mansfield that can best support new residential and neighborhood/ business mixed-use development, particularly in light of the proposed Four Corners Sewer project and the University of Connecticut's plan to expand up to Route 44.
- Goodwin site is in close proximity to first responders, making it a safe location for a school.
- Its proximity to the University is an asset—the school benefits greatly from education and reading students and faculty who engage in research and practicum experiences at the school. Many UConn students also volunteer to help with PTO and other school events—it's easy for them to get involved in a school that is so close by.

We have been thrilled with the development of a mixed-use area in Storrs Center, and we hope that the Town Council sees the value in maintaining an elementary school near the development. Please keep an elementary school at the Goodwin site.

Sincerely,

Julia DeLapp

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Sara-Ann Bourque

Item #9

From: tulay luciano <tulayluciano@yahoo.com>
Sent: Friday, December 07, 2012 10:19 PM
To: Town Council
Cc: Town Mngr
Subject: A meeting request

Dear Members of the Mansfield Town Council:

Although being very thankful that you organized the "water workshop" last summer, I feel that it did not answer to many questions we have in mind especially the legal ones. The representatives from the different organizations were reluctant to answer some of the questions.

I think it would be very helpful if the town management organized a meeting with the Attorney General Jepsen, Senator Don Williams, Representatives Greg Haddad and Linda Orange so that the town residents could get answers to their questions about the project of bringing additional water to Mansfield and related issues surrounded it and the tech park.

It would be very desirable if such a meeting arranged ASAP.

Respectfully,
Tulay Luciano
808 Warrenville Road
Mansfield Ctr., 06250
860.429.6612

PAGE
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Sara-Ann Bourque Item # 10

From: tulay luciano <tulayluciano@yahoo.com>
Sent: Saturday, December 08, 2012 6:20 PM
To: Town Council
Cc: Town Mngr
Subject: Fw: UConn's status not being a water company land
Attachments: SB1094.doc; SB1208.doc

Dear Councilors of the Mansfield Town Council:

My letter to Senator Williams (below) sums what I want. I am hoping that the council supports my letter and urges the legislature to pass SB 1094 (2003) or a similar bill. I believe that, only after that, the town of Mansfield will be shielded against UConn's unilateral decision making in developing land use thus forcing Mansfield to accommodate never ending demands on the town.

Respectfully,
Tulay Luciano
808 Warrenville Road
Mansfield Ctr., 06250
860.429.6612

----- Forwarded Message -----
From: tulay luciano <tulayluciano@yahoo.com>
To: Senator Don Williams <williams@senatedems.ct.gov>
Sent: Wednesday, December 5, 2012 12:01 AM
Subject: UConn's status not being a water company land

December 4, 2012

Dear Senator Williams:

Congratulations for your reelection. I wish you another happy and successful legislative period.

I am urging you to bring back SB 1094 (2003) to Connecticut General Assembly to be passed promptly.

As you might remember under your leadership the bills SB 1094 and SB 1208, got a favorable report from the Committee on Environment and supported by major environmental groups such as Rivers Alliance of Connecticut and Connecticut Fund for the Environment (CFE) but they were shelved by the Committee on Higher Education and Employment Advancement. But it does not mean that they should not be tried again. (The texts of the bills SB 1094 AN ACT CONCERNING WATER QUALITY AND THE UNIVERSITY OF CONNECTICUT and SB 1208 AN ACT CONCERNING PUBLIC WATER COMPANY LANDS are attached.)

I think you are aware that Univ. of Conn. may divest itself of its off-campus water

service. As a result, there will be a water company in Storrs and we urgently need a bill that "makes the University of Connecticut (UConn) at Storrs a water company, restricting its ability to develop watershed land and making it subject to other laws affecting water companies." (From: Summary, SB 1094) BEFORE all the history-changing decisions are made. Not after!

Here I am quoting the testimony of then Attorney General Blumenthal for the bill SB 1208 AN ACT CONCERNING PUBLIC WATER COMPANY LANDS before the Environment Committee Hearing because, his testimony sums up the reality: "... land owned by the State ought to be subject to the same kinds of regulation when it is watershed land, when it is open space, when it is of value in terms of conservation and preservation as private water company land would be.
.... The vast majority, if not all, of its [Univ. ofConn.] land is watershed land. And I think that there needs to be some adjustment in the bill for that fact and, also, its express and demonstrated desire to be sensitive to the environmental needs raised by that ownership and stewardship of many acres of open space."

It is very disappointing that as public teaching institution Univ. of Conn opposed SB1094 and SB1208 which would establish protections to preserve its watershed property thus missing the opportunity to be a role model.

As the years have gone by Univ. of Conn has not fulfilled its promises in regards to moving the hazmat site from Fenton Rivershed, and it is constantly acting outside of the water company statutes. Now that it is trying to fast track the seizing of water supplies from other towns, WE MUST HAVE LAWS THAT ARE FOLLOWED EVERYWHERE ELSE IN THE STATE FOLLOWED IN STORRS!!

Respectfully,
Tulay Luciano
808 Warrenville Road
Mansfield Center, CT 06250
860.429.6612
cc.
Rep. Haddad
Rep Johnson
Rep. Orange
Attorney General Jepsen
Environment Committee
Higher Ed. & Employment Advancement Com.
Planning and Development Com.
Public Health Com.
Mansfield Town Council
Mansfield Conservation Commission
Windham Conservation Commission
The Chronicle
Hartford Courant
Mansfield Independent News
Norwich Bulletin

Manchester Journal Inquirer
Conn. River Alliance
Willimantic River Alliance
Connecticut Fund for the Environment (CFE)
DEEP
Naubesatuck River Alliance
League of Conservation Voters
Wait, What?

General Assembly

January Session, 2003

File No. 455

Senate Bill No. 1094

Senate, April 17, 2003

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING WATER QUALITY AND THE UNIVERSITY OF CONNECTICUT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 25-32a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

As used in this section, sections 25-32, 25-32b to 25-32m, inclusive, as amended by this act, 25-33 and 25-34, "consumer" means any private dwelling, hotel, motel, boardinghouse, apartment, store, office building, institution, mechanical or manufacturing establishment or other place of business or industry to which water is supplied by a water company; "water company" means any individual, partnership, association, corporation, municipality, The University of Connecticut at Storrs, or other entity, or the lessee thereof, who or which owns, maintains, operates, manages, controls or employs any pond, lake, reservoir, well, stream or distributing plant or system that supplies water to two or more consumers or to twenty-five or more persons on a regular basis provided if any individual, partnership, association, corporation, municipality or other entity or lessee owns or

controls eighty per cent of the equity value of more than one such system or company, the number of consumers or persons supplied by all such systems so controlled shall be considered as owned by one company for the purposes of this definition.

Sec. 2. Subsection (a) of section 25-32d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

(a) Each water company [, as defined in section 25-32a, and] supplying water to one thousand or more persons or two hundred fifty or more consumers and any other water company [as defined in said section] requested by the Commissioner of Public Health shall submit a water supply plan to the Commissioner of Public Health for approval with the concurrence of the Commissioner of Environmental Protection. The concurrence of the Public Utilities Control Authority shall be required for approval of a plan submitted by a water company regulated by the authority. The Commissioner of Public Health shall consider the comments of the Public Utilities Control Authority on any plan which may impact any water company regulated by the authority. The Commissioner of Public Health shall distribute a copy of the plan to the Commissioner of Environmental Protection and the Public Utilities Control Authority. A copy of the plan shall be sent to the Secretary of the Office of Policy and Management for information and comment. A plan shall be revised at such time as the water company filing the plan or the Commissioner of Public Health determines or at intervals of not less than three years nor more than five years after the date of initial approval.

Sec. 3. Subsection (a) of section 25-32k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

(a) Each water company [, as defined in section 25-32a,] serving one thousand or more persons or two hundred fifty or more consumers [, as defined in section 25-32a,] shall, annually, provide to residential customers, without charge, educational materials or

information on (1) water conservation, (2) water supply source protection methods, including methods to reduce contamination, and (3) on or before July 1, 2002, and annually thereafter, information developed by the Commissioner of Public Health, pursuant to subsection (b) of this section, on the health effects and sources of lead and copper. Every year each public water company shall provide a copy of these educational materials to the Commissioner of Public Health.

Sec. 4. Subsection (a) of section 25-32m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

(a) Any water company [, as defined in section 25-32a,] may engage in the sale of bottled water or establish an entity under chapter 601 for the purpose of engaging in the sale of bottled water within or outside of its franchise area. The costs and expenses of a water company associated with the sale of bottled water shall be exclusive of the costs and expenses associated with the establishment of rates and charges for the use of the waterworks system pursuant to section 7-239.

Sec. 5. Section 22a-354c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

(a) On or before July 1, 1990, each public or private water company serving one thousand or more persons, and The University of Connecticut at Storrs, shall map at level B all areas of contribution and recharge areas for its existing wells located in stratified drift aquifers. Not later than three years after the adoption by the Commissioner of Environmental Protection of a model municipal aquifer protection ordinance under section 22a-354l, each public and private water company serving ten thousand or more persons shall map at level A all areas of contribution and recharge areas for its existing wells located in stratified drift aquifers. The Commissioner of Environmental Protection may map at level A and at level B all areas of contribution and recharge areas for existing wells located in

stratified drift aquifers that are used by any public or private water company serving less than one thousand persons.

(b) Each public or private water company serving ten thousand or more persons, and The University of Connecticut at Storrs, shall map all areas of contribution and recharge areas for potential wells that are located within stratified drift aquifers identified as future sources of water supply to meet their needs in accordance with the plan submitted pursuant to section 25-33h, (1) at level B two years after approval of such plan, and (2) at level A four years after approval of such plan. The Commissioner of Environmental Protection shall identify and make recommendations for mapping, or shall map, all remaining significant areas of contribution and recharge areas for potential wells located in stratified drift aquifers not identified by a public or private water company as a potential source of water supply within the region of an approved plan. Mapping of any other area of contribution and recharge areas for potential wells located in stratified drift aquifers by the commissioner shall be completed at a time determined by the commissioner.

Sec. 6. Section 25-37c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

The Department of Public Health shall adopt, in accordance with chapter 54, regulations establishing criteria and performance standards for the three following classes of water-company-owned land: [.]

[(a)] (1) Class I land includes all land owned by a water company or acquired from a water company through foreclosure or other involuntary transfer of ownership or control which is either: [(1)] (A) Within two hundred and fifty feet of high water of a reservoir or one hundred feet of all watercourses as defined in agency regulations adopted pursuant to this section; [(2)] (B) within the areas along watercourses which are covered by any of the critical components of a stream belt; [(3)] (C) land with slopes fifteen per cent or greater without significant interception by wetlands, swales and natural

depressions between the slopes and the watercourses; [(4)] (D)within two hundred feet of groundwater wells; [(5)] (E) an identified direct recharge area or outcrop of aquifer now in use or available for future use, or [(6)] (F) an area with shallow depth to bedrock, twenty inches or less, or poorly drained or very poorly drained soils as defined by the United States Soil Conservation Service that are contiguous to land described in [subdivision (3) or (4) of this subsection] subparagraph (C) or (D) of this subdivision and that extend to the top of the slope above the receiving watercourse.

[(b)] (2) Class II land includes (A) all land owned by a water company or acquired from a water company through foreclosure or other involuntary transfer of ownership or control which is either [(1)] (i) on a public drinking supply watershed which is not included in class I, or [(2)] (ii) completely off a public drinking supply watershed and which is within one hundred and fifty feet of a distribution reservoir or a first-order stream tributary to a distribution reservoir, and (B) notwithstanding any provisions of the general statutes, for lands owned by The University of Connecticut, (i) all level A aquifer protection lands that are mapped, approved and regulated pursuant to chapter 446i that are within a public drinking supply watershed that is not a class I land, or (ii) all land that is completely outside public drinking supply watersheds and that is within one hundred fifty feet from a distribution reservoir or first-order stream tributary to a distribution reservoir.

[(c)] (3) Class III land includes (A) all land owned by a water company or acquired from a water company through foreclosure or other involuntary transfer of ownership or control which is unimproved land off public drinking supply watersheds and beyond one hundred and fifty feet from a distribution reservoir or first-order stream tributary to a distribution reservoir, and (B) notwithstanding any provision of the general statutes, for lands owned by The University of Connecticut, (i) unimproved land outside public drinking water supply watersheds and beyond one hundred and fifty feet from a distribution reservoir or first-order

stream tributary to a distribution reservoir, and (ii) any land that is neither class I nor class II land.

Sec. 7. Subsection (b) of section 25-32 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

(b) No water company shall sell, lease, assign or otherwise dispose of or change the use of any watershed lands, except as provided in section 25-43c, without a written permit from the Commissioner of Public Health. The commissioner shall not grant a permit for the sale, lease or assignment of class I land, except as provided in subsection (d) of this section, and shall not grant a permit for a change in use of class I land unless the applicant demonstrates that such change will not have a significant adverse impact upon the present and future purity and adequacy of the public drinking water supply and is consistent with any water supply plan filed and approved pursuant to section 25-32d. The commissioner may reclassify class I land only upon determination that such land no longer meets the criteria established by [subsection (a)] subdivision (1) of section 25-37c, as amended by this act, because of abandonment of a water supply source or a physical change in the watershed boundary. Not more than fifteen days before filing an application for a permit under this section, the applicant shall provide notice of such intent, by certified mail, return receipt requested, to the chief executive officer and the chief elected official of each municipality in which the land is situated.

This act shall take effect as follows:	
Section 1	*October 1, 2003*
Sec. 2	*October 1, 2003*
Sec. 3	*October 1, 2003*
Sec. 4	*October 1, 2003*
Sec. 5	*October 1, 2003*

Sec. 6	*October 1, 2003*
Sec. 7	*October 1, 2003*

ENV *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 $	FY 05 $
UConn	GF - Cost	$100,000	$100,000
Public Health, Dept.	GF - None	None	None
Department of Environmental Protection	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill results in a cost of approximately $20,000 to the University of Connecticut (UConn) as it requires them to perform duties above and beyond those currently required of them in the administration of the water supply located at the UConn. These costs involve the creation, printing, and dissemination of free educational materials regarding water conservation, water source protection methods and other water supply related information to its customers, which includes all 23,000 resident students of the university. The funding for this cost is not included in the FY 04 or FY 05 budgets as recommended by the governor.

There is no anticipated fiscal impact upon the Department of Public Health or the Department of Environmental Protection due

to this bill as they already have staff in place that administer the provisions contained within the bill.

OLR Bill Analysis

SB 1094

AN ACT CONCERNING WATER QUALITY AND THE UNIVERSITY OF CONNECTICUT

SUMMARY:

This bill makes the University of Connecticut (UConn) at Storrs a water company, restricting its ability to develop watershed land and making it subject to other laws affecting water companies.

Among other things, UConn must map its well fields by July 1, 1990 — a deadline that has already passed.

EFFECTIVE DATE: October 1, 2003

WATER COMPANY LAND

By law a water company is an individual, partnership, association, corporation, municipality or other entity, aside from state agencies, that supplies water from a water supply it owns, controls, or manages, to two or more premises or more than 25 individuals. Water company lands falls into three classes, and are subject to Department of Public Health (DPH) regulation. The bill makes UConn a water company and subjects its lands to those restrictions.

Class I land, within 250 feet of a reservoir, is the most highly protected land and is subject to the most regulation. Class II and class III land is less restricted. A DPH permit is needed to sell, lease or otherwise dispose of, or change the use of, class I or class II land. A permit is also required, with minor exceptions, to

change the use of such land. A water company does not need a permit to sell or transfer class III land (off watershed).

The bill makes UConn land class II and class III land, but does not appear to classify any UConn land as class I land. By law, class II land is land that is either on a public drinking supply watershed that is not included in class I, or completely off a watershed but within 150 feet of a reservoir. The bill specifically includes as UConn's class II land property the university owns, including (1) all level A aquifer protection land that is mapped, approved and regulated according to law and is within a public drinking water supply that is not a class I land; and (2) land completely outside public drinking supply watersheds that is within 150 feet of a reservoir or first-order stream tributary.

By law, class III land includes all unimproved land off watersheds and more than 150 feet from a reservoir or a stream that feeds it. The bill specifically includes as UConn's class III land all land the university owns that is (1) unimproved land outside public drinking water supply watersheds and more than 150 feet from a reservoir or first-order stream tributary and (2) neither class I nor class II land.

OTHER APPLICABLE WATER UTILITY LAWS

By law, utilities that serve 1,000 or more people must map the areas that contribute to and recharge wells in stratified drift aquifers. Additional requirements apply to utilities serving more than 10,000 people.

The bill requires UConn to map its well fields. By July 1, 1990, it must map all areas that contribute to and recharge wells in stratified drift aquifers. It requires UConn to map for potential wells it identifies as future water sources according to the coordinated water system plan prepared for its public water supply management area.

The bill requires UConn to submit a water supply plan to DEP for its approval with DEP's concurrence. The plan must evaluate the

water supply needs in the area UConn serves and is subject to DPH regulations. If a utility (including UConn under the bill) submits a plan that involves the forecast of or actual land sales, abandonment or a supply source, or reclassification of its land, it must the notify the local municipality and various land conservation organizations. The plan must be revised when the university or the health commissioner determines, or every three to five years.

The bill requires the university annually to provide residential customers free educational material on (1) water conservation, (2) water supply source protection methods, including ways to reduce contamination, and (3) information developed by DPH on the health effects and sources of lead and copper. It must annually provide the health commissioner with copies of these materials.

It permits the university to sell bottled water, the costs and expenses for which must be kept separate from the water rates charged customers.

The bill subjects UConn to the law governing water supply emergencies. By law, the DPH commissioner, in consultation with the environmental protection commissioner and the department of public utility commissioners, can declare such an emergency. The DPH commissioner can order water companies, including UConn under the bill, to connect their water mains temporarily to permit the sale or transfer of water. By law, a violation of these orders is subject to a civil fine of up to $5,000 a day, with each day considered a separate violation.

It also subjects the university to civil penalties for violating certain drinking laws and regulations and DPH orders to discontinue or correct immediate threats to the public water supply.

BACKGROUND

Attorney General's Opinion on DPH Regulation of UConn lands

In response to a UConn request, the attorney general held on November 29, 2000, that statutes including those governing water companies, do not apply to state agencies unless they are specifically included in them. He held that while some statutes, notably those regulating drinking water quality, refer and apply to state agencies, UConn and other agencies are not subject to the laws restricting land transactions.

UConn's Water Supply

According to the university, its water supply system serves 23,000 users, about 90% of whom are from the university. It also serves the Mansfield Town Hall, E.O. Smith High School, a state prison, and about 15 commercial and more than 100 residential users.

Restrictions on Class I and Class II Land

A water company cannot assign or lease class I land, and can only sell it to the state, a municipality, or another water company. The buyer must agree to maintain the land subject to the restrictions in the law and those imposed by the DPH permit. The buyer cannot sell, lease, assign, or change the use of the land without a permit.

In addition, the utility can only change the land's use if it demonstrates that the change (1) will not harm the purity and adequacy of water supply, now or in the future, and (2) is consistent with a DPH- approved water supply plan filed by the utility. If DPH believes the proposal may significantly harm water supply, it may refer the application to an outside consultant for a detailed review, at the utility's expenses.

Somewhat less restrictive provisions apply to class II land. DPH cannot grant a permit for a transaction involving class II land or a change of its use unless the utility demonstrates that its proposal will not significantly harm the purity and adequacy of water supply and that any use restriction DPH imposes can be enforced against subsequent owners, lessees, and assignees. In considering the impact on water supply, DPH is not bound by its precedent.

In the case of the sale, lease, or transfer of land, DPH can only grant a permit if (1) the class II land is part of a larger parcel that includes class III land and (2) there are use restrictions that will prevent the class II land from being developed. In cases involving transactions with another water utility, municipality, or a land conservation organization, DPH can only grant a permit if there is a permanent conservation easement on the land. The easement must preserve the land in perpetuity, with most of it remaining in its natural condition. The easement must protect natural resources and water supply, while allowing for appropriate recreational uses and the development of improvements needed to provide for or protect water supply. The land cannot be developed for residential, commercial, or industrial purposes, or for specified recreational purposes such as golf courses. This last condition does not apply to class II land needed to provide access to class III land that is part of a sale. It appears that this exception applies only if the land is sold to an entity other than a water utility, municipality, or a land conservation organization.

In approving class II land transactions, DPH can subject the permit to conditions or restrictions it considers necessary to safeguard water supply. In doing so, DPH must consider the potential the proposal has for contaminating the water supply, the disturbance of vegetation, the utility's future ability to control the land through devices such as easements or use restrictions, and several other factors

DPH also can reclassify Class I or II land if it determines that the land no longer meets the statutory criteria because of the abandonment of a water supply source or a physical change in the watershed boundary.

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 22 Nay 5

General Assembly

Substitute Bill No. 1208

January Session, 2001

AN ACT CONCERNING PUBLIC WATER COMPANY LANDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 25-32a of the general statutes is repealed and the following is substituted in lieu thereof:

As used in sections 25-32, 25-33 and 25-34, "consumer" means any private dwelling, hotel, motel, boardinghouse, apartment, store, office building, institution, mechanical or manufacturing establishment or other place of business or industry to which water is supplied by a water company; "water company" means any individual, partnership, association, corporation, municipality, The University of Connecticut for the purpose of sections 22a-354c, 22a-357, 25-32b, 25-32d and 25-37c, or other entity, or the lessee thereof, who or which owns, maintains, operates, manages, controls or employs any pond, lake, reservoir, well, stream or distributing plant or system that supplies water to two or more consumers or to twenty-five or more persons on a regular basis provided if any individual, partnership, association, corporation, municipality or other entity or lessee owns or controls eighty per cent of the equity value of more than one such system or company, the number of consumers or persons supplied by all such systems so controlled shall be considered as owned by one company for the purposes of this definition.

Sec. 2. Section 25-37c of the general statutes is repealed and the following is substituted in lieu thereof:

The Department of Public Health shall adopt, in accordance with chapter 54, regulations establishing criteria and performance standards for three classes of water-company-owned land.

[(a)] (1) Class I land includes all land owned by a water company or acquired from a water company through foreclosure or other involuntary transfer of ownership or control which is either: [(1)] (A) Within two hundred and fifty feet of high water of a reservoir or one hundred feet of all watercourses as defined in agency regulations adopted pursuant to this section; [(2)] (B) within the areas along watercourses which are covered by any of the critical components of a stream belt; [(3)] (C) land with slopes fifteen per cent or greater without significant interception by wetlands, swales and natural depressions between the slopes and the watercourses; [(4)] (D) within two hundred feet of groundwater wells; [(5)] (E) an identified direct recharge area or outcrop of aquifer now in use or available for future use, or [(6)] (F) an area with shallow depth to bedrock, twenty inches or less, or poorly drained or very poorly drained soils as defined by the United States Soil Conservation Service that are contiguous to land described in [subdivision (3) or (4) of this subsection] subparagraph (C) or (D) of this subdivision and that extend to the top of the slope above the receiving watercourse.

[(b)] (2) Class II land includes (A) all land owned by a water company or acquired from a water company through foreclosure or other involuntary transfer of ownership or control which is either [(1)] (i) on a public drinking supply watershed which is not included in class I,or [(2)] (ii) completely off a public drinking supply watershed and which is within one hundred and fifty feet of a distribution reservoir or a first-order stream tributary to a distribution reservoir and (B) notwithstanding any other provisions of the general statutes, for lands owed by The University of Connecticut, (i) all level A aquifer protection lands that are mapped, approved and regulated pursuant to chapter 446i of the general statutes that are on a public drinking supply watershed that is not a class I land, or (ii) all land that is completely off public drinking supply watersheds and that is within one hundred and

fifty feet from a distribution reservoir or first-order stream tributary to a distribution reservoir.

[(c)] (3) Class III land includes (A) all land owned by a water company or acquired from a water company through foreclosure or other involuntary transfer of ownership or control which is unimproved land off public drinking supply watersheds and beyond one hundred and fifty feet from a distribution reservoir or first-order stream tributary to a distribution reservoir, and (B) notwithstanding any provision of the general statutes, for lands owned by The University of Connecticut, (i) unimproved land off public drinking water supply watersheds and beyond one hundred and fifty feet from a distribution reservoir or first-order stream tributary to a distribution reservoir, and (ii) any land that is neither class I nor class II land.

Sec. 3. Subsection (b) of section 25-32 of the general statutes is repealed and the following is substituted in lieu thereof:

(b) No water company shall sell, lease, assign or otherwise dispose of or change the use of any watershed lands, except as provided in section 25-43c, without a written permit from the Commissioner of Public Health. The commissioner shall not grant a permit for the sale, lease or assignment of class I land, except as provided in subsection (d) of this section, and shall not grant a permit for a change in use of class I land unless the applicant demonstrates that such change will not have a significant adverse impact upon the present and future purity and adequacy of the public drinking water supply and is consistent with any water supply plan filed and approved pursuant to section 25-32d. The commissioner may reclassify class I land only upon determination that such land no longer meets the criteria established by [subsection (a)] subdivision (1) of section 25-37c, as amended by this act, because of abandonment of a water supply source or a physical change in the watershed boundary. Not more than fifteen days before filing an application for a permit under this section, the applicant shall provide notice of such intent, by certified mail, return receipt requested, to the chief executive officer and the chief elected official of each municipality in which the land is situated.

ENV *Joint Favorable Subst.*

PH *Joint Favorable*

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Item # 11

Tulay Luciano
808 Warrenville Road
Mansfield Center, CT 06250
860.429.6612

Jason M. Coite
University of Connecticut – Office of Environmental Policy
31 LeDoyt Road, U-3055
Storrs, Connecticut 06269

Re.: EIE Draft for Additional Sources of Water Supply
For Univ. of Conn.

Dear Mr. Coite:

Following are my comments to the EIE Draft. I am keeping my comments very short because, I believe, the others before me articulated the points I raised more detailed and much better.

- First things first: UConn be regulated as a water company before it uses our tax dollars to bring water from other towns.
- There is a genuine concern that UConn may abandon Fenton and Willimantic Rivers wellfields and may even sell or develop.
- The information given us that the proposed tech park may employ around 3000 employees. As a Mansfield resident, I am very concerned this increased staff's impact on Mansfield.
  I wonder if there has been any calculation as to whether it is feasible to destroy a pristine land of UConn, and to bring additional water which is costly, environmentally and socioeconomically undesirable versus the benefits of this park might bring.
- The EIE does not explain why there is more water needed than it was stated in the original scoping.
- We need to know how regional water supply organizations for the region and the state will be coordinated and to what extend.
- All three water options have drawbacks.
- Inter-basin transfers may cause extensive ecological damage.
- The flow into the Willimantic River at Eagleville Dam will increase dramatically, which will cause flooding when the river is naturally running high. The cost of water treatment is also very expensive. Is there a discussion of expanding the water treatment and sewer systems? If yes, what are the results?
- Additional water will cause unwanted sprawl.
- All three water options are very expensive, especially during state budget shortfall. Besides, the EIE does not mention who will pay for the project.

Sincerely,

Tulay Luciano

Sara-Ann Bourque

From:	tulay luciano <tulayluciano@yahoo.com>
Sent:	Tuesday, January 15, 2013 8:08 PM
To:	Town Mngr; Town Council
Subject:	My comments for EIE Draft for Additional Sources of Water Supply
Attachments:	eietl.pdf

Dear Mansfield Town Council Members:

Attached please find my comments for the draft of EIE for additional Water Sources for Univ. of Conn. and Mansfield.

Respectfully,
Tulay Luciano
808 Warrenville Road
Mansfield Ctr. 06250

Sara-Ann Bourque Item #12

From: Pat Raynor <raynorpat@hotmail.com>
Sent: Tuesday, January 22, 2013 9:58 AM
To: Town Mngr
Cc: MBOE Supt
Subject: School project

Dear Matt,

I am unable to attend the town council meeting on January 23, but would like to offer some thoughts to the town council. Please distribute this letter to council members prior to that meeting- as a part of public comment. Thank you. I remain opposed to borrowing 35 million dollars, in addition to using the gift of 30 million "free" dollars from the state to demolish 2 or 3 useful buildings and replacing them with 2 new schools, one of which requires buying land when the Southeast site has ample land, if a new school really needed to be built. And speaking of Southeast school, if it can be used for recreation, seniors, police, or whatever, why can't it be improved and used for the purpose it was built? Certainly tearing it down is not an sensible option. Its refitting for other uses, by the way, quietly increases Mansfield's municipal space by another 35,000 sq. ft.

The notion of rebuilding on the Goodwin site "to help preserve the neighborhood" is too late I think. Walk, or ride your bike (as I have), or drive slowly around the area, and look at it. Off-campus housing has taken its toll. There is no neighborhood. I live in that area of town, so I'm not criticizing someone else's neighborhood.

The notion of spreading municipal buildings out in town seems rather meaningless, especially if you look at many towns where that doesn't exist, and in fact many towns seem to be putting their municipal buildings on one 'campus' for reasons of convenience, efficiency, and cost savings.

The recent suggestion by Martha Kelly, Mansfield Board of Ed member, in the public comment section of a council meeting, I think, addresses one of the stated problems with renovation of our 3 grammar schools: having enough students to 'fill' the renovated grammar schools. Moving 5th grade students to the grammar schools would increase the grammar school population and may also eliminate the need for replacing the 'portables' at the middle school. Without the 5th graders in MMS, we need less space there, so the portables could be removed and an addition could be avoided.

Really, I think whether "build to new" monies are available to us or not, the best approach is to repair and renovate our 3 existing schools. The schools, while not rundown, are in need of repairs because for at least a few years, long-term repairs have been postponed until the town decides on a course of action. So, yes, we owe the school buildings some attention. But attention does not equate with demolition. The Lawrence Assoc. report of a few years ago cites repairs and changes needed. It does not make the grammar schools appear any more in need of replacement than the middle school. I think we should plan for and accomplish repairs over a specific, planned timeframe, using tax monies, not borrowed money. If a tax increase is needed to fund repairs, then taxes need to be raised for a specific period to fund those repairs.

Mansfield parents like their 3 small schools. Does anyone really think that Southeast parents don't think 'their' school is not being closed?

Because of the apparent desire of our school 'team' and the council to meet the time deadlines for state bonding approval, I fear pushing forward with the 2 new school plan before CREC delivers its information about the costs of renovation. At the 7 informational meetings held this summer, and in various other forums, Mansfield

residents have stated their feeling that the $65,000,000 price tag, plus interest, whether done in one step or staggered into 2 or 3 steps, is staggering. There is no argument about providing the best education we can, and most seem to agree that our education system is as good as it is because of our teachers, administrators, students and parents, not our school buildings. Not to pick on another town, but Windham built a shiny new middle school 15 years ago. It apparently hasn't helped their educational achievement, and now after 15 years is in need of costly renovation. New buildings are not a panacea; they too require maintenance and renovation as our theories of best teaching practices change.

Thank you for your time,
Jim Raynor

Goodwin site

Item #13

Melissa Sheardwright (msheardwright@yahoo.com)
Tue 1/22/13 9:22 PM
TownCouncil@mansfieldct.org (TownCouncil@mansfieldct.org)

To members of the Town Council,

I moved to Storrs in the 5th grade, graduated from Smith, and have returned here after college & graduate school to raise my young family.

I'm writing in support of preserving Goodwin as a site for one of the two elementary schools. The site has many advantages:

--within walking distance from affordable graduate housing. I personally know a family of 3 who reside here without a car. The mother attends school functions on foot or uses the buses that are available. As a graduate student, she would be unable to attend school events if her sons' school were located on either of the other two sites. There are many grad students in similar circumstances.

--close proximity to police presence at the town hall

--preserves neighborhoods around the school as family oriented. Without a school to attract families to roads such as Lynwood or Hillyndale, neighborhoods like these risk converting to college rentals, a repeat of hunting lodge's fate.

--bus travel times need to be considered. The middle school location is central for the town. For elementary age students, long bus rides should be avoided.

Thank you for considering this letter. There is widespread support for preservation of the Goodwin site location.

Sincerely

sn142w.snt142.mail.live.com/mail/PrintMessages.aspx?cpids=bd7b493d-6503-11e2-8628-00237de3e41e,m&isSafe=false&FolderID=00000000-0000-0000-0000...

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our elementary schools

jssidney@gmail.com on behalf of **Joan Sidney** (jssidney@sidneyfamily.org)
Wed 1/23/13 7:37 AM
towncouncil@mansfieldct.org
Stuart Sidney (stusidney@gmail.com)

Item #14

To the Town Council:

Since we are unable to attend tonight's meeting, which will discuss the future of the Mansfield elementary schools, as concerned parents of four Northwest School alumni and as educators, we are sending you our thoughts.

First, we are strongly in favor of three smaller schools to better meet the needs of our youngest school children, which includes shorter bus rides to and from their neighborhood schools. We certainly do not want the entire pre-school and elementary school population hoarded together in another huge school like Jack Jackter, where parents complain of unwieldy class size that doesn't allow for children with special needs.

Second, if Mansfield were to eliminate one school, it makes sense geographically to close Southeast and send those students to Vinton, though Vinton would risk serious overcrowding. Under no circumstances, should you even consider closing Goodwin School, which as you know is alone, on the other side of Mansfield, nearest to the proposed Technology Park, which should bring in many more young schoolchildren. In addition, in view of the Sandy Hook tragedy, the Goodwin School site is the closest to first responders, with a police station, fire station, and medical teams in the vicinity.

For these reasons and the many more that people will offer tonight, we urge you to keep as your first concern what's best for educating the children of Mansfield. As educators, we vote for keeping all three schools open, with Goodwin School as top priority.

Thank you.

Sincerely,

Joan Seliger Sidney, Ph.D in Education
Stuart Jay Sidney, Ph.D in Mathematics

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Submitted by A. Smith 1/23/13

Item #15

Subj: **CTFOIA Request for Town Attorney Opinion**
Date: 12/28/2012 3:02:38 P.M. Central Standard Time
From: attyasmith@aol.com
To: stantonml@mansfieldct.org

Dear Ms. Stanton:
During the last regularly scheduled Town Council meeting, 12/10/12, Mr. Matt Hart told the Town Council and members of the public that the Town Attorney had provided an opinion regarding the Uniform Administrative Procedures Act (UAPA) and the Town Ethics Ordinance. I write pursuant to the CTFOIA to request that opinion that was published in that last meeting. Thank you in advance for your attention to this matter.
Happy Holidays,
Arthur A. Smith
Town Resident

TOWN OF MANSFIELD
TOWN CLERK

MARY STANTON, TOWN CLERK

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3302

January 3, 2013

Mr. Arthur Smith
74 Mulberry Road
Mansfield Center, CT 06250
Sent via email

Dear Mr. Smith,

This is in response to your email sent on December 28, 2012 and received in my office on December 31, 2012 in which you requested a copy of an opinion by our town attorney regarding the Uniform Administrative Procedures Act (UAPA) and the Town of Mansfield Ethics Ordinance.

Your request was forwarded to our town attorney who wrote the legal opinion you are requesting in an email to our town manager, dated November 27, 2012. A copy of the opinion is enclosed. Please note that it is clearly stated that it is a preliminary opinion, based on limited research.

The town attorney and I agree that in most circumstances a preliminary legal opinion like this one is likely to be exempt from disclosure per C.G.S. sections 1-210(b)(1), the "preliminary drafts or notes" exception, and 1-210(b)(10), the attorney-client privilege rule.

Nevertheless, in these particular circumstances, since the opinion has been briefly noted by the town manager in his report to the Town Council at a public meeting, and because, in the opinion of the town attorney, town manager and myself, the public interest in withholding the document does not clearly outweigh the public interest in disclosing it, we hereby provide the opinion at your request.

Very truly yours,

Mary L. Stanton
Town Clerk

From: Dennis O'Brien [mailto:dennis.o.brien@snet.net]
Sent: Tuesday, November 27, 2012 12:58 PM
To: Matthew W. Hart
Subject: Ethics Code Appeals

Matt,

Last night at the Town Council meeting, Atty. Arthur Smith stated in no uncertain terms that we are remiss in not including in our Code of Ethics a provision reminding people that an appeal from a decision of the Board of Ethics may be taken to the Superior Court under the CT Administrative Procedure Act (APA). Later last night I wrote to you that this was news to me. To the extent I have thought about it, which is not all that much, my thinking has always been that the APA governs State of CT agencies, not local boards and commissions. As he and a few others in town have done so often in the past, Atty. Smith made reference to the Glastonbury Code of Ethics, which I once read in response to a suggestion from him or some other person during our long Code of Ethics deliberations, but was not favorably impressed.

Curiosity got the best of me this a.m. and I looked at the Glastonbury Code. It does provide that an appeal may be taken to the Superior Court per CGS section 4-183 of the APA, by any person who is the subject of a complaint. That is not bad policy in my humble opinion, but I still doubted that the superior court would accept any such appeal. I did some research and based on my reading of the definition of state agency in CGS section 4-166of the APA (as opposed to the FOIA definition), I do not think that either the Glastonbury or Mansfield board of ethics is a "state agency" per the APA. I looked at some case law and found no case that involved an appeal to the superior court via the APA from any board of ethics, including that of Glastonbury.

My research is incomplete and only preliminary (and will probably stay that way unless you or the Council thinks otherwise), but I doubt that the superior court would allow and determine an appeal from a local board of ethics on its merits. Since Mr. Smith charged you, me, and the members of our Town Council who are attorneys with not knowing what is apparently obvious to him, I thought you'd want to know. Have a great Tuesday, Dennis

Subj: **CT FOIA Request**
Date: 1/3/2013 11:50:00 A.M. Central Standard Time
From: attyasmith@aol.com
To: Kevin.Kopetz@CT.gov

Dear Attorney Kopetz:

Thank you for taking my call and allowing me to forward my request to you. Your name was given to me by Mr. John Goldrick, Admin. Services, School Construction, (860) 713-6481).

Pursuant to the Connecticut Freedom of Information Act I am requesting a list that identifies all of the schools or regional districts in the state that have been approved for Renovate Like New Status, without Special Legislation, and the engineering firms involved in their application process and a list that identifies all of the schools or regional districts in the state that have been approved for Renovate Like New Status, with Special Legislation, and the engineering firm involved in their application process.

I appreciate your help.

Sincerely,

Arthur A. Smith, Esq.
(860) 724-3333
28 Grand Street
Hartford, CT 06106

Subj: **RE: Inquiry About Status of CTFOIA Request**
Date: 1/23/2013 3:26:53 P.M. Central Standard Time
From: Cindy.Rusczyk@CT.Gov
To: attyasmith@aol.com

Dear Attorney Smith,

In response to your Freedom of Information request, I have attached an Excel spreadsheet that was created to list all of the projects, name along with the project number, town, and the name of the engineering firms. However, at this time, this list is not complete. The file does list all of the projects, but some of the files are still being pulled from storage for the names of the engineering firms. As soon as this list is complete, I will resend the file to you.
Here is an explanation of the files from my contact:

The FOI RNV pdf is a listing of all renovation review projects by district, project #, project name, date request received & plan approval date. Most of the projects are special legislation projects. There are only 5 projects with no waiver.

The RNV contact sheet is a list of the design professionals for specific projects, which includes the project engineer. The listing of engineers are from projects we have on file. The rest of the projects are in storage and we will need additional time to get that listing to you.

I hope this information is helpful.
Thank you,
Cindy Rusczyk
DAS Communications Office

From: attyasmith@aol.com [mailto:attyasmith@aol.com]
Sent: Thursday, January 03, 2013 12:50 PM
To: Kopetz, Kevin
Subject: CT FOIA Request

Dear Attorney Kopetz:
Thank you for taking my call and allowing me to forward my request to you. Your name was given to me by Mr. John Goldrick, Admin. Services, School Construction, (860) 713-6481).
Pursuant to the Connecticut Freedom of Information Act I am requesting a list that identifies all of the schools or regional districts in the state that have been approved for Renovate Like New Status, without Special Legislation, and the engineering firms involved in their application process and a list that identifies all of the schools or regional districts in the state that have been approved for Renovate Like New Status, with Special Legislation, and the engineering firm involved in their application process.
I appreciate your help.
Sincerely,
Arthur A. Smith, Esq.
(860) 724-3333
28 Grand Street
Hartford, CT 06106

RENOVATION STATUS REQUESTS
Updated 1/23/12

Special Legislation (SL) projects:

District	Project #	Project Name	RNV Req. Received	Plan Apprvl. Date
Bridgeport	015-0156	Composite Project	06/30/04	06/12/06
Hartford	064-0299	MD Fox Elementary	12/01/08	01/30/09
Manchester	077-0209	Bennet Middle School	06/30/05	09/05/06
Manchester	077-0224	Highland Park School	06/30/08	04/27/11
Meriden	080-0092	Francis T. Maloney HS	09/23/11	06/19/12
Meriden	080-0093	Orville Platt HS	09/23/12	06/10/12
New Haven	093-0319	Fair Haven MS	06/19/97	05/09/01
New Haven	093-0343	Troup MS	06/30/01	01/18/06
No. Branford	099-0049	N. Branford M/HS	06/30/03	05/04/07
Waterbury	151-0243	Code Combination	06/30/02	02/17/04
Waterbury	151-0252	Duggan School	04/27/07	07/31/08
Waterford	152-0102	Waterford HS	06/11/09	08/10/10
Westbrook	154-0020	Westbrook M/HS	06/30/02	12/11/04
Region 4	204-0014	John Winthrop Jr. HS	06/28/99	05/02/02
Region 18	218-0035	Lyme/Old Lyme HS	08/24/09	06/11/10
Bristol	017-0074	Ivy Drive School	11/23/04	08/10/05
Bristol	017-0075	Mountain View School	11/23/04	05/16/05
Colchester	028-0035	Jack Jackter Elementary	06/29/99	01/25/02
Cromwell	033-0041	Cromwell HS	11/01/01	05/31.01
Darien	035-0104	Middlesex JR. HS	08/26/97	06/11/98
East Granby	040-0029	R. Dudley Seymour School	06/30/09	04/29/11
Ellington	048-0047	Ellington MS	12/05/96	02/13/98
Ellington	048-0050	Ellington HS	06/06/00	03/19/02
Ellington	048-0051	Center School	06/06/00	02/28/02
Granby	056-0042	Granby Memorial HS	06/19/97	02/18/99
Hamden	062-0082	Bear Path School	05/08/00	06/16/00
Hartford	064-0246	Hartford Public HS	12/21/99	05/22/97
Hartford	064-0267	Burr School	09/17/03	05/13/04
Hartford	064-0268	Naylor School	09/17/03	03/25/04
Hartford	064-0269	Rawson School	09/17/03	05/18/04
Marlborough	079-0012	Elmer Theines-Mary Hall Elementary	07/29/99	05/13/02
Marlborough	079-0013	Central Administration	07/29/99	05/13/02
Monroe	085-0046	Masuk HS	04/03/03	05/15/02
New Britain	089-0154	Vance School	03/25/02	07/16/03
New Canaan	090-0038	Saxe MS	11/26/96	05/01/97
New Canaan	090-0044	New Canaan HS	06/30/02	04/11/03
New Fairfield	091-0042	Meeting House Hill School	10/05/09	07/15/10
New Haven	093-0314	Isadore Wexler School	10/28/96	06/02/00
New Haven	093-0315	Conte School	10/28/96	07/29/99
New Haven	093-0316	Lincoln-Basset School	10/28/96	06/17/99
New Haven	093-0318	Katherine Brennan School	10/28/96	04/14/00
New Haven	093-0326	James Hillhouse HS	06/25/98	04/29/99
New Haven	093-0327	Wilbur Cross HS	06/25/98	05/20/99
New Haven	093-0333	Nathan Hale School	06/23/99	01/07/02
New Haven	093-0344	Clinton Ave. School	06/30/01	02/26/04
Newington	094-0086	Elizabeth Green School	06/11/02	05/15/03
Newington	094-0089	Ruth Chaffee School	06/11/02	05/15/03
New Milford	096-0035	Sarah Noble Intermediate School	10/05/99	02/23/99
Newtown	097-0111	Central Admin. Bridgeport Hall	06/16/10	07/30/08
Norwalk	103-0197	Brookside Elementary School	08/07/00	04/01/02
Norwalk	103-0213	Brien McMahon HS	12/20/02	06/03/03
Norwich	104-0100	Regional Special Ed.	07/24/02	09/18/02
Norwich	104-0112	Kelly MS	03/20/08	09/18/09

Plainfield	109-0037	Plainfield Grammar Conversion	06/28/96	12/12/97
Plainville	110-0059	Louis Toffolon School	06/30/05	05/22/06
Plainville	110-0060	Plainville HS	06/30/05	04/17/06
Portland	113-0034	Central Administration	01/17/97	02/18/98
Portland	113-0037	Portland MS/HS	06/28/01	05/20/02
Seymour	124-0054	Paul Chatfield School	06/26/09	08/19/10
Sherman	127-0006	Sherman School	06/29/98	11/15/99
Somers	129-0033	Mabelle B. Avery MS	06/29/01	12/21/04
Southington	131-0110	Thalberg School	06/08/98	05/03/00
Southington	131-0111	Strong School	06/08/98	05/03/00
Southington	131-0112	Hatton School	06/08/98	05/10/00
So. Windsor	132-0066	Timothy Edwards MS	12/04/96	04/29/97
Stafford	134-0049	Stafford HS	06/30/03	09/01/05
Stonington	137-0045	Mystic MS	07/28/97	05/27/97
Stonington	137-0046	Stonington HS	06/22/01	11/08/02
Torrington	143-0056	Torringford School	06/28/01	05/05/04
Trumbull	144-0101	Trumbull HS	07/16/07	05/28/09
Waterbury	151-0263	Alt. Program Enlightenment Facility	03/30/06	03/05/09
Waterford	152-0098	Clark Lane MS	06/25/04	05/10/05
Watertown	153-0048	Swift MS	10/01/03	05/06/05
Watertown	153-0051	Watertown HS	07/14/07	04/17/08
Watertown	153-0052	Fletcher W. Judson School	07/14/07	04/23/08
Watertown	153-0053	Polk School	07/14/07	04/02/09
Westport	158-0077	Coleytown MS	12/03/97	02/26/98
Westport	158-0087	Greensfarms Elementary	01/15/98	05/05/98
Wilton	161-0048	Cider Mill School	12/05/96	11/13/97
Windsor	164-0079	Windsor HS	06/25/98	07/29/99
Wolcott	166-0049	Tyrrell School	03/04/99	07/07/99
Wolcott	166-0051	Frisbie School	03/16/99	07/02/99
Region 4	204-0013	Valley Regional HS	06/28/99	05/01/02
Region 5	205-0042	Amity Jr. HS	01/28/05	05/05/05
Region 5	205-0043	Amity (Orange) Jr. HS	01/28/05	05/05/05
Region 8	208-0018	RHAM MS/HS	04/06/00	02/27/01
Region 10	210-0036	Lewis S. Mills/Har-Bur Complex	06/26/01	02/24/05
Region 13	213-0035	Central Administration	03/18/03	05/17/02
Region 13	213-0036	Frank Ward Strong	06/25/99	04/12/02
Region 13	213-0037	Coginchaug Regional HS	06/25/99	05/17/02
Region 18	218-0029	Lyme/Old Lyme MS	06/27/02	06/08/01
Region 18	218-0033	Center School	06/29/00	04/03/03
Region 19	219-0010	E.O. Smith HS	03/25/97	11/18/96
Region 19	219-0011	E.O. Smith HS	03/25/97	11/22/96
Region 19	219-0012	E.O. Smith HS	03/25/97	11/05/97
Region 19	219-0017	E.O. Smith HS @ Depot Campus	11/08/04	12/14/06
CREC	241-0087	Polaris Center	01/31/02	02/27/02
CREC	241-0093	River Street School Annex	03/29/05	07/25/05
Educ. Conn.	242-0011	Education Connection	02/18/97	10/21/98
ACES	244-0026	Collaborative Alternative Magnet	03/04/98	11/08/99
ACES	244-0029	ACES, Mill Road School	02/20/03	03/07/03
Amistad Acd.	279-0001	Amistad Academy	04/02/07	06/29/09

ROJECTS WITH NO WAIVER:

istrict	**Project #**	**Project Name**	**RNV Req. Received**	**Plan Apprvl. Date**
olton	012-0038	Central Administration BHS	09/14/09	04/15/10
olton	012-0039	Bolton HS	09/14/09	04/15/10
ew Britain	089-0153	Lincoln School	03/25/02	07/17/03
ew Britain	089-0155	Northend School	03/25/02	06/17/03
ew Haven	093-0332	Betsy Ross School	06/23/99	07/13/01

TOWN OF MANSFIELD
TOWN CLERK

MARY STANTON, TOWN CLERK

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3302

January 22, 2013

Mr. Arthur Smith
74 Mulberry Road
Mansfield Center, CT 06250
Sent via email

Dear Mr. Smith,

This is in response to your email sent on January 18, 2013, and received in my office on January 22, 2013. In that correspondence you requested an inventory or any documentation of the documents provided to CREC. According to Director of Facilities Bill Hammon no such list or inventory was provided to CREC.

As to your question regarding the availability of copies, I have yet to see the responsive documents and therefore do not yet know what the process for procuring copies will be. I will have a better understanding of the types of materials available after reviewing the information and will be able to provide some guidance by Thursday.

Very truly yours,

Mary L. Stanton
Town Clerk

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

January 18, 2013

Ms. Mary Stanton
Town Clerk
4 South Eagleville Road
Mansfield, CT 06268

Re: Response to Your Letter of 01/17/13

Dear Ms. Stanton:

Your letter quoting my Freedom of Information Act request is factually inaccurate; your redacted cite of my quote is also misleading.

My request of August 23, 2012 2:34PM was as follows:

"I have researched the square footage of our three elementary schools at the State Department of Education website but have been unable to obtain from them, at this time, the square footage of our three elementary schools when built. If you have retained a copy of that information, square footage when built, would you please provide it to me. I will be in this afternoon to pay for the information requested to date." Tellingly, your letter uses the phrase "square footage figures" when referring to a calculated number. My request in its plain language is broader, such narrow construction of a FOIA request has no support in the Commission's administrative decisions. But, my interest , at this time, is in a review of the responsive documents to allow for a meaningful participation in the public discussion on the necessity of new school construction, not to debate the duties of your office.

I will look forward to reviewing the documents on January 24, 2013, since the responsive documents are now identified. To assist me, does the Town have an inventory list of all of the documents provided to CREC or **any** documentation of the documents provided to CREC? If so, I request a copy of that list so that I might compare the documents available for my review with the documents said to have been provided to CREC. What arrangements will be needed to copy the documents as needed?

Thank you again for your continued efforts in assisting me in this matter.

Sincerely,

Arthur Smith

Arthur A. Smith
74 Mulberry Road
Mansfield Center, CT 06250
(860) 724-3333
attyasmith@aol.com

January 18, 2013

Connecticut Freedom of Information Commission
Ms. Wendy R. B. Paradis (sent via facsimile 860-566-6474)
Acting Clerk of the Commission
18-20 Trinity Street, Suite 100
Hartford, CT 06106

Re: Request for a Hearing Against the Town of Mansfield, Town Clerk, Mary Stanton, Town Manager, Matthew Hart, and Town Mayor, Elizabeth Paterson

Dear Ms. Paradis:

The Town of Mansfield acting through their Town Clerk has identified the requested information and will make the information available on a date certain.

For the reasons stated above, I herein request to have my request of January 8, 2012, for a CTFOIA hearing, withdrawn.

Thank you in advance for your attention to this matter.

Sincerely,

Arthur A. Smith

CC: Office of the Town Clerk of Mansfield for Mary Stanton, Matthew Hart, and Elizabeth Paterson

TOWN OF MANSFIELD
TOWN CLERK

MARY STANTON, TOWN CLERK

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3302

January 17, 2013

Mr. Arthur Smith
74 Mulberry Road
Mansfield Center, CT 06250
Sent via email

Dear Mr. Smith,

This is in response to your email sent on January 16, 2013, and received in my office on that same day. In this email you are requesting a copy of all retained documents that provide "any information about the square footage of our three elementary schools when built, including, but not limited to, the square footage by dimension of those schools as planned . . . regardless of whether the square footage is 'calculated.' in the retained document."

The requested information is currently at the CREC offices, but it will be available for review in the Town Clerk's office beginning on Thursday, January 24, 2013.

It is helpful that you have clarified your request from the presumably related one you submitted last August 23, 2012. My response to that submission was based on your request for a **copy** of, "...the square footage of our three elementary schools when built. If you have retained a **copy** of that information..." Based on the plain language of that prior request it was my reasonable interpretation that you were specifically asking for a document expressly stating those requested square footage figures, not just the bases on which any such calculation may be made, and as you were informed, no such document could be found in the records of the Town.

Very truly yours,

Mary L. Stanton
Town Clerk

Subj: **Renewed CTFOIA Request**
Date: 1/16/2013 3:29:05 P.M. Central Standard Time
From: attyasmith@aol.com
To: stantonml@mansfieldct.org

Dear Ms. Stanton:
On August 23, 2012, I requested, pursuant to a Freedom of Information Act, a copy of retained information about the square footage of the three elementary schools when built, that request was not limited to the "calculated" square footage but to any retained information related to the square footage. It is my understanding after reading Mr. Hart's, Town Manager's, email of today's date, that your response of 8/27/2012 was limited only to "calculated" square footagee. The Town had at the time of my request, has since provided to CREC, as noted in the public record of 01/07/13, and continues to retain, documents that have information about the square footage of the three Town of Mansfield elementary schools when built. I herein renew my request for any and all public records retained by the Town of Mansfield that provide any information about the square footage of our three elementary schools when built, including, but not limited to, the square footage by dimension of those schools as planned and at the time of the pouring of their foundations, regardless of whether the square footage is "calculated" in the retained document. Thank you in advance for your attention to this renewed request.
Sincerely,
Arthur Smith

Subj: **RE: CTFOIA Request**
Date: 1/15/2013 8:48:31 P.M. Central Standard Time
From: Hartmw@MANSFIELDCT.ORG
To: jmena@crec.org, attyasmith@aol.com, TownMngr@MANSFIELDCT.ORG
CC: rlafleur@crec.org, StantonML@mansfieldct.org, Hartmw@MANSFIELDCT.ORG

Art – you can submit a request to the town requesting the information that we provided to CREC.

I believe Mary Stanton, our Town Clerk and FOIA administrator, referenced these plans in previous correspondence with you. My understanding is that the plans themselves do not list the square footage; you need to calculate the square footage from the plan documents or by taking a physical measurement.

Please contact Mary if you decide to submit a FOIA request.

Thanks,

Matt Hart
Town Manager
Town of Mansfield
860-429-3336

All E-mails are for official Town business only and privacy should not be assumed. E-mails are public documents unless subject matter is protected by State or Federal Laws.

Please consider the environment before printing this email.

From: Mena, John [mailto:jmena@crec.org]
Sent: Tuesday, January 15, 2013 5:44 PM
To: attyasmith@aol.com; Town Mngr
Cc: LaFleur, Roger
Subject: RE: CTFOIA Request

Dear Mr. Smith, we are in receipt of your request via email. Please be advised that since these are town documents, your request should be made out to them. As you may understand and by legality, we cannot do anything without the Town's prior consent since the information belongs to them.

The town manager, Mr. Matthew Hart, has been included in this transmission. He may be able to help on how to proceed.

Kind Regards,

John A. Mena
CREC Construction Services – Director

CREC
Capitol Region Education Council
108 Charter Oak Avenue, Hartford, CT 06106
Phone: **860.509.3732** Cell: **860.250.9044**
Website: **www.crecconstruction.org**

"Connecting People and Resources for Superior Results"

Hartford Courant
FOIC

From: attyasmith@aol.com [mailto:attyasmith@aol.com]
Sent: Tuesday, January 15, 2013 5:12 PM
To: Mena, John
Subject: CTFOIA Request

Dear Keeper of Records:
This is a request for a copy of all of the documents in your possession from the Town of Mansfield regarding town elementary schools and middle school provided to you by the Town for your construction and renovation options assessment. The reply should include, but not be limited to, blue prints of school square footage when built.
Thank you in advance for your attention to this matter. Should you have any questions, please call.
Sincerely,
Arthur A. Smith
Town Resident
860-724-3333

The documents accompanying this fax or e-mail transmission, including any attachments, are for the sole use of the intended recipients and MAY contain confidential health or other information that is legally privileged. The authorized recipient of this information is prohibited from disclosing this information to any other party unless required to do so by law or regulation and is required to destroy the information after its stated need has been fulfilled.

If you are NOT the intended recipient you are hereby notified that ANY disclosure, copying, distribution or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information via facsimile in error, please notify the sender immediately and arrange for the return or destruction of these documents. If information is received via e-mail and you are not the intended recipient, please contact the sender by e-mail immediately and delete/destroy both the original and the reply e-mail message.

Arthur A. Smith
74 Mulberry Road
Mansfield Center, CT 06250
(860) 724-3333
attyasmith@aol.com

January 8, 2013

Connecticut Freedom of Information Commission
Ms. Wendy R. B. Paradis (also sent via facsimile 860-566-6474)
Acting Clerk of the Commission
18-20 Trinity Street, Suite 100
Hartford, CT 06106

Re: Request for a Hearing Against the Town of Mansfield, Town Clerk, Mary Stanton, Town Manager, Matthew Hart, and Town Mayor, Elizabeth Paterson

Dear Ms. Paradis:

This letter is written to request a Freedom of Information Act hearing to determine whether the Town of Mansfield failed to comply with the mandates of the Connecticut Freedom of Information Act ("CTFOIA") when the Town Clerk replied, on August 27, 2012, that "there are no existing documents which identify the square footage of the 3 elementary schools as originally built" in response to a CTFOIA request of August 23, 2012 for "the square footage of our three elementary schools when built.":

Please find attached seven pages of the CTFOIA email correspondence.

Thank you in advance for your attention to this matter.

Sincerely,

Arthur A. Smith

CC: Office of the Town Clerk of Mansfield for Mary Stanton, Matthew Hart, and Elizabeth Paterson

Ex - 1A

Subj: **RE: CTFOIA: Square Footage of Elementray Schools when Built**
Date: 8/27/2012 3:13:36 P.M. Central Daylight Time
From: StantonML@mansfieldct.org
To: attyasmith@aol.com

Dear Mr. Smith,

After further discussions with the Director of Facilities Management Bill Hammond, I have been informed there are no existing documents which identify the square footage of the 3 elementary schools as originally built. The original engineering blueprints do not list the square footage, as previously assumed.

Sincerely,

Mary Stanton

From: attyasmith@aol.com [mailto:attyasmith@aol.com]
Sent: Friday, August 24, 2012 11:45 AM
To: Mary L. Stanton
Subject: Re: CTFOIA: Square Footage of Elementray Schools when Built

Dear Ms. Stanton:
Thank you for your prompt response, I will look forward to receiving the square footage when they are available. I also write to acknowledge receipt of: the 2009 contract (3 pages) and the 2011 contract for Town Attorney services (2 pages), at a cost of $2.50 and the double-sided Position Description for the Director of Finance, at a cost of $1.00.
Thank you for your assistance.
Sincerely,
Arthur Smith

In a message dated 8/24/2012 8:01:03 A.M. Central Daylight Time, StantonML@mansfieldct.org writes:

> Dear Mr. Smith,
>
> The square footage for each of the elementary schools, as originally built, will be available in the Town Clerk's office beginning September 7, 2012.
>
> Sincerely,
>
> Mary Stanton
>
> ---
>
> **From:** attyasmith@aol.com [mailto:attyasmith@aol.com]
> **Sent:** Friday, August 24, 2012 8:41 AM
> **To:** Mary L. Stanton
> **Subject:** Re: CTFOIA: Square Footage of Elementray Schools when Built
>
> Dear Ms. Stanton:
> Thank you for your quick response. But my request is not for the current footage, but for the footage of each school at the time they were built. I have from the SDE website current reported footage. If the footage has remained unchanged since the schools were originally built the current footage could be the same; please indicate no change in footage for each school, if that is the case.
>
> Sincerely,
> Arthur Smith
>
> In a message dated 8/23/2012 4:51:39 P.M. Eastern Standard Time, StantonML@mansfieldct.org writes:

Ex. 1-B

Dear Mr. Smith,

This is in response to your FOI request dated August 23, 2012 and received by my office on the same day. You are requesting the square footage of the three elementary schools. A description of the school building options presented to the Council on January 5, 2012 by Newfield Construction list the current square footage of each of the school buildings. This document is available at any time.

Sincerely,

Mary Stanton

From: attyasmith@aol.com [mailto:attyasmith@aol.com]
Sent: Thursday, August 23, 2012 2:34 PM
To: Town Clerk
Subject: CTFOIA: Square Footage of Elementray Schools when Built

Dear Ms. Stanton:
I have researched the square footage of our three elementary schools at the State Department of Education website but have been unable to obtain from them, at this time, the square footage of our three elementary schools when built. If you have retained a copy of that information, square footage when built, would you please provide it to me. I will be in this afternoon to pay for the information requested to date.
Thank you again for your assistance.
Sincerely,
Arthur Smith

Ex. 1-c

Arthur Smith
74 Mulberry Road
Mansfield Center, CT 06250

August 28, 2012

Town Council
4 South Eagleville Road
Mansfield, CT 06268

Dear Members of the Town Council:

I am concerned that documents recently requested through the Connecticut Freedom of Information Act were either not provided as required or were not retained as needed.

Because of recent concerns about a Town check that appeared to be written by the Board of Education for Downtown Partnership re-location expenses and in my preparation for attendance at the Town Finance Committee, I requested "all documentation, that has not been destroyed including but not limited to internal correspondence, emails, text messages, memoranda, authorization requests and policy related to the use of Board of education funding for non-educational sites and purposes; and also, specifically, all documentation related to the use of Board of Education funding to pay for the relocation of business at the Storrs Downtown project." In response to my CTFOIA request, I was told by the keeper of the record to "[P]lease address this request to the Mansfield Board of Education." A Finance Director memo of 8/17/12 outlining her position on the issue was not provided. This Town of Mansfield memo written prior to my request was later, after the Finance Committee Meeting had concluded, provided by the Board of Education.

Out of concern for rising Municipal Employee Retirement (MERS) costs, I requested the employment contract of Jeffrey Smith and was told that "Exempt Town Administrators do not sign contracts with the town of Mansfield." Here, the re-direction to Region 19 may have been, arguably, warranted because of Mr. Smith's retired status with Region 19, but I was not re-directed. I was told that such documents do not exist. I have since obtained a copy of that contract and also have employment contracts for the Town Manager, presumably a Town employee with exempt status.

Out of concern about the calculation used by Lawrence Associates to determine whether the Town qualified for state funding, under "Renovation like New" (where the Town must, in part, establish that 75% of the structure, here of our three elementary schools, are 30 years or older), I requested the original square footage of each of our elementary schools and was told that "there are no existing documents which identify the square footage of the 3 elementary schools as originally built." I seek confirmation of this assertion and information about the retention schedule for such documents, which common sense, a prudent regard for safety, dictates should be retained by the Town.

Sincerely,
Arthur Smith

Ex. 1-d

Subj: **Re: CTFOIA: Square Footage of Elementray Schools when Built**
Date: 8/24/2012 9:45:14 A.M. Central Standard Time
From: attyasmith@aol.com
To: StantonML@mansfieldct.org

Dear Ms. Stanton:
Thank you for your prompt response, I will look forward to receiving the square footage when they are available. I also write to acknowledge receipt of: the 2009 contract (3 pages) and the 2011 contract for Town Attorney services (2 pages), at a cost of $2.50 and the double-sided Position Description for the Director of Finance, at a cost of $1.00.
Thank you for your assistance.
Sincerely,
Arthur Smith

In a message dated 8/24/2012 8:01:03 A.M. Central Daylight Time, StantonML@mansfieldct.org writes:

> Dear Mr. Smith,
>
> The square footage for each of the elementary schools, as originally built, will be available in the Town Clerk's office beginning September 7, 2012.
>
> Sincerely,
>
> Mary Stanton
>
> ---
>
> **From:** attyasmith@aol.com [mailto:attyasmith@aol.com]
> **Sent:** Friday, August 24, 2012 8:41 AM
> **To:** Mary L. Stanton
> **Subject:** Re: CTFOIA: Square Footage of Elementray Schools when Built
>
> Dear Ms. Stanton:
>
> Thank you for your quick response. But my request is not for the current footage, but for the footage of each school at the time they were built. I have from the SDE website current reported footage. If the footage has remained unchanged since the schools were originally built the current footage could be the same; please indicate no change in footage for each school, if that is the case.
>
> Sincerely,
>
> Arthur Smith

Ex. 1-e

In a message dated 8/23/2012 4:51:39 P.M. Eastern Standard Time, StantonML@mansfieldct.org writes:

Dear Mr. Smith,

This is in response to your FOI request dated August 23, 2012 and received by my office on the same day. You are requesting the square footage of the three elementary schools. A description of the school building options presented to the Council on January 5, 2012 by Newfield Construction list the current square footage of each of the school buildings. This document is available at any time.

Sincerely,

Mary Stanton

From: attyasmith@aol.com [mailto:attyasmith@aol.com]
Sent: Thursday, August 23, 2012 2:34 PM
To: Town Clerk
Subject: CTFOIA: Square Footage of Elementray Schools when Built

Dear Ms. Stanton:

I have researched the square footage of our three elementary schools at the State Department of Education website but have been unable to obtain from them, at this time, the square footage of our three elementary schools when built. If you have retained a copy of that information, square footage when built, would you please provide it to me. I will be in this afternoon to pay for the information requested to date.

Thank you again for your assistance.

Sincerely,

Arthur Smith

Ex -1-f

Subj: **Re: CTFOIA: Square Footage of Elementray Schools when Built**
Date: 8/24/2012 6:40:40 A.M. Central Standard Time
From: attyasmith@aol.com
To: StantonML@mansfieldct.org

Dear Ms. Stanton:
Thank you for your quick response. But my request is not for the current footage, but for the footage of each school at the time they were built. I have from the SDE website current reported footage. If the footage has remained unchanged since the schools were originally built the current footage could be the same; please indicate no change in footage for each school, if that is the case.

Sincerely,
Arthur Smith

In a message dated 8/23/2012 4:51:39 P.M. Eastern Standard Time, StantonML@mansfieldct.org writes:

> Dear Mr. Smith,
>
> This is in response to your FOI request dated August 23, 2012 and received by my office on the same day. You are requesting the square footage of the three elementary schools. A description of the school building options presented to the Council on January 5, 2012 by Newfield Construction list the current square footage of each of the school buildings. This document is available at any time.
>
> Sincerely,
>
> Mary Stanton
>
> ---
>
> **From:** attyasmith@aol.com [mailto:attyasmith@aol.com]
> **Sent:** Thursday, August 23, 2012 2:34 PM
> **To:** Town Clerk
> **Subject:** CTFOIA: Square Footage of Elementray Schools when Built
>
> Dear Ms. Stanton:
>
> I have researched the square footage of our three elementary schools at the State Department of Education website but have been unable to obtain from them, at this time, the square footage of our three elementary schools when built. If you have retained a copy of that information, square footage when built, would you please provide it to me. I will be in this afternoon to pay for the information requested to date.
>
> Thank you again for your assistance.
>
> Sincerely,
>
> Arthur Smith

Ex. - 1 - g

Subj: **CTFOIA: Square Footage of Elementray Schools when Built**
Date: 8/23/2012 1:33:57 P.M. Central Daylight Time
From: attyasmith@aol.com
To: TownClerk@MansfieldCT.org

Dear Ms. Stanton:
I have researched the square footage of our three elementary schools at the State Department of Education website but have been unable to obtain from them, at this time, the square footage of our three elementary schools when built. If you have retained a copy of that information, square footage when built, would you please provide it to me. I will be in this afternoon to pay for the information requested to date.
Thank you again for your assistance.
Sincerely,
Arthur Smith

PAGE
BREAK

School issue

Item #16

Elizabeth Wassmundt (etwno1@sbcglobal.net)
Tue 1/22/13 10:12 PM
towncouncil@mansfieldct.org

Dear Council Members:

Two citizens have spoken to you recently and I hope you listen to them.

Martha Kelly provided an excellent option as a possible resolution to the school problems. Please consider it.

There was a lady who spoke to you saying: "You are tearing the town apart..." How true.

This town is not ready for a referendum on building two schools. Just stop this process.

Hire the CREC people to assist all of us.

Betty Wassmundt

PAGE
BREAK

Sara-Ann Bourque

From: Goodwin PTO <gwwhaletales@gmail.com>
Sent: Tuesday, January 22, 2013 6:51 PM
To: Town Mngr; Elizabeth Paterson; Town Council
Subject: School Building Project

Dear Mansfield Town Council Members:

Recently, it was mentioned to us that because Goodwin parents/community members have been absent in recent discussions regarding the school building project, that we must no longer care about the decision. However, the reason for our absence is simple - we were under the impression the decision was made, sites were Goodwin and Vinton, and a vote was to come. We worked hard to make our voices heard in recent years. We all thought the next step was putting it to a town vote. We all feel this has gone on long enough, and the original decision needs to be brought to the people. Our community and their hard work in past years should not be overlooked because of their "absence" in the past couple months.

The Goodwin Elementary PTO supports the choice of ***Goodwin Elementary School*** as a site for one of two new elementary schools proposed for Mansfield, CT.

While we appreciate the town's effort to build two new schools in order to provide our children with educational facilities that are second to none, the location of these schools will greatly affect the quality of life of all our families and the town's overall appeal as a place to live and work. The feedback and opinions we have received from our families is overwhelmingly in support of Goodwin Elementary being one of the sites chosen to build a new school.

We believe that choosing Goodwin simply makes sense because:

- It is easily accessed by road and by pedestrian/bikeways.

- It maximizes accessibility by area residents and minimizes the travel time for students and parents.
- It is centrally located. It encourages families to be more engaged and involved in school activities.
- It, together with a second school at the south end of town, helps disperse school-related bus and automobile traffic congestion.
- It is close to areas of Mansfield that can best support new residential and neighborhood/business mixed-use development, particularly in light of the proposed Four Corners Sewer project.
- Its proximity to developable properties would make that development more valuable and more likely and it would encourage young families to take up residence in this area of town.
- **In regards to recent events, school safety discussions are underway. Goodwin site is in close proximity to first responders. With a police department, fire department, and medical teams so close, we are by far the safest site for an elementary school.**

As you know, schools provide important anchors for communities. By preserving a school at the Goodwin site, healthy, stable neighborhoods will continue to thrive even in the shadow of the University.

Storrs Center has finally come to life. Clearly, you recognize the value of a mixed use development for the economic and social well being of our community. Our families in nearby neighborhoods are an integral part of that mixed-use vision. Please consider this in your deliberations.

Please keep an elementary school at the Goodwin site.

Sincerely,

Goodwin PTO board

President: John Prandy

Vice-President: Karri Prandy

Secretary: Mary Dudas

Treasurer: Amanda Boukus

PAGE
BREAK

MEMORANDUM

Town of Mansfield
Town Council
4 So. Eagleville Rd., Mansfield, CT 06268
860-429-3336
Hartmw@mansfieldct.org

To: Advisory Committee on the Needs of Persons with Disabilities; Board of Assessment Appeals; Board of Education; Building Board of Appeals; Conservation Commission; Hearing Officers; Historic District Commission; Housing Code Board of Appeals; Mansfield Downtown Partnership Board; Personnel Appeals Board; Planning and Zoning Commission/Inland Wetlands Agency; Zoning Board of Appeals

From: Elizabeth C. Paterson, Mayor Elizabeth C. Paterson

CC: Town Council; Board of Ethics; Matt Hart, Town Manager; Maria Capriola, Assistant Town Manager

Date: January 24, 2013

Re: Disclosure – Ethics Code

As you know, Mansfield's Code of Ethics was revised on May 29, 2012. As a hearing officer or member of a board, commission or advisory committee that performs legislative, administrative, or judicial functions or exercises financial authority, the Code is applicable to you.

I have been asked by the Board of Ethics to highlight a notable change to the Code - disclosure. Mansfield's Code of Ethics now requires us as public officials to disclose our affiliation with the Town when speaking at a public meeting regardless whether or not the matter being addressed is related to our hearing officer/board/advisory committee role.

Here's an example of how the disclosure requirement works: Let's say that a member of the Personnel Appeals Board wants to speak at a public hearing on the Four Corners water and sewer project. The Four Corners project is not related to the work of the Personnel Appeals Board. However, prior to beginning his/her remarks at the public hearing, the Personnel Appeals Board member needs to disclose his/her affiliation with the Board. A simple statement could be made such as, "My name is John/Jane Smith and I live on Gurleyville Road. I am disclosing my affiliation as a member of the Personnel Appeals Board, but tonight I am speaking as an individual."

For your reference 25-7L of the Code, "disclosure," reads as follows:
Any public official or public employee who presents or speaks to any board, committee, commission or agency during the time set aside during any meeting of any such body for public comment shall at that time disclose their name, address, and Town of Mansfield public affiliation, regardless of whether said affiliation is related to the matter being addressed by the speaker.

If you have questions about disclosure requirements I encourage you to contact the Ethics Board at EthicsBoard@mansfieldct.org or Maria Capriola, staff to the Ethics Board, at HR@mansfieldct.org.

January 1, 2013

Dear Betsy, Betty, and Matt (for the town council),

Please find attached a revised version of the letter sent to you regarding the ethics board decision of November 8, 2012. At the request of Maria Capriola, town staff liaison for the ethics committee, I have removed the words "lobbying group" from section #3. Apparently someone objected to them. I should say that all members of the ethics board were shown the letter and approved its wording prior to it being sent to you. My inclusion of that phrase was intentional, as I think townspeople and members of boards and committees deserve to know when a speaker, possibly not even a Mansfield resident, addresses the group on a subject in which he/ she has a monetary interest, e.g. Masonicare on our water issue, or union leaders on our proposed fair labor practices ordinance. But,... I guess that's a topic for another day.

Yours truly,

Jim

Jim Raynor

Sent to Matt Hart, Betsy Paterson, Betty Wassmundt, and Nora Stevens, chairperson of Ethics Board

Ethics Board Decision

Dear Elizabeth Paterson / Elizabeth Wassmundt:

At its' November 8, 2012 special meeting to hear the October 11, 2012 complaint of Wassmundt vs. Paterson, the Mansfield Board of Ethics found the complaint to be valid and recommends the actions listed below. The complaint alleged a violation of section 25- 7 of the Ethics Code. In responding to the complaint, Mayor Paterson agreed that the complaint was valid, that her statement at the PZC meeting, without identifying her position as mayor, a member of the board of the Downtown Partnership, and her position on several committees of that partnership, as noted in the complaint, was an oversight on her part. She said it was an error on her part, not intended to deceive. She said she is making arrangements to attend a town-run ethics training meeting.

As a result, The Ethics Board requests that:

1. Mayor Paterson attend ethics training class as discussed.
2. Mayor Paterson write a letter to Joanne Goodwin, chairperson of the PZC, noting that at the October 1, 2012 PZC meeting, she should have identified her town affiliations, not just given her name and address, prior to her statement regarding building changes in the downtown project.
3. As mayor, she include on the agenda of an upcoming town council meeting, discussion among staff and council members to create a formal request to all town boards and committees that they enforce section 25- 7 of the Ethics Code, by asking anyone speaking at a public hearing or in the public comment section of any meeting to identify himself/herself as a member of any town-related board or committee of which they are a part.

Reference from the Code of Ethics:

25- 7.Rules

L. Disclosure. Any public official or public employee who presents or speaks to any board, committee, commission, or agency during the time set aside during any meeting of any such body for public comment shall at that time disclose his or her name, address, and town of Mansfield public affiliation, regardless of whether said affiliation is related to the matter being addressed by the speaker.

Yours truly,

James Raynor, member of Mansfield Board of Ethics

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Matthew W. Hart, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

January 18, 2013

Colonel Charles P. Samaris
District Commander
U.S. Army Corps of Engineers-New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Re: Draft Environmental Assessment/Finding of No Significant Impact and Record of Non-Applicability Transmission Line Easement Expansion, Mansfield Hollow Area, Towns of Mansfield and Chaplin, Connecticut and File Number NAE-2008-1671 – CL&P Discharge Fill Permit

Dear Colonel Samaris:

Thank you for providing the Town of Mansfield with the opportunity to comment on both the fill permit application (File No. NAE-200801671) and the FONSI for the proposed expansion of the CL&P transmission line easement through Mansfield Hollow. As you will recall, the Town submitted letters dated November 16, 2012 and December 19, 2012 requesting public hearings on the above referenced applications. The purpose of this request was to allow the Town, interested residents and other stakeholders to better understand the environmental impacts of the proposed alternative as opposed to the option that would not require an expansion of the easement.

Since the submission of these letters, the Town has learned that CL&P's proposed route through Mansfield Hollow would require removal of fewer trees and overall have less of an impact on existing vegetation than the option the Town had previously endorsed. Consequently, by way of this letter, the Town of Mansfield is withdrawing its request for a public hearing on both the infill permit and the FONSI regarding CL&P's proposed transmission line easement expansion for Mansfield Hollow State Park.

Please contact me at 860-429-3336 should you have any questions.

Sincerely,

Matthew W. Hart
Town Manager

Copy to: Congressman Joseph Courtney
State Senator Donald Williams
State Representative Gregory Haddad
Mansfield Town Council
Planning and Zoning Commission
Conservation Commission
Linda Painter, Planning and Development
Friends of Mansfield Hollow
William Scully, ACOE
Anthony Mele, Northeast Utilities
Susan K. Lee, US Army Corps of Engineers

Item #20

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Matthew W. Hart, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

January 10, 2013

Mr. Richard Jankovich
Assistant Rail Administrator
Bureau of Public Transportation, Office of Rail
50 Union Avenue
New Haven, CT 06519

Dear Mr. Jankovich:

We would like to express our strong support for New England Central Railroad's Connecticut Rail Freight Infrastructure Program application. The main element of this request would upgrade the rail system that serves the Town of Mansfield to accommodate the North American standard 286,000 lb. freight railcars. This project will create the first north-south heavy rail capacity corridor in Connecticut. This route provides our local rail service. It also provides direct on dock rail to water access at the deep water port of New London, CT.

Our businesses and the associated jobs located along the New England Central route, depend on efficient and competitive freight rail service. Rail freight is essential to retaining our businesses and our ability to solicit new business and their much needed associated jobs and revenues. As the national rail freight gross rail weight standard has increased from 263,000 lbs. to 286,000 lbs., we are finding it more challenging for our businesses to survive and expand. Connecting rail lines are already capable of handling the heavier freight cars, thus getting this corridor upgraded to modern weight standards is very important. When coupled with similar projects either completed or planned in MA, NH, and VT, this will enable our businesses to begin shipping/receiving the heavier rail freight loads and reaping the economic benefits. As local freight rail access to rail served facilities across North America is updated and made capable of handling the heavier loads by TIGER grants or by similar public-private co-operation, absent any similar update on the New England Central route, we will continue to face mounting competition on an increasingly un-level playing field. Absent this project, we are finding ourselves left behind on an island, without connectivity to the full benefits of the national rail freight network.

This project will complement and leverage other public-private projects that have been successfully accomplished along this regional corridor. To make this application even more competitive, the New England Central Railroad is providing a substantial private match for this RFIP application.

Sincerely,

Matthew W. Hart
Town Manager
Town of Mansfield, CT

CC: Congressman Joseph Courtney
State Senator Donald E. Williams, Jr.
State Representative Gregory Haddad
State Representative Linda Orange
Mansfield Town Council
Charles Hunter, AVP Government Affairs- NECR RR

Item #21

William B. THOMPSON Sr.

THOMPSON, William B. Sr.
William Bradley Thompson Sr. was born September 13, 1932 in Tannersville, NY and died January 12, 2013 at his residence in Storrs, surrounded by his wife of 52 years Annemarie, daughter Stacy and son Bill, Jr. He had been diagnosed with bile duct cancer shortly after his eightieth birthday this past September.
The memorial service will be held on Saturday, Jan. 19, 2013 at 10 a.m. at the Storrs Congregational Church, 2 North Eagleville Road, Storrs, CT, 06268 followed by a reception in the church auditorium. In lieu of flowers, donations can be made to the Storrs Congregational Church, address above or the USO Operation Enduring Care, Department WS, P.O. Box 96860, Washington, DC 20090. For an online memorial guestbook and additional information, please visit www.potterfuneralhome.com.

Published in The Hartford Courant on January 15, 2013

Advertisement Advertisement

Obituaries

Rev. William C Sanders

1922-2013

SPRINGFIELD, Massachusetts - Rev. William C Sanders, 91, peacefully entered into eternal rest on Friday, January 11, 2013. He is predeceased by his wife, Katheleen A.; mother, Susie M Massey and son, William C Sanders, Jr. and siblings of Baltimore, MD, Carrie Sanders, Susie M. Carter, Sarah L Austin, Odell Sanders and three grandchildren. Leaving to celebrate his home going are his children, Patricia A. Barber Richmond, VA, Rev Richard H. (Evelyn) Springfield, MA, Rev Nathaniel T. (Patricia) Henderson, NV, Rev Karl E. (Alicia) Clayton, NC, Walter L. Millbany, MA, Cynthia M. Richardson Springfield, MA, Andrew M. (Rosie) Springfield, MA, Monica J. Reed Oxon Hill, MD and 18 grand; 29 great-grand and two great-great-grandchildren and numerous cousins, nieces, nephews, and other family members. Funeral service: Wake, Thursday, January 17, from 6-9 p.m., Funeral, January 18 at 11:00 a.m. at Zion Community Baptist Church, Springfield, MA. In lieu of flowers, donations can be made in memory of Rev. William C. Sanders to Mercy Hospice, 1236 Main Street, Suite 303, Holyoke, MA 01040. Please sign on-line condolences @ www.hendersonsfh.com.

Terrance John Hutchinson Jr.

LONGMONT, Colorado - It is with heavy hearts that his family announces the untimely passing of Terrance John Hutchinson Jr. (TJ), 26, on December 28, 2012 in Longmont, CO. TJ was born and raised in Willimantic, CT the son of Terrance John Hutchinson Sr. and the late Donna Autry Hutchinson Rupar. He graduated Windham Tech in 2004; attended and graduated Johnson & Wales University in Providence RI, earning a BS in Electronic Engineering; and left the state soon after graduation to pursue his passion for problem solving while working for HP, Dot Hill, Oracle and Dell in his brief but stellar career as a software engineer. TJ had moved out to CO in 2008; loved working out; snowboarding, going to heavy metal concerts, and spending time with the love of his life, Meredith Siss, and their two pups: Ryder and Roxy. TJ is survived by his father and his wife, Terry and Grace Hutchinson of Rock Hill, SC; his younger sister and her husband, Cyndi and Alex Frank of Wallingford, CT; his older sister, her husband and their children: Karyn, Joshua, Zefram and Nerys Eves of Willimantic, CT; his grandfather and his wife, Charles and Karen Autry of Naples, FL; his maternal aunt, her husband and their daughters: Charlene, Fred and Kenia Perry of Scotland, CT and Amber and Andrew Guillemette of Danielson, CT.; his paternal uncles, Alan Hutchinson of Hebron, NY and Timothy Hutchinson of Port St. Lucie, FL; his paternal uncle and his wife, Peter and Marcy Hutchinson of Colchester, CT; his paternal aunt and her husband Meg and Arthur Mastrangeli of Bolton, CT. TJ is predeceased by his mother, Donna Autry Hutchinson Rupar; his maternal grandmother, Arlene Gamache Autry; his paternal grandparents, Ruth and Maxwell Hutchinson; and his paternal aunt, Kristine Hutchinson McAdam Albert. The family will be receiving visitors on January 18, 2013 at the Scotland Fire Department Banquet Hall (47 Brook Rd Scotland CT 06264) starting at 4pm with a memorial service at 6pm and refreshments to follow. In lieu of flowers, the family suggests a donation to your local no-kill animal shelter, as the rescue of animals was a cause close to TJ's heart.

William Bradley Thompson Sr.

STORRS - William Bradley Thompson Sr. was born September 13, 1932 in Tannersville, New York and died January 12, 2013 at his residence in Storrs, Connecticut surrounded by his wife of 52 years Annemarie; daughter Stacy and son Bill Jr. He had been diagnosed with bile duct cancer shortly after his eightieth birthday this past September. The memorial service will be held on Saturday, January 19, 2013 at 10:00 a.m. at the Storrs Congregational Church, 2 North Eagleville Road, Storrs, CT, 06268 followed by a reception in the church auditorium. In lieu of flowers, donations can be made to the Storrs Congregational Church, address above or the USO Operation Enduring Care, Department WS, P.O. Box 96860, Washington, DC 20090. For an online memorial guestbook and additional information, please visit www.potterfuneralhome.com.

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Governor Dannel P. Malloy

Item #22

January 8, 2013

GOV. MALLOY NAMES MEMBERS OF SANDY HOOK ADVISORY COMMISSION

(HARTFORD, CT) – Governor Dannel P. Malloy today announced the names of 16 members of the Sandy Hook Advisory Commission, an expert panel the Governor announced on Thursday that will review current policy and make specific recommendations in the areas of public safety, with particular attention paid to school safety, mental health, and gun violence prevention.

"I've asked this group to join Chairman Scott Jackson so they can begin the task of taking a broad, systemic approach in crafting the recommendations that will lead to comprehensive legislative and policy changes that must occur following the tragedy at Sandy Hook Elementary School," Governor Malloy said. "This includes ensuring that our mental health system can reach those that need its help, looking for ways to make sure our gun laws are as tight as they are reasonable, and making certain that our law enforcement has the tools it needs to protect public safety, particularly in our schools."

The members are:

- Chairman: **Scott Jackson** – *Mayor, Town of Hamden*
- **Dr. Adrienne Bentman** – *Director, Adult Psychiatry Residency Program, Hartford Hospital's Institute of Living*
- **Ron Chivinski** – *Teacher, Newtown Middle School*
- **Robert Ducibella** – *Founding Principal, DVS Security Consulting and Engineering*
- **Terry Edelstein** – *Nonprofit Liaison to Governor Malloy*
- **Kathleen Flaherty** – *Staff Attorney, Statewide Legal Services of Connecticut, Inc. / Facilitator and State Trainer, National Alliance for Mental Illness in Connecticut*
- **Dr. Alice M. Forrester** – *Executive Director, Clifford W. Beers Guidance Clinic, Inc.*
- **Dr. Ezra Griffith** – *Professor Emeritus of and Senior Research Scientist in Psychiatry, Deputy Chair for Diversity and Organizational Ethics, Department of Psychiatry, Yale University*
- **Patricia Keavney-Maruca** – *Member, State Board of Education / Former technical high school teacher*
- **Christopher Lyddy** – *Outgoing State Representative, 106th Assembly District of Newtown / Program Manager, Trainer & Consultant, Advanced Trauma Solutions, Inc. / Former Program Director, Youth Equipped for Success!, Forensic Health Services, Inc. / Former Clinical Supervisor, Juvenile Risk Reduction Center, Community Solutions, Inc.* [Membership effective January 10, 2013]
- **Denis McCarthy** – *Fire Chief, City of Norwalk*
- **Barbara O'Connor** – *Director of Public Safety and Chief of Police, University of Connecticut*
- **Wayne Sandford** – *Professor, University of New Haven, Henry C. Lee College of Criminal Justice & Forensic Sciences / Former Deputy Commissioner, Connecticut Department of Emergency Management & Homeland Security / Former Fire Chief, Town of East Haven*
- **Dr. David J. Schonfeld** – *Director, National Center for School Crisis and Bereavement / Professor, University of Cincinnati Department of Pediatrics*
- **Dr. Harold I. Schwartz** – *Psychiatrist-in-Chief, Hartford Hospital's Institute of Living / Vice President, Behavioral Health, Hartford Hospital / Professor of Psychiatry, University of Connecticut School of Medicine*
- **Bernard R. Sullivan** – *Former Chief of Police, City of Hartford / Former Commissioner, Connecticut Department of Public Safety / Former Chief of Staff to House Speaker Tom Ritter*

An initial report will be due to the Governor by March 15, in time for consideration during the regular session of the General Assembly. The commission's members are currently developing a meeting schedule, which will be announced as soon as it is available.

Information about the commission can be found on the Governor's website.

###

For Immediate Release: January 8, 2013

Twitter: @GovMalloyOffice
Facebook: Office of Governor Dannel P. Malloy

PAGE
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CLEAN ENERGY
FINANCE AND INVESTMENT AUTHORITY

PRESS RELEASE

FOR IMMEDIATE RELEASE

Contact: David Goldberg
Director, Government and External Relations
Clean Energy Finance and Investment Authority
Phone: (860) 257-2889

Contact: Toni Bouchard
Vice President, SmartPower
Email: tbouchard@smartpower.org
Phone: (480) 286-3089

Contact: Chip Griffin
Managing Partner & CEO, Franeo
Email: cgriffin@franeo.com
Phone: (603) 227-9800

Solarize Connecticut Doubles Amount of Solar in Pilot Program Towns in Just Five Months

CEFIA Announces Selection of Communities for Second Phase of Group Purchasing Program

Rocky Hill, Conn., January 17, 2013 — In less than five months, Solarize Connecticut (Program) drove twice as much adoption of residential solar in four pilot communities as those towns had seen in the last seven years. The Clean Energy Finance and Investment Authority (CEFIA), The John Merck Fund, and SmartPower partnered to develop this innovative program that leverages community outreach to simplify the process of installing solar and the power of group purchasing to deliver discounts on the cost of a typical solar installation. Solarize Connecticut is part of the Energize Connecticut initiative which is intended to help consumers save money and use clean energy.

Durham, Fairfield, Portland, and Westport all reached the lowest price level available through the program by successfully encouraging enough town residents to participate. As more homeowners signed up to install solar through purchase or lease agreements, the price for everyone went down – including those who installed systems earlier in the program before the maximum savings kicked in. The four municipalities collectively achieved almost 300 signed contracts as a result of the Program effort.

Building on the success of the four initial communities, CEFIA has announced that the

second phase of the program will begin in early March and will include Bridgeport, Canton, Coventry and a community partnership between Mansfield and Windham.

"The community leaders working with local installers devoted incredible energy to Solarize Connecticut to help contract approximately 2.3 MWs of new residential solar and more than double the amount of solar deployed prior to the Program in each town. By achieving the lowest tier of pricing, hundreds of local homeowners were able to benefit from discounted access to clean solar energy," said Bryan Garcia, president and CEO of CEFIA. "We expect that we will achieve similar success as we begin the next phase of this innovative program with new communities and their dedicated volunteers. The success we are realizing through this initiative is helping CEFIA meet its larger goal of deploying 30MW of new residential solar over the next decade by reducing costs and making the process easier for consumers."

Each of the communities selected for phase two of the program will work with CEFIA to select the solar installer who will partner with them on the project. Communities will consider the tiered pricing offered by the installers as well as the quality of their workmanship, materials, project management experience and marketing plans. A Request for Proposals (RFP) has been issued and eligible solar installation companies have until January 28, 2013 to submit their proposals to CEFIA for consideration.

Once the installers have been selected for each community, additional details about pricing, leasing options, and program participation will be announced. In the meantime, residents residing in any of the phase two communities can visit www.solarizect.com to sign up to receive more information as it becomes available.

Reaction from Local Leaders

Town of Durham
"Durham is very pleased to have been part of the successful pilot program offered by Solarize Connecticut. The model allowed us to reach the lowest price level available, saving residents money and helping the environment. The Solarize Connecticut program was a gratifying community-building experience." - Laura Francis, First Selectman, Town of Durham

Town of Fairfield
"I applaud Fairfield residents for participating in this beneficial pilot program. This innovative program has not only reduced the cost of solar installations by as much as 20 percent, but has also supported our ongoing commitment to a more sustainable future for our community." - Mike Tetreau, First Selectman, Town of Fairfield

Town of Portland
"Our community is thrilled with the results from Solarize Connecticut's innovative program. With Portland residents' commitment, we were able to maximize savings for our community, while promoting a ground-breaking solar campaign. We would like to

thank CEFIA, Smart Power, the Neighbor-to-Neighbor Program, Portland Clean Energy Commission, Portland's "solar residents" and all those involved with this very successful program!" - Susan Bransfield, First Selectman, Town of Portland

Town of Westport
"The Town of Westport was pleased to be part of the successful Solarize Connecticut pilot project. The participation of Westport homeowners further underscores our community's commitment to clean energy." - Gordon Joseloff, First Selectman, Town of Westport

City of Bridgeport
"Reducing Bridgeport's carbon footprint and making the City the cleanest and greenest in the region is my top priority. We are excited that Bridgeport was selected to participate in Solarize Connecticut and look forward to providing our residents with the opportunity to reduce their energy costs while also making Bridgeport a cleaner place to live. The City has received more than 600 requests from residents looking to learn more about solar energy, and we're happy this opportunity is available to our community." - Mayor Bill Finch, City of Bridgeport

Town of Canton
"The potential for Canton residents to realize savings through Solarize Connecticut made participating in the pilot program an obvious choice for Canton. We are excited to be a part of the program, which will provide Canton residents with the opportunity to install solar in a simple and affordable manner." - Richard Barlow, First Selectman, Town of Canton

Town of Coventry
"Coventry is delighted to take part in the next phase of the Solarize Connecticut program. Solarize Connecticut will reduce barriers to residents interested in installing solar. We are eager to help our homeowners learn about this innovative program."- Town Manager John A. Elsesser, Town of Coventry

Town of Mansfield
"Solarize Connecticut is providing Mansfield residents with a unique opportunity to participate in a group purchasing program for solar installations. We look forward to building on the program's past success to help residents in Mansfield, and in our partner community of Windham, realize the benefits of clean energy." - Matthew Hart, Town of Mansfield

Town of Windham
"We appreciate the opportunity to take part in the next phase of the innovative Solarize Connecticut program. Windham residents are eager to showcase our commitment to clean energy, and we are excited to work cooperatively with the Town of Mansfield to bring even more clean energy to our corner of the state." - Mayor Ernie Eldridge, Town of Windham

About the Clean Energy Finance and Investment Authority
CEFIA was established by Connecticut's General Assembly on July 1, 2011 as a part of Public Act 11-80. This new quasi-public agency supersedes the former Connecticut Clean Energy Fund. CEFIA's mission is to help ensure Connecticut's energy security and community prosperity by realizing its environmental and economic opportunities through clean energy finance and investments. As the nation's first full-scale clean energy finance authority, CEFIA will leverage public and private funds to drive investment and scale-up clean energy deployment in Connecticut. For more information about CEFIA, please visit www.ctcleanenergy.com.

About the John Merck Fund
Based in Boston, Massachusetts, The John Merck Fund was established in 1970 by the late Serena Merck and is now in its third generation of family leadership. Starting in 2012, The John Merck Fund will spend all of its assets over the next ten years to spur progress in clean energy, environmental health, development of a New England regional food system, and treatment of developmental disabilities. For more information, please visit www.jmfund.org.

About SmartPower
SmartPower is the nation's leading non-profit organization dedicated to promoting clean, renewable energy and energy efficiency. SmartPower's award-winning, research-based campaigns have engaged people across the country, building the clean energy marketplace and helping Americans become smarter about their energy use. SmartPower is leading the New England Solar Challenge effort which is intended to accelerate the adoption of Solar PV throughout the region. For more information, please visit www.smartpower.org.

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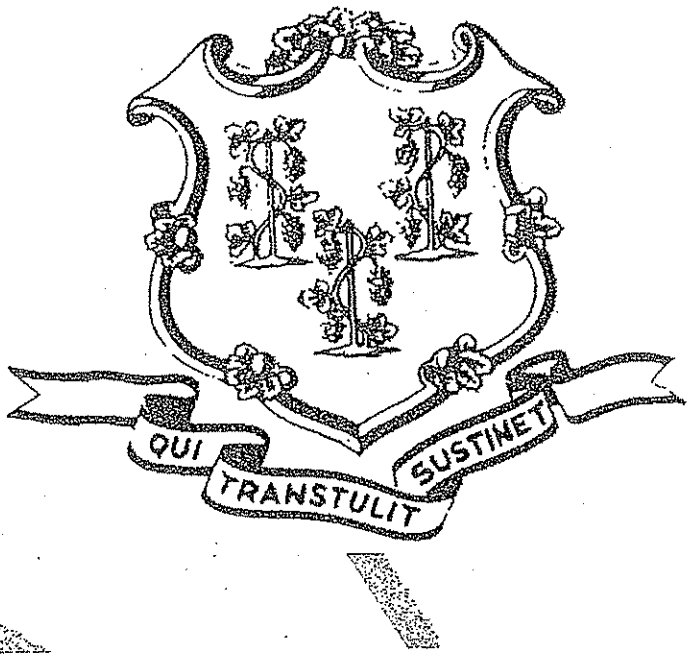
State of Connecticut



Task Force to Study State Education Funding

Final Report

January 2013

TASK FORCE MEMBERS

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Task Force Co-Chair and Secretary of the Office of Policy and Management

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INTRODUCTION

Since issuing its Interim Report in January 2012, the task force has continued to work toward its final recommendations addressing the Education Cost Sharing (ECS) grant formula, which distributes the largest share of state education aid to towns, and certain other major state education grants. This is the Task Force's final report and recommendations on these issues.

The final recommendations build on the interim recommendations to (1) support efforts to increase and make more predictable ECS funding; (2) update and improve the ECS formula; (3) support equitable funding for school choice programs, including interdistrict magnet schools and regional agriscience technology centers; and (4) explore fairer and more reasonable approaches to funding services for students with special educational needs.

The Task Force designated three subcommittees made up of Task Force members to more closely examine (1) the ECS formula; (2) school choice programs, including magnets and regional agriscience technology centers; and (3) special education. Each subcommittee delivered its report and recommendations to the full group and the Task Force adopted those recommendations for is final document. Each subcommittee's full report is included in this document as an appendix.

Since issuing the interim report in January 2012, the Task Force has met 10 times including holding a public informational hearing in Bridgeport, its third event designed to gather public input. The full Task Force and the individual subcommittees have gathered information, heard from experts and interested parties, and deliberated possible recommendations. A complete list of meetings, presentations, plus related documents submitted to the Task Force is available on the task force's website: www.cga.ct.gov/ed/CostSharing/taskforce.asp.

The task force recognizes that its efforts under the statute must first reflect the state's commitment to improving student achievement for all students and closing the achievement gap. Further, it must consider education funding in the context of both federal education funding and the state's other commitments to schools and local governments.

The Interim Report recommended the state provide greater access to, and enhancement of, pre-school and kindergarten programs. This report does not make additional recommendations regarding early childhood education because the issue (1) was significantly addressed by the major education reform act (PA 12-116) passed last session that created 1,000 new school readiness seats and (2) is expected to be further addressed in the Achievement Gap Task Force's upcoming recommendations.

FUNDING FOR SCHOOL CHOICE PROGRAMS

PA 11-48 requires the Task Force, in studying issues related to education funding, to give consideration to state grants to interdistrict magnet schools and regional agricultural science and technology education centers.

Interim Consensus Recommendations

In its interim report, the Task Force agreed on two consensus recommendations concerning school choice programs.

- The task force supports equitable state funding for all interdistrict magnet schools, regardless of location in the state.

- Choice programs, including the regional agriscience technology centers, are an important part of Connecticut's public education system and the state should provide fair and reasonable funding for them.

Final Recommendations

Through its choice programs, Connecticut offers students and parents a range of quality, flexible public education options. These programs allow each student to find a setting or educational theme that can help the student reach his or her potential. Connecticut's school choice options include interdistrict magnets, charters, technical high schools, and regional agriscience technology centers. Argiscience centers operate within existing high schools.

Choice programs in the Hartford area help address the *Sheff v. O'Neill* court decision and settlement that aim to reduce racial isolation for Hartford students. Because of this, magnet schools located in Hartford and surrounding towns that help address the *Sheff* settlement are known as *Sheff* magnets and those located in other parts of the state are known as non-*Sheff* magnets.

The Task Force's final recommendations focus on equalizing state support for non-*Sheff* magnet schools operated by school districts ("host magnets") and regional agriscience technology centers. Currently, non-*Sheff* host magnet schools receive a state operating grant of $7,085 for each student from outside the host district, and regional agriscience technology centers receive $1,750 for each student. This compares to (1) *Sheff* magnets receiving either $13,054 or $10,443 per out-of-district student (with Hartford-operated schools receiving the higher amount) and (2) state charter schools receiving $10,500 per student, with scheduled increases in FYs 14 and 15 to $11,000 and $11,500, respectively. Technical high schools are state-operated and therefore are fully supported by state funds. (For additional information on the state's school choice programs please see the Task Force's Interim Report.)

The Task Force recommends that the state:

- Provide a consistent and equitable level of state support for school choice programs.

- Because of their unique characteristics and history, maintain the current funding structures for (1) Connecticut technical high schools, (2) charter schools, (3) host and RESC-operated *Sheff* magnet schools, and (4) RESC-operated non-*Sheff* magnet schools.

- Fund non-*Sheff* host magnet schools and regional agriscience programs equally by providing:

    - For each in-district student, a state grant of $3,000 and

    - For each out-of-district student, a state grant equal to two-thirds of the state average regular program expenditures (RPE) for education for the prior year plus 10% to compensate for more expensive specialized programs.

    - Using the average per-student RPE for 2011-12 ($10,134), the proposed equalized funding would be $11,150. If the state provided two-thirds of this amount, it would increase the state grant for each out-of-district student attending a host magnet school or regional agriscience center to $7,471 from $7,085 and $1,750, respectively.

- As is already the case for magnet schools, limit sending district tuition for students attending agriscience programs to no more than the difference between the state per-student grant and the prior year's average per-pupil cost of the program. This would reduce sending town tuition from the current maximum of $7,992 per student to approximately $3,500 to $4,500 per student. For less wealthy towns, per-student ECS grants will more than cover this level of per-student tuition.

- Phase-in the increased state grants over four years at 25%, 50%, and 75% of the difference between the current grant and the fully funded target grant.

SPECIAL EDUCATION FUNDING

PA 11-48 requires the Task Force, in studying issues related to education funding, to give consideration to funding issues relating to the cost of special education for the state and municipalities.

Interim Consensus Recommendation

In its interim report, the Task Force agreed on the following consensus recommendation concerning funding for special education.

- The state should explore a fairer and more reasonable approach to funding programs and services for students with special educational needs, including students eligible for special education, English language learners, and students identified as gifted or talented.

Final Recommendations

Special education services are cost-intensive, and include individualized education plans for each student; assistive technology; accommodations such as taped textbooks, note takers, and other personal assistance; summer programming; and more. Connecticut school districts spent $1.715 billion on special education in FY 11, or approximately $27,000 per special education pupil, compared to an average of $14,425 per regular education student. This represented 21.69% of total statewide education expenditures.

The state provides a state "excess cost" grant to help school districts with special education costs. The grant reimburses school districts for (1) any special education costs for a particular student that exceed 4.5 times the district's average per pupil expenditures for the preceding year and (2) 100% of special education costs if a student is placed in the district by a state agency and has no identifiable home district in the state.

For the past several fiscal years, the state budget has limited the state's total expenditures for reimbursing local school districts for excess special education costs to the amount specified in the state budget. The State Department of Education (SDE) estimates total district excess special education costs for FY 13 to be $160-170 million. The department estimates that these costs will grow to $177 million in FY 14 and $186 million in FY 15. The state excess cost grant is currently capped at $140 million. Reimbursements for state-agency-placed children are not affected by the cap and must be paid in full.

In 2011-12, 63,651 Connecticut students were identified as eligible for special education and related services. Districts were eligible for state excess cost grants for 4,366 of these students. The 4,366 excess-cost students generated approximately $374 million in costs in that year. A majority of these costs (52%) were incurred to provide services at public institutions, while 48% were attributable to private placements. State- agency-placed students have a higher percentage of

private placements (80%). Approximately 300 of the state agency-placed students are placed in facilities outside the state at a cost of $29 million annually.

The task force is not proposing to diminish or renege on the state's commitment to special education students. Rather, like most public policymakers today, special education officials and other educators need to find efficiencies, innovations, and alternative delivery methods if we are to continue providing the services we are legally mandated and morally committed to provide. To that end, the task force is making recommendations to both increase the state's financial support for special education and reduce overall costs by (1) innovative new service delivery strategies and (2) better state coordination and monitoring of school district procedures.

1. *State Support of Special Education and the Excess Cost Grant.* The state should continue to support a portion of local special education expenditures to relieve the escalating financial burden on local school districts and to better meet its obligation to fund public education, including special education. This commitment must include a new process for reimbursing school districts for excess costs. Consequently:

   - The state should continue to pay 100% of the educational costs of state agency-placed students.

   - For local school district placements, the General Assembly should adopt legislation to:
     - increase and guarantee the excess cost grant;
     - include a new, fixed amount definition of "excess" for all districts, such as $50,000 (see Table X);
     - develop state managed and supported individualized education programs (IEPs) for any pupil costing over $150,000 (approximately 300 students statewide - see Table X) or, in the alternative, a state inspected and validated IEP for all such high-cost pupils;
     - create a sliding scale reimbursement based on a town's wealth; and
     - institute a three- to five-year phase in.

TABLE X: CONNECTICUT SPECIAL EDUCATION EXCESS COST PLACEMENTS: 2011–12

	Eligible Students	Costs Over $50,000	Costs Over $100,000	Costs Over $150,000	Costs Over $200,000	Costs Over $300,000
State-placed	1,163	607	113	14	3	0
Locally placed	3,203	3,188	1,091	265	80	8
Total	4,366	3,795	1,204	279	83	8

2. *State Incentive Grants.* The state should provide small incentive grants to districts, regions, or higher education institutions that demonstrate superior special education programs and reduced costs.

3. *Innovative Program Models.* The state should engage higher education faculty in the study of special education, taking advantage of their input and expertise. Goals of such studies should include (1) enhancing special education program quality, (2) improving the process

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for identifying children eligible for special education, (3) achieving better outcomes for special education students, (4) controlling costs, and (4) defining reasonable parameters for IEPs.

4. *Increased State Monitoring.* The appropriateness of special education identification and placement has a direct bearing on total costs.

   - SDE should examine "outlier" districts every three years to determine each district's (1) percentage of special education students; (2) percentage of students in each special education classification; (3) percentage of the local budget spent on special education; (4) the percentage and cost of out-of- district placements; (5) the number, if any, of out-of-state placements; (6) special education students' achievement and numbers exiting special education; and (7) special education students' participation in state assessments.

   - As part of the examination, the causes of a district's outlier status must be pursued and evaluated, and SDE and the district should develop a joint plan to implement, monitor, and report progress made.

5. *Inventory of Special Education Programs.* The SDE and the six regional educational service centers (RESCs) should inventory local, regional, statewide, public and private special education programs against projected needs over the next 10 years. The inventory should include commentary on the availability of third-party insurers to cover medically related expenses for special education students. A planning and placement team adopting an IEP that uses higher-cost private programs over comparable, lower- cost public programs should be required to provide a compelling rationale for the selection.

6. *Study of "Burden of Proof."* The state should contract with an independent third party to study the potential cost, time, and indirect saving from a re-balancing the "burden of proof" in special education due process hearings so as to place the burden equally on both parties (school districts and parents). SDE regulations currently place the burden of proving that a specific placement meets state and federal requirements solely on the school district. Other states place the burden on the party objecting to the placement, or employ a shared burden.

REPORT OF THE MODERNIZING RECYCLING WORKING GROUP

PRESENTED TO GOVERNOR DANNEL P. MALLOY

12/27/2012

Recycling 2.0:
Better Economics, Better Environment

Submitted by Governor Malloy's Modernizing Recycling Working Group

Co-Chairs:

Richard Barlow, Town of Canton
Marilynn Cruz-Aponte, City of Hartford
Adrienne Houel, Greater Bridgeport Community Enterprises
Cheryl Reedy, Housatonic Resources Recovery Authority

Members:

Brian Bartram, Sharon-Salisbury Transfer Station
Jonathan Bilmes, Town of Enfield
Marian Chertow, Yale University
Chris Coady, ReCommunity
Tom DeVivo, Willimantic Waste Paper
Mark Moriarty, City of New Britain
Mike Paine, National Solid Waste Management Association
John Phetteplace, Town of Stonington
Mike Walsh, City of East Hartford
Lyle Wray, Capitol Region Council of Governments

Facilitators:

Liz Donohue, Office of the Governor
Macky McCleary, Department of Energy and Environmental Protection

Additional State Agency representation:

Ellen Blaschinski, Department of Public Health
GianCarl Casa, Office of Policy and Management
Carmen Molina-Rios, Dept. of Economic and Community Development
Melissa Yeich, Office of Policy and Management

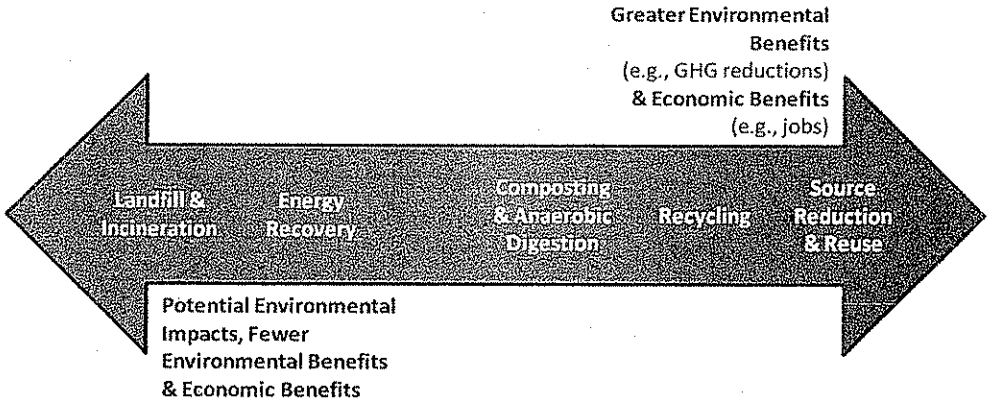
EXECUTIVE SUMMARY

The Governor's Modernizing Recycling Working Group ("Working Group") was established to modernize the state's solid waste and materials management policies to recover more value from discards and step up our efforts to reduce, reuse, and recycle. The Working Group has developed recommendations for ways that Connecticut can capture the value of these commodities and to promote a stronger waste and materials management system.

Building on Connecticut's leadership role in fostering a unified solid waste management system, dating back almost 40 years, the Working Group seeks to position Connecticut for continued leadership for future generations.

This report re-imagines a further integrated approach to sustainable materials management in Connecticut. To drive environmental and economic benefits today and for the future, Connecticut will:

1. **Promote an environmentally beneficial infrastructure that balances the need for both stability and responsiveness under market conditions** and includes a diversity of systems and facilities to collect, process, and recover material and energy value, and to support the development of stronger markets for recovered commodities.



2. **Foster economic development and job creation** through increased materials recovery that make raw materials available to in-state manufacturers.

3. **Reduce economic, operational, and administrative burdens on municipalities** and individuals by encouraging modernization of pricing systems, data systems, and phasing in the potential for regional services.

4. **Redefine the role of the Connecticut Resources Recovery Authority (CRRA) and the role and value of multiple Regional Solid Waste Authorities** in governance, responsibilities, and operations and provide recommendations for improvement.

Connecticut is facing an opportune moment to propose ideas given fluctuations in the economy and our social systems related to financial challenges faced by municipalities, constrained public investment capital, energy issues, and shifting ownership control of waste materials and facilities.

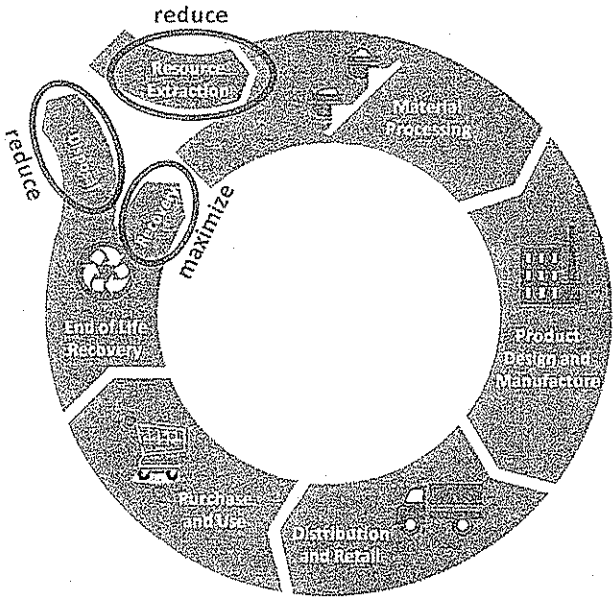
To drive towards a mindset of value extraction from a mindset of waste management, a new paradigm needs to be built into the Connecticut culture. The result will be reduced costs for municipalities and residents and more economic activity based on expanding reuse and recycling sector jobs.

This report provides a broad-ranging list of recommendations. The Working Group believes these recommendations, either individually or collectively, warrant consideration by the Governor, legislature, Connecticut's Department of Energy and Environmental Protection, and/or the state's Solid Waste Management Advisory Committee.

Vision to Action

Recycling 2.0: Better Economics, Better Environment

The Working Group supports the long-range vision outlined in Connecticut's Solid Waste Management Plan (2006) which remains relevant in outlining many guiding principles which are the foundation to change the culture of solid waste management in the State. The Solid Waste Management Plan states that the long-range vision for solid waste management is to:



US EPA's Sustainable Materials Management approach reflects a circular economy

- Transform our system into one based on resource management through shared responsibility of everyone involved in the life-cycle of products and materials;
- Shift from a "throwaway society" toward one that promotes a reduction in the generation and toxicity of trash, and that treats discards as valuable raw materials, feedstock and energy resources; and
- Manage materials through a more holistic and comprehensive approach, resulting in the conservation of natural resources and the creation of less waste and less pollution, while supplying valuable recovered materials to revitalize economies.

The goal of the Connecticut Department of Energy and Environmental Protection and Governor Malloy's Modernizing Recycling Working Group is to transform waste management in Connecticut by converting this **vision into action**.

A new paradigm of materials management needs to be built more directly into the Connecticut culture as it was generations ago when we were a thriftier society. The result will be reduced costs for municipalities and residents and more economic activity based on expanding reuse and recycling sector jobs.

Simply put, the more tons of waste diverted from disposal the more economic opportunities that are created. Reshaping our investments and how we maintain Connecticut's infrastructure for reuse and recycling industries means jobs for Connecticut.

The Connecticut Economic Resource Center has estimated that an additional 755 employees will be required to provide services associated with recycling with increased recovery rates. In Massachusetts, for example, over the next two years, the private sector expects a 15% growth and the public sector expects a 5% growth in recycling jobs. The reuse and remanufacturing sectors expect the highest rate of growth followed by the recycling industries.

Roughly **2,700 jobs** in the recycling supply chain and another **2,100 indirect and induced** jobs currently contribute **$275 million in payroll** and **$59 million in tax revenue** to the CT economy.
Source: CT Economic Resource Center, 2012

Guiding Principles

The guiding principles for the Working Group were to:

Promote environmentally beneficial infrastructure

- Recommit to the foundational principles of self-sufficiency and reaffirm the solid waste management hierarchy incorporated in the existing State Solid Waste Management Plan.
- Deliver the best environmental outcome.
- Define the state solid waste infrastructure and management system.
- Encourage collaboration both within our state and across the Northeast region.
- Recognize that Connecticut has achieved the elimination of landfilling of municipal solid wastes (e.g., household trash) within its borders, posing unique challenges and opportunities.

Foster economic development and job creation

- Transform the waste economy in Connecticut.
- View discarded materials as an opportunity, not a challenge.
- Extract all possible economic and energy value from discarded materials.

Reduce burdens on municipalities

- Deliver reduced costs for municipalities and residents.
- Demonstrate preference for incentives to mandates when it can be shown that incentives can accomplish almost as much as mandates while recognizing mandates promote statewide standardization.
- Recognize that Connecticut is a diverse state and one size does not fit all.

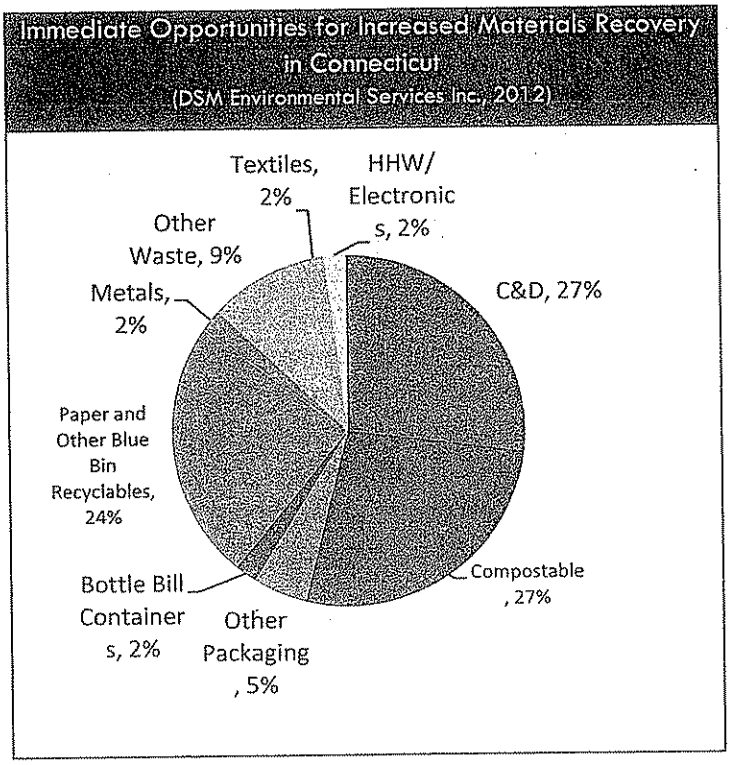
Refine the role of CRRA

- Examine the governance, responsibilities and operations of CRRA.

Framework for Action

This report offers Governor Malloy a vision of an economy that benefits from capturing recyclable materials that are not yet captured. This vision follows a pathway to a sustainable materials management system that recognizes source reduction and reuse as paramount strategies. Included in these recommendations are ideas to support investing in recycling infrastructure, pricing system corrections, phasing in source separated organics recycling, furthering product stewardship systems, and to measure the state's progress in saving money and reducing trash while encouraging local jobs.

Consistent with other policy work in Governor Malloy's administration (e.g., Comprehensive Energy Strategy) these recommendations are meant to lay the groundwork for economic, environmental, and energy sustainability for long-term planning.



Implementing the recommendations will result in development of stronger markets for recycled material, increased recovery, clearer economic pricing signals, and support for strategic investment in a diverse and responsive infrastructure through public and private partnerships.

Short Term Actionable Items

- Hold "Recycling Means Business Day" at the Legislature to highlight the economic impact of the reuse and recycling industries.
- Support product stewardship mattress recycling legislation.
- DEEP, in conjunction with DECD and CT Innovations, form a recycling market development council.
- Issue directive to state agencies to "buy better," building on existing preferable procurement practices to stimulate market demand for recycled-content, reusable and recyclable products.
- Shift to web-based data system.

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Summary of Recommendations

This report includes a comprehensive list of recommendations that the Working Group members felt warrant consideration by the Governor, legislature, Connecticut's Department of Energy and Environmental Protection, and/or the state's Solid Waste Management Advisory Committee.

Below is a summary of key recommendations for Governor Malloy's consideration which are part of a larger list of recommendations discussed in the Findings and Recommendations section.

Promote environmentally beneficial infrastructure

- Incentivize and/or finance organics composting and/or anaerobic digestion facilities.
- Expand capacity and performance of construction and demolition (C&D) recycling facilities.
- Clarify reuse and recycling opportunities for difficult waste streams (e.g., issue regulations that streamline beneficial use) as well as repurpose landfills for those materials for which reuse and recycling are not possible.
- Assure the sustainability of the state's waste to energy infrastructure to manage non-recyclable wastes, while continuing to prioritize source reduction, reuse and recycling.

Foster economic development and job creation

- Promote Product Stewardship principles to ensure shared responsibility for products throughout their lifecycle.
- Align economic development incentives with opportunities for recycling-based businesses.
- Create a new Infrastructure Development Bank or expand existing funding mechanism (e.g., Clean Energy Finance and Investment Authority) to assist in financing new recovery businesses.
- Improve procurement practices to increase demand for materials – have the state lead by example.

Reduce burdens on municipalities

- Develop a statewide recycling education and enforcement campaign.
- Implement transparent pricing/billing for disposal through unit-based pricing to de-couple solid waste management costs from property taxes and to empower recycling with the rewards of thrifty behavior (saving money) resulting in reduced waste generation by at least 40%.
- Simplify and improve data reporting requirements to reduce the reporting burden on municipalities and make clear what materials are available for reuse in the marketplace or as feedstock to make a product.

Refine role of CRRA

- Develop a transition plan with advisory input from affected towns to evaluate the functions of CRRA and manage this changed role, with consideration of the operational requirements of the recycling facilities, regional transfer stations, closed and closing landfills, and other functional roles.

Item #26

January 4, 2013

TO: CCM Legislative Committee

FROM: CCM Gun Violence Task Force

RE: **Recommendations for Reducing Gun Violence**

Below are the recommendations of the CCM Gun Violence Task Force. The following recommendations were deliberated by members of the Task Force with the twin objectives of offering state legislative proposals to reduce gun violence while respecting and upholding the rights provided by the Second Amendment of the United States Constitution.

Current Connecticut State Law	Task Force Recommendations
Current state law lists approximately 57 specific firearms as an assault weapon. Additionally, any semi-automatic firearm not listed but meets particular criteria *(attachment 1)* is also considered an assault weapon. Current state law does not restrict magazine capacity.	1. Expand the state definition of an assault weapon to conform to current California law, which includes limiting the magazine capacity of rifles and handguns to no more than 10 bullets. *(Definition, attachment 2)*
Current state law only requires a permit for handguns. To purchase a long gun, only a 14-day waiting period is required for a background check. If an individual has a pistol permit or hunting license, the background check and waiting period is waived.	2. Require a rifle permit for the purchase of any long gun, unless the owner is already in possession of an up-to-date handgun permit. A hunting license will no longer allow the background check and waiting period to be waived.
Current state law allows a First Selectman to designate a Chief of Police or Resident State Trooper as the issuing authority for firearm permits.	3. Allow municipal CEOs to designate a Chief of Police, Resident State Trooper, or the Connecticut Board of Firearms Permit Examiners as the issuing authority for firearm permits.

900 Chapel St., 9th Floor, New Haven, CT 06510 P. 203-498-3000 F. 203-562-6314 www.ccm-ct.org

Current state law does not allow local officials to appeal a Connecticut Board of Firearms Permit Examiners decision.	4. Allow municipal CEOs that deny permit applications, but such applications are subsequently approved by the Connecticut Board of Firearms Permit Examiners, the ability to appeal said decisions before the Superior Court. Permit applicants are already afforded such appeal rights.
Attachment 2 is the current list of requirements and offenses that prohibit an individual from obtaining a firearm permit in Connecticut.	5. Consider expanding the list of offenses that would prohibit an individual from obtaining a firearm permit.
Current state law requires all firearm sales to be recorded and a copy be sent to DESPP and local law enforcement. Connecticut does not maintain a Gun Offender Registry.	6. Improve the enforcement of existing state law: a) Require registration of all firearms (exempt antique firearms as defined in statute) and allow individuals a one-year, no fee, grace period to complete such registration. b) Require the State to utilize existing firearm registration data by providing electronic access to a registered firearms database. Such database would be available to law enforcement only. c) Increase the capacity of the Connecticut State Forensics Laboratory to provide timely processing of firearm and ballistic data to local officials. (It can now take 6-8 months to get this information.) d) Create a statewide Gun Offender Registry that would require any individuals convicted of a gun crime to register with the State every six months (or when they change address) for a duration of five years. Registering will be required at the time of conviction, or after their jail sentence has been served. Would be available to law enforcement only.
Current state law requires DMHAS to report data on an individual that has been confined to a psychiatric hospital by the Probate Court within the 12 months preceding the request for a permit, or an individual discharged from custody in the proceeding 20 years after a finding of not guilty of a crime by reason of a mental illness.	7. No firearm permit shall be issued if: 1. An individual has a mental disorder or illness that has been diagnosed, or determined in a court proceeding. 2. A mental health facility or licensed psychotherapists has reported, as they would now be required, to local law enforcement, DESPP and DMHAS any individual that has been determined to be a danger to themselves or others, or communicates a serious threat of

	physical violence against others. 3. They have ever been confined in a psychiatric hospital by the probate court or found not guilty of a crime by reason of a mental illness, unless a licensed mental health official affirms that they are now mentally fit.
Current state law does not require an updated background check to be completed.	8. Require an updated background check to be completed on all firearm permit renewals.
Current state law does not regulate who may purchase ammunition.	9. Require a firearm permit for the purchase of ammunition.
Current state law does not regulate online sale or home delivery of ammunition.	10. Regulate online purchase and delivery of ammunition by banning the use of rights-of-way for the transportation of ammunition.
Current state law does not limit the amount of firearms an individual may purchase.	11. Prohibit individuals from purchasing more than one weapon within a 30-day period. Thus eliminating bulk purchases of firearms (as recommended by the Brady Campaign to Prevent Gun Violence).
Current state law does not require gun/trigger locks to be provided with each firearm purchase.	12. Require gun/trigger locks to be provided with each firearm purchased.
Current state law restricts the sale and possession of body armor for anyone convicted of specific felonies or serious juvenile offenses.	13. Outlaw the possession and purchase of body armor (exempt law enforcement and active military), defined in Connecticut law as being any material designed to be worn on the body and to provide bullet penetration resistance.

##

If you have any questions, please contact
Jim Finley, Executive Director & CEO, Ron Thomas, Director of Public Policy and Advocacy,
Bob Labanara, Manager of State Relations, or Mike Muszynski, Legislative Associate
at (203) 498-3000.

ATTACHEMENT 1 – Connecticut Definition of Assault Weapon

(A) A semi-automatic rifle that has an ability to accept a detachable magazine and has at least two of the following:

i. a folding or telescopic stock;
ii. a pistol grip;
iii. a bayonet mount;
iv. a flash suppressor or threaded barrel designed to accommodate a flash suppressor; and
v. a grenade launcher.

(B) A semi-automatic pistol that has an ability to accept a detachable magazine and has at least two of the following:

i. an ammunition magazine that attaches to the pistol outside of the pistol grip;
ii. a threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip or silencer;
iii. a shroud that is attached to, or partially or completely encircles, the barrel and permits the shooter to hold the firearm with the non trigger hand without being burned;
iv. a manufactured weight of fifty ounces or more when the pistol is unloaded; and
v. a semiautomatic version of an automatic firearm.

(C) A semi-automatic shotgun that has at least two of the following:

i. a folding or telescoping stock;
ii. a pistol grip that protrudes conspicuously beneath the action of the weapon;
iii. a fixed magazine capacity in excess of five rounds; and
iv. an ability to accept a detachable magazine.

A part or combination of parts designed or intended to convert a firearm into an assault similar to the ones designated in statutes is illegal.

ATTACHMENT 2 – California Assault Weapon Definitions

1. *A semiautomatic, centerfire rifle that has the capacity to accept a detachable magazine and any one of the following:*
   a) A pistol grip that protrudes conspicuously beneath the action of the weapon.
   b) A thumbhole stock.
   c) A folding or telescoping stock.
   d) A grenade launcher or flare launcher.
   e) A flash suppressor.
   f) A forward pistol grip.

2. *A semiautomatic, centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds.*

3. *A semiautomatic, centerfire rifle that has an overall length of less than 30 inches [762 mm].*

4. *A semiautomatic pistol that has the capacity to accept a detachable magazine and any one of the following:*
   a) A threaded barrel, capable of accepting a flash suppressor, forward handgrip.
   b) A second handgrip.
   c) A shroud that is attached to, or partially or completely encircles, the barrel that allows the bearer to fire the weapon without burning his or her hand, except a slide that encloses the barrel.
   d) The capacity to accept a detachable magazine at some location outside of the pistol grip.

5. *A semiautomatic pistol with a fixed magazine that has the capacity to accept more than 10 rounds.*

6. *A semiautomatic shotgun that has both of the following:*
   a) A folding or telescoping stock.
   b) A pistol grip that protrudes conspicuously beneath the action of the weapon, thumbhole stock, or vertical handgrip.

7. *A semiautomatic shotgun that has the ability to accept a detachable magazine.*

8. *Any shotgun with a revolving cylinder.*

-over-

ATTACHMENT 3 – Connecticut Pistol Permit Requirements - *CGS §29-28*

A permit may be issued, so long as the individual:

- Has a bona fide residence or place of business within the jurisdiction in which he or she is applying;
- Intends to make only lawful use of the handgun for which the permit will be issued;
- Is a "suitable person" to receive a permit;
- Has successfully completed a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of handguns;
- Has not been convicted of a felony or of a violation of:
    - Criminal possession of a narcotic substance;
    - Criminally negligent homicide;
    - Assault in the third degree or assault in the third degree of an elderly, blind, pregnant, or disabled person, or a person with an intellectual disability;
    - Threatening in the second degree;
    - Reckless endangerment in the first degree;
    - Unlawful restraint in the second degree;
    - Riot in the first or second degree or inciting to riot; or
    - Stalking in the second degree;
    -
- Has not been convicted as a delinquent for the commission of a serious juvenile offense;
- Has not been discharged from custody within the preceding 20 years after having been found not guilty of a crime by reason of mental disease or defect;
- Has not been confined in a hospital for persons with psychiatric disabilities within the preceding 12 months by order of a probate court;
- Is not subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person;
- Is not subject to a firearms seizure order issued for posing risk of imminent personal injury to self or others after notice and a hearing;
- Is not prohibited from shipping, transporting, possessing or receiving a firearm pursuant to the mental health prohibitions under federal law;
- Is not an alien illegally or unlawfully in the United States; and
- Is at least 21 years of age.

CONNECTICUT CONFERENCE OF MUNICIPALITIES
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Item #27

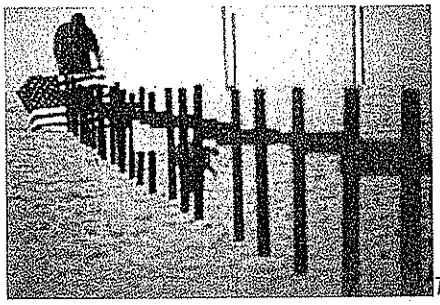
Reprinted from: CNN/CNN.com **Date:** January 8, 2013

Legislative actions after mass shootings

By **Allison Brennan**, CNN

(CNN) – Days after the shootings in Newtown, Connecticut, demands from the public and lawmakers for tougher gun control legislation were met by President Barack Obama's call for a re-examination of the country's gun laws.

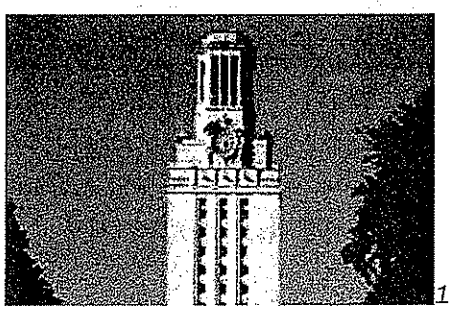
But this isn't the first time the country has heard calls for action to put an end to gun violence. Most of the time, little happens legislatively. And of the action that has been taken to curb gun violence, much of the legislation enacted in the last three decades has been undone by court challenges – many of which were supported by Second Amendment advocates.


Timeline: Worst mass shootings

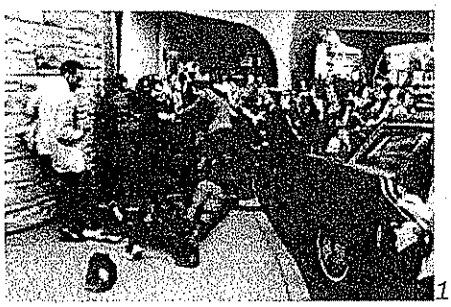
Now, with 20 children and seven adults shot to death by a man who then took his own life, some in Washington say, "This time is different."

Here is a list of some of the worst mass shootings in the past and the legislative action – or inaction – following each:

September 5, 1949 - Camden, New Jersey
Dead: 13
A World War II veteran, 28-year-old Howard Unruh shoots and kills 13 of his neighbors. Unruh was found insane and committed to a state mental institution rather than standing trial.
Legislative reaction: No legislative reaction could be found.


1966: Univ. of Texas clock tower

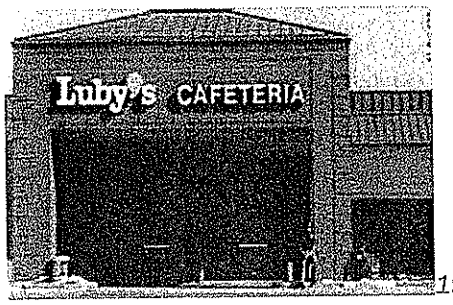
August 1, 1966 - Austin, Texas
Dead: 19, including the shooter
Wounded: at least 30
The University of Texas bell tower shooter, 25-year-old Charles Joseph Whitman, kills 16 people and wounds at least 30 from his perch above the university grounds. Whitman was heavily fortified with a variety of weapons when he started picking off his victims. He also shot and killed his mother and wife earlier in the day.
Legislative reaction: Rather than addressing gun violence, the discussions after the crime surrounded a brain tumor that Whitman was found to have. The governor of Texas at the time, John Connally – who had been wounded during the Kennedy assassination in Dallas in 1963 – asked for legislation requiring someone to be committed for life if they were found insane in murder and in kidnapping cases, Time Magazine reported following the shooting. Sen. Robert Kennedy, who was later assassinated in Los Angeles while campaigning for president, asked for the same legislation at the federal level.


1981: Reagan assassination attempt

September 25, 1982 - Wilkes-Barre, Pennsylvania
Dead: 13
A 40-year-old prison guard shoots and kills 13 people, including five of his children. The gunman, George Banks, used a Colt AR-15 semi-automatic rifle when he went house to house, shooting his victims. Banks was sentenced to death by electrocution, but he received a stay of execution in 2004. He was declared incompetent in 2010.
Legislative reaction: No direct legislative reaction. However, the assassination attempt on President Ronald Reagan in 1981 prompted a reaction to gun violence. In 1982, the city of Chicago became the first major municipality to ban guns. Chicago's suburbs weren't far behind. But soon after, the National Rifle Association begins to try to pre-empt gun control legislation nationwide. The U.S. Supreme Court overturned the ban in 2010.

July 18, 1984 - San Ysidro, California
Dead: 22, including the shooter
Wounded: 20
James Oliver Huberty, 41, opens fire at a McDonald's in Southern California. By the time Huberty was shot and killed by a SWAT team sniper, he had killed or wounded 41 people. Huberty's victims ranged in age from 8 months to 74 years. Huberty used a long-barreled Uzi, a Winchester 12-gauge pump-action shotgun and a 9 mm handgun to target his victims.
Legislative reaction: No legislative reaction.

January 17, 1989 - Stockton, California
Dead: 6, including the shooter
Wounded: 30
On a sunny Tuesday morning, Patrick Purdy, 24, sets his station wagon on fire, then walks onto the playground at Cleveland Elementary School in Stockton, California, and opens fire with a Type 56 Assault Rifle (a Chinese copy of the AK-47), killing five children before taking his own life.
Legislative reaction: It took nearly five years, but the shooting led to the first major federal legislation on military-style assault weapons. The Federal Assault Weapons Ban was enacted in 1994 and expired in 2004. Also, in 1989, President George H.W. Bush signed an executive order banning the import of semi-automatic assault weapons.



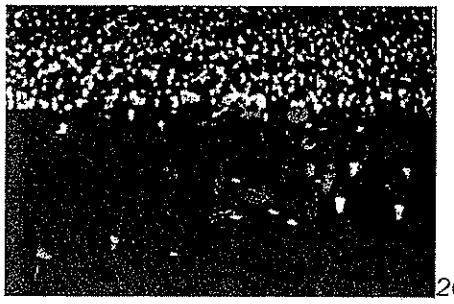
1991: Luby's Cafeteria in Texas

October 16, 1991 - Killeen, Texas
Dead: 24, including the shooter
George Hennard, 35, drives a pickup truck through the wall of a Luby's cafeteria in Killeen, Texas, fatally shoots 23 people and wounds more than 20 others before killing himself. According to eyewitness accounts, Hennard methodically chose his victims, most of whom were women, before he was wounded by police and shot himself.
Legislative reaction: No direct legislative reaction. However Reagan publicly pressured President George H. W. Bush, who had been his vice president, to get behind gun legislation that would impose a five-day waiting period on the purchase of a handgun. Known as the Brady Handgun Violence Prevention Act, the legislation also required local law enforcement to conduct background checks. Reagan's support came at the behest of his wife, former first lady Nancy Reagan. The bill was named for Reagan's press secretary, James Brady, who was left paralyzed and with brain damage as a result of the 1981 assassination attempt on the president. A 1997 Supreme Court case later determined the background checks in the Brady Bill to be unconstitutional.

1999: Columbine High School

April 20, 1999 - Littleton, Colorado
Dead: 15, including the two shooters
Wounded: 23
High school seniors Eric Harris and Dylan Klebold use an Intratec TEC-DC-9, 9 mm semi-automatic handgun, two 12-gauge sawed-off shotguns and a Hi-Point 9-mm carbine rifle to kill 13 people and wound 23 others at Columbine High School before taking their own lives.
Legislative reaction: Legislation at both the state and federal levels was enacted following the Columbine massacre. At the federal level, the U.S. Senate passed a bill requiring background checks for firearms sold during gun shows. The bill passed by one vote, with then-Vice President Al Gore breaking the 50-50 tie in the Senate. At the state level, Colorado Gov. Bill Owens reauthorized the state's "InstaCheck" program that required background checks with firearm purchases. Another state bill, that would have allowed local officials

to enforce a federal law that banned gun dealers from selling firearms to anyone under 20 years old, failed in the Colorado House.


2007: Virginia Tech University

April 16, 2007 - Blacksburg, Virginia
Dead: 33, including the shooter
On the Virginia Tech campus in Blacksburg, Virginia, 23-year-old student Seung-Hui Cho goes on a shooting rampage, killing 32 people in two locations and wounding an undetermined number of others. Cho later killed himself. Cho had been declared mentally ill and "an imminent danger" to himself by a Virginia special justice, and the shooting sparked a discussion of gun control and mental illness.
Legislative reaction: President George W. Bush signed legislation in 2007 to enhance compliance with reporting requirements after the shooting to keep mentally ill people from accessing firearms.

When does a state disarm the mentally ill?

March 10, 2009 - Kinston, Alabama
Dead: 11, including the shooter
Michael McLendon, 28, sets out on a rampage through three Alabama towns, killing 10 people before turning his weapon on himself. It was the deadliest crime in Alabama state history. Police said they believed McLendon used at least 200 rounds to kill his victims, using an SKS rifle, an AR-15 made by Bushmaster, a 12-gauge shotgun and a .38-caliber handgun.
Legislative reaction: No legislative reaction could be found.

2009: Binghamton, New York

August 3, 2009 - Binghamton, New York
Dead: 14, including the shooter
Jiverly Antares Wong walks into an American Civic Association immigrant center, where he guns down 14 people and wounds four. Wong, a naturalized U.S. citizen originally from South Vietnam, used two types of semi-automatic pistols to take his victims' lives. Wong then turned the gun on himself.
Legislative reaction: No legislative reaction could be found.

2009: Fort Hood, Texas

November 5, 2009 - Fort Hood, Texas
Dead: 13
Wounded: 32
Army Maj. Nidal Hasan, 39, allegedly opens fire at a military processing center at Fort Hood, killing 13 and wounding 32 others. Hasan was paralyzed from the waist down after police officers exchanged fire with him. Hasan allegedly used a FN 5.7 mm pistol, a semi-automatic gun and a revolver to target his victims. Hasan is a Muslim who had told his family he had been taunted after the terrorist attacks of September 11, 2001. Investigations tied to the Fort Hood shootings found he had been communicating via e-mail with Anwar al-Awlaki, the prominent and radical Yemeni-American cleric killed by a U.S. drone attack in 2011.
Legislative reaction: None directly to the Fort Hood shootings. Following the Fort Hood shooting, the Brady Campaign to Prevent Gun Violence released a statement highlighting legislation already in the works that some interpreted as making it illegal for commanding officers to inquire about their troops' personal weapons. Former Army Vice Chief of Staff Gen. Peter Chiarelli told Stars and Stripes he opposed the legislation on the grounds that it could make it difficult for commanding officers to communicate with troops who might be mentally unstable, particularly in the face of high military suicide rates. Legislators are looking to amend the language in 2013.

2011: Tucson Safeway supermarket

January 8, 2011 - Tucson, Arizona
Dead: 6
Jared Lee Loughner, 22, opens fire during a "Congress on your Corner" event held outside a supermarket in Tucson. Loughner was armed with a 9 mm Glock 19 semi-automatic pistol with a 33-round magazine. Loughner was wrestled to the ground after he tried to change to a second magazine, which didn't work. By the time Loughner was subdued, 20 people had been shot, including U.S. Rep. Gabrielle Giffords, who was shot in the head. Six of the victims died.
Legislative reaction: Lawmakers announced several bills that would limit high-capacity magazines like those used in the Tucson shooting, as well as bills that would close loopholes in gun legislation relating to suspected terrorists and require background checks at gun shows. None of the legislation was enacted.

2012: Aurora movie theater

July 20, 2012 - Aurora, Colorado
Dead: 12
Wounded: 58
James Holmes, a 24-year-old former doctoral student dressed as the Batman character "The Joker," allegedly opens fire in a midnight showing of "The Dark Knight Rises," in Aurora, Colorado, killing 12 and wounding 58 others. Holmes used an AR-15 semi-automatic rifle, a 12-gauge shotgun and at least one of two .40-caliber handguns.
Legislative reaction: While the presidential campaigns of Obama and his challenger, former Massachusetts Gov. Mitt Romney, paused to pay tribute to the victims of the shooting and their families, the campaigns largely sidestepped the issue during the election. No legislation has been enacted.

2012: Sandy Hook Elementary School

December 14, 2012 - Newtown, Connecticut
Dead: 28, including the shooter
Adam Lanza, a 20-year-old resident of Newtown, Connecticut, uses his mother's semi-automatic .223-caliber rifle to shoot and kill her in her home before heading to Sandy Hook Elementary School, where he guns down the school's principal, four other adults, and 20 children, all 6- and 7-year-olds. He was also found with at least two handguns.
Legislative reaction: Renewed calls for stricter gun legislation came about in the wake of the massacre. Obama vowed to support efforts by Sen. Dianne Feinstein, D-California, to reintroduce the assault weapons ban and asked Vice President Joe Biden to lead a group to examine U.S. gun policy – including limits on high-capacity magazines, background checks at gun shows and limits on military-style weapons. Sen. Frank Lautenberg, D-New Jersey, indicated that he would once again introduce legislation to ban high-capacity magazines.

International shootings

Internationally, however, several mass shootings have produced different legislative results.

1996: Dunblane, Scotland

March 13, 1996 - Dunblane, Scotland
Dead: 18, including the shooter
Wounded: 15
Thomas Hamilton, 43, wielding a gun, enters a school in Dunblane, Scotland, and shoots and kills 16 students and one teacher. The shooter then killed himself.
Legislative response: After the shooting, an inquiry called the Cullen Report was commissioned. A year later, legislators enacted two laws that effectively made private gun ownership illegal in the United Kingdom.

April 28, 1996 - Port Arthur, Tasmania, Australia
Dead: 35
Martin Bryant uses a Colt AR-15 semi-automatic rifle to murder 35 people in Port Arthur, Tasmania. His attack is one of the deadliest in Australian history.
Legislative response: Conservative Prime Minister John Howard oversaw sweeping gun control reforms including all automatic and semi-automatic weapons. The Australian government also enacted a mandatory firearm buyback that led to the purchase and destruction of 650,000 firearms around the country.

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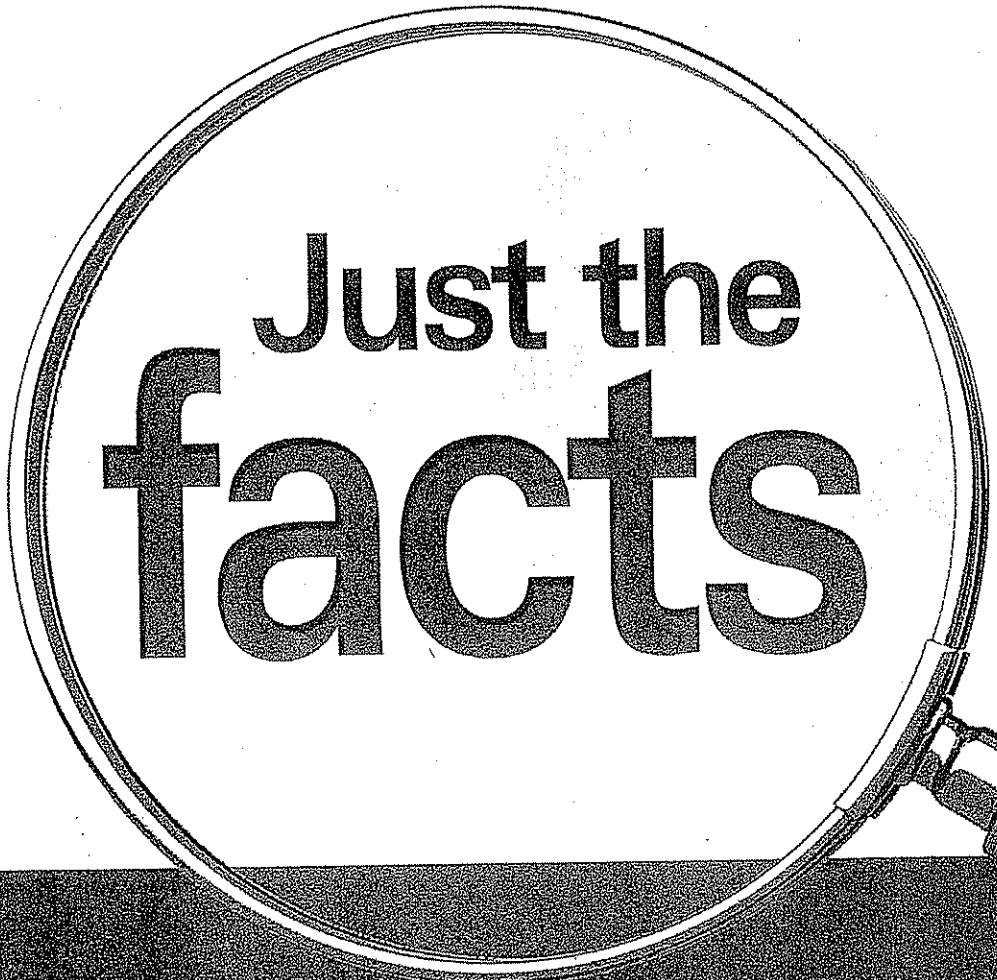
Item #28

CCM's 2013 State Legislative Priorities



Cuts in Municipal Aid = Higher Property Taxes

CONNECTICUT CONFERENCE OF MUNICIPALITIES

THE VOICE OF LOCAL GOVERNMENT™

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Preserving the Foundation for a More Prosperous, Competitive Connecticut:

Maintain Funding Commitments to Towns & Cities, Reform Education Finance, Modify Onerous Mandates, and Protect the State-Local Partnership

CCM State Legislative Priorities

"First, do no harm." This ancient admonition is also the plea of Connecticut towns and cities in 2013. CCM urges the Governor and the General Assembly to protect the revitalized State-Local Partnership that has developed over the last two years. **Despite the fiscal challenges facing the State, let's not turn back the clock by balancing the state budget on the backs of municipalities and local property taxpayers.** At a minimum, maintain – at current levels – revenue sharing and funding to municipalities during the next biennium. Healthy towns and cities are the foundation of a more prosperous and competitive Connecticut.

While long-term recovery is the goal in this stalled economy, mere survival remains the order of the day for towns and cities. Municipalities across our state provide the public services that matter most to our people and businesses. The State has made considerable efforts over the past two years to help municipalities stay afloat during the most challenging fiscal time since the Great Depression. Connecticut residents and businesses would be hurt badly if such investments were withdrawn.

Now is the time to **reform our broken and inequitable education finance system.**

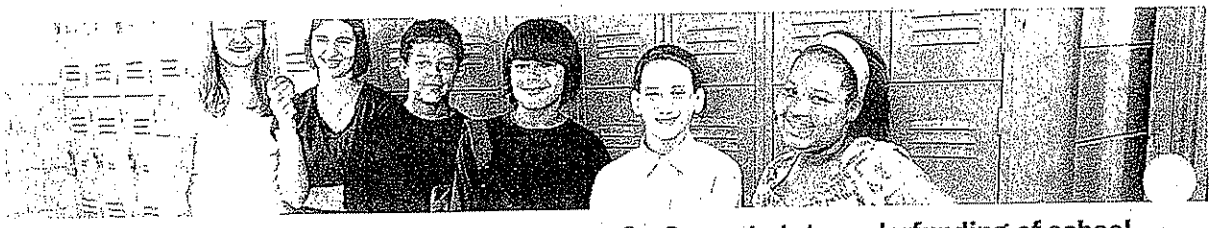
Now is the time to **provide reasonable and meaningful relief from onerous state mandates.**

Now is the time to **encourage inter-municipal and regional cooperation.**

Towns and cities are doing their part. Municipalities across our state have enacted painful budget cuts and are making preparations for additional cuts. Deep cuts in services and massive layoffs have occurred in Connecticut's central cities – with the prospect of additional cuts and layoffs on the horizon.

Maintain current state funding commitments. Ensure that every town and city has the means to provide a world-class PreK-12 public education. Free up precious local resources by enacting meaningful mandates reform. Continue to encourage municipal collaboration. Such bedrock state investments will ensure that municipalities can help our young people and others find jobs, participate in civic affairs, and lead productive lives. The quality of life and future of our great state depend on it.

Enact Education Finance Reform



Reforming PreK-12 public education *finance* is key to property tax reform in Connecticut. Chronic state underfunding of PreK-12 public education is the single largest contributor to the overreliance on the property tax in our state. The ECS grant alone is underfunded by over $700 million. Special-education costs are now approaching $2 billion per year and impose staggering per-pupil cost burdens on host communities. Connecticut is the most reliant state in the nation on property taxes to fund PreK-12 public education.

1. **Correct state underfunding of regular education programs by:**
   - Increasing the **ECS foundation level** to reflect the real cost of adequately educating students tied to a statutorily identified cost index.
   - **Increasing the State Guaranteed Wealth Level** (SGWL).
   - Using more current and accurate **data to measure town wealth and poverty.**
   - Using free and reduced-price meal eligibility instead of Title I as a more accurate **student poverty measure.**
   - Phasing in **full funding of the grant over a reasonable period of time.**

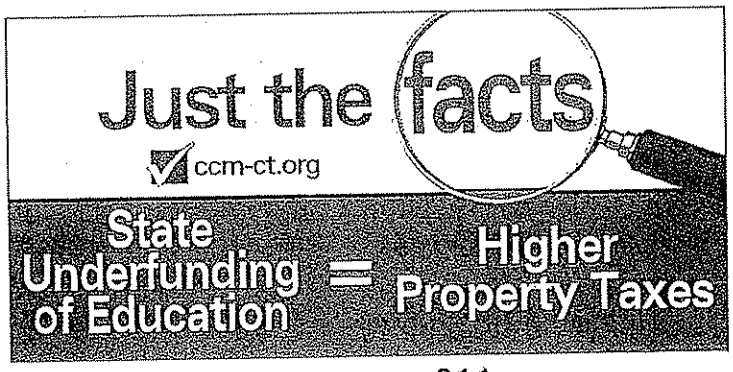
2. **Correct state underfunding of special education programs by:**
   - Decreasing the **Excess Cost reimbursement threshold** to at most 2.5 times the district's average per-pupil expenditure.
   - Paying 100 percent of **marginal costs for severe-needs students**, statewide, without equalization.
   - Shifting the **burden of proof** to the plaintiff in due process hearings (as is the case in most other states).

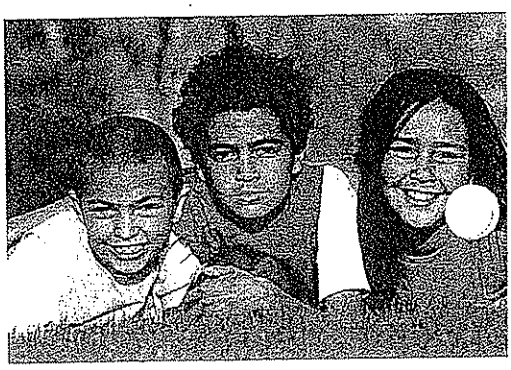
3. **Correct state underfunding of school districts with significant student-performance challenges by:**
   - Increasing funding for **categorical grants.**
   - Expanding **school district and school eligibility for these programs** to ensure that all performance gaps are addressed.
   - Expanding **state technical assistance** to such districts.

4. **Account for the wide disparities in municipal service demand (municipal overburden) by:**
   - Adding a component to the ECS formula to **equalize for municipal service demand** and corresponding impacts on municipal budgets.

5. **Reduce the cost burden of costlyunfunded and underfunded state education mandates by:**
   - Reviewing the continued appropriateness of such **mandates** and modifying or eliminating them as needed. Stop using the MBR to make up for chronic state underfunding of PreK-12 public education.

6. **Continue to meet the statewide need for school construction and renovation by:**
   - Maintaining the State's unparalleled funding commitment to ensure that aging schools are renovated and replaced to meet school district needs and higher technology and quality standards.





Enact Mandates Reform

There are currently over 1,200 state mandates on towns and cities in Connecticut. Most of these state mandates are unfunded. They burden residential and business property taxpayers with significant costs and siphon precious resources from local services. The State should eliminate or modify unfunded and underfunded mandates.

1. Enact a Constitutional amendment or **prohibition to prohibit the passage of unfunded or underfunded state mandates without a 2/3 vote of both chambers of the General Assembly.**

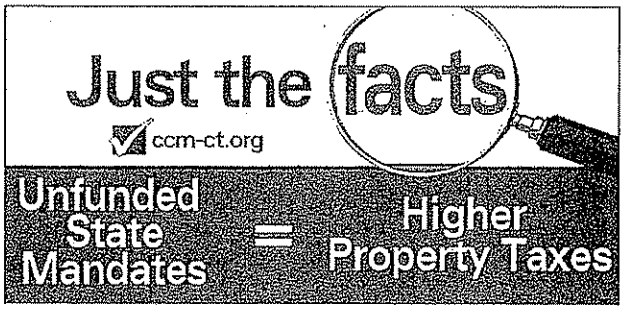
2. **Allow municipalities to defer revaluations** to (a) provide savings from the cost of conducting them, and (b) provide a measure of relief to hard-pressed residential property taxpayers.

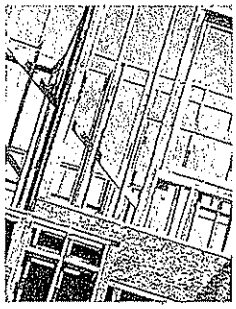
3. Require the **Mortgage Electronic Registration Systems (MERS) to file mortgage assignments with municipal clerks** to (1) enable homeowners facing foreclosure to know who owns their homes and (2) prevent MERS from avoiding recording fees that costs municipalities and the State tens of millions of dollars each year.

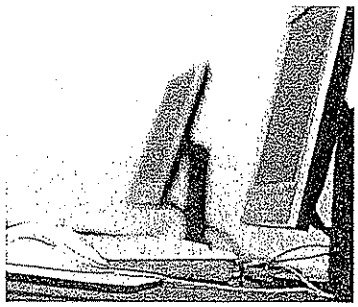
4. **Modify state-mandated compulsory binding arbitration laws** under the Municipal Employee Relations Act (MERA) and the Teacher Negotiation Act (TNA) to make the process fairer for towns and cities and their property taxpayers.

5. **Amend the State's prevailing wage rate mandate:** (a) adjust the thresholds for renovation construction projects from $100,000 to $400,000; (b) adjust the thresholds for new construction projects from $400,000 to $1 million; and (c) index both thresholds for inflation thereafter.

6. Modify the requirements for posting legal notices in newspapers to allow municipalities the **ability to publish notice of the availability of a particular document on their website**, instead of having to publish the entire document.







Encourage Intermunicipal and Regional Collaboration

State financial and technical assistance incentives for increased intermunicipal and regional collaboration should be maintained. The new Regional Performance Incentive Grant – funded through a share of the state Hotel Tax and state Car Rental Tax – is a great foundation upon which to build stronger incentives and support for cooperative efforts. Providing towns and cities with the tools and authority to deal with service delivery, revenue, and other issues on a regional basis would result in increased efficiencies.

1. Maintain state financial and other incentives for cost-effective intermunicipal and regional cooperation. Empower Councils of Government (COGs) to:

   - **deliver services** on a regional basis;
   - **negotiate multi-municipal master contracts** with municipal employee and teacher unions; and
   - **make land use decisions** on regionally-significant projects.

2. Encourage regional cooperation and local efficiencies by at least funding the **Regional Performance Incentive Grant** at the FY 12 level of $8.6 million. The fund was gutted in December 2012, as part of the Deficit Mitigation package. Previously, the grant funded only a small percentage of proposals.

3. **Reinvest in planning and technical assistance capacity at OPM** to assis RPOs and municipalities in collaborative efforts.

4. **Provide that DEMHS conduct a comprehensive after-action report within 60** days of any major emergency that includes review of, and feedback from,

various state agencies, regional entities, and towns and cities. Focus should be on performances on communication, information sharing and overall emergency management structures before, during, and after such storms.

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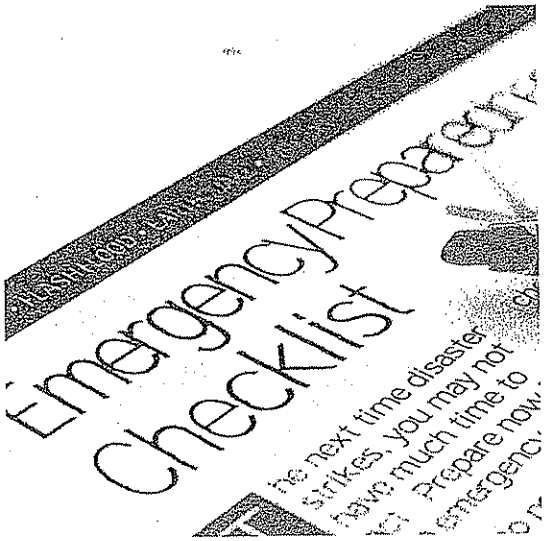

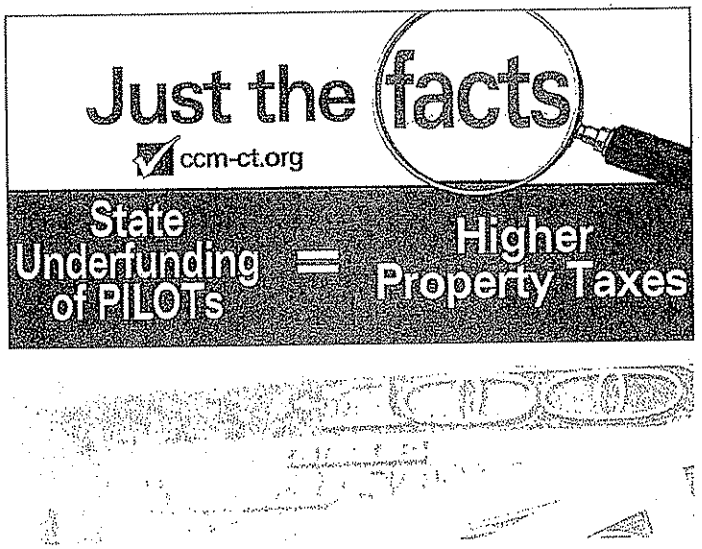

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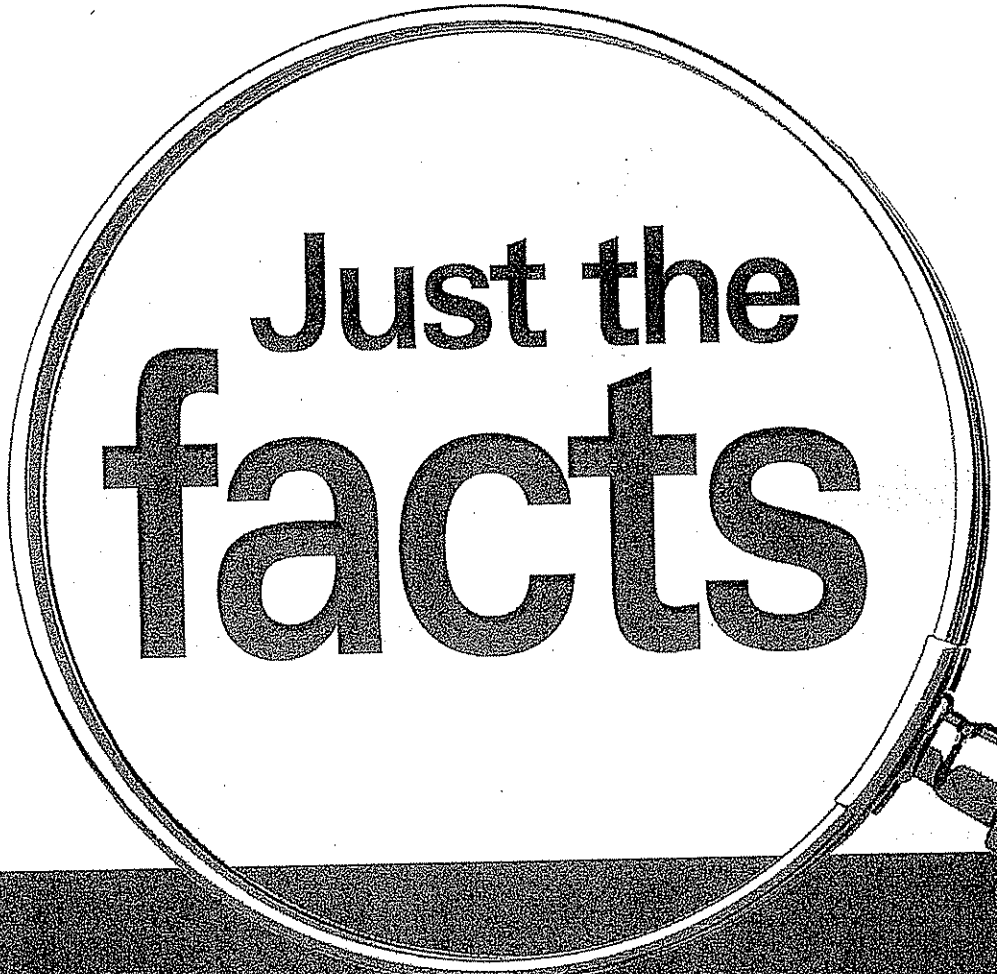
Item #29

CCM's 2013 State Legislative Program



Cuts in Municipal Aid = Higher Property Taxes

CONNECTICUT CONFERENCE OF MUNICIPALITIES

THE VOICE OF LOCAL GOVERNMENT™

ccm-ct.org

Preserving the Foundation for a More Prosperous, Competitive Connecticut

Maintain Funding Commitments to Towns & Cities, Reform Education Finance, Modify Onerous Mandates, and Protect the State-Local Partnership

CCM State Legislative Priorities

"First, do no harm." This ancient admonition is also the plea of Connecticut towns and cities in 2013. CCM urges the Governor and the General Assembly to protect the revitalized State-Local Partnership that has developed over the last two years. **Despite the fiscal challenges facing the State, let's not turn back the clock by balancing the state budget on the backs of municipalities and local property taxpayers.** At a minimum, maintain – at current levels – revenue sharing and funding to municipalities during the next biennium. Healthy towns and cities are the foundation of a more prosperous and competitive Connecticut.

While long-term recovery is the goal in this stalled economy, mere survival remains the order of the day for towns and cities. Municipalities across our state provide the public services that matter most to our people and businesses. The State has made considerable efforts over the past two years to help municipalities stay afloat during the most challenging fiscal time since the Great Depression. Connecticut residents and businesses would be hurt badly if such investments were withdrawn.

Now is the time to **reform our broken and inequitable education finance system.**

Now is the time to **provide reasonable and meaningful relief from onerous state mandates.**

Now is the time to **encourage inter-municipal and regional cooperation.**

Towns and cities are doing their part. Municipalities across our state have enacted painful budget cuts and are making preparations for additional cuts. Deep cuts in services and massive layoffs have occurred in Connecticut's central cities – with the prospect of additional cuts and layoffs on the horizon.

Maintain current state funding commitments. Ensure that every town and city has the means to provide a world-class Pre-K-12 public education. Free up precious local resources by enacting meaningful mandates reform. Continue to encourage municipal collaboration. Such bedrock state investments will ensure that municipalities can help our young people and others find jobs, participate in civic affairs, and lead productive lives. The quality of life and future of our great state depend on it.

Enact Education Finance Reform

Reforming PreK-12 public education *finance* is key to property tax reform in Connecticut. Chronic state underfunding of PreK-12 public education is the single largest contributor to the overreliance on the property tax in our state. The ECS grant alone is underfunded by over $700 million. Special-education costs are now approaching $2 billion per year and impose staggering per-pupil cost burdens on host communities. Connecticut is the most reliant state in the nation on property taxes to fund PreK-12 public education.

1. **Correct state underfunding of regular education programs by:**
   - Increasing the **ECS foundation level** to reflect the real cost of adequately educating students tied to a statutorily identified cost index.
   - **Increasing the State Guaranteed Wealth Level** (SGWL).
   - Using more current and accurate **data to measure town wealth and poverty.**
   - Using free and reduced-price meal eligibility instead of Title I as a more accurate **student poverty measure.**
   - Phasing in **full funding of the grant over a reasonable period of time.**

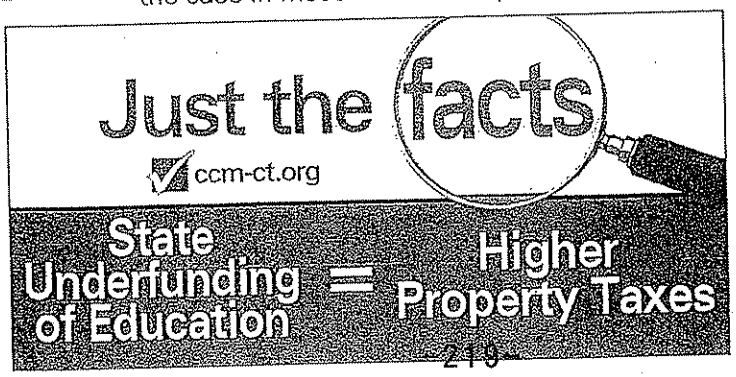
2. **Correct state underfunding of special education programs by:**
   - Decreasing the **Excess Cost reimbursement threshold** to at most 2.5 times the district's average per-pupil expenditure.
   - Paying 100 percent of **marginal costs for severe-needs students**, statewide, without equalization.
   - Shifting the **burden of proof** to the plaintiff in due process hearings (as is the case in most other states).

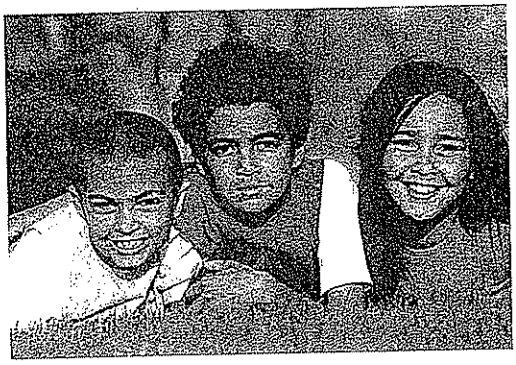
3. **Correct state underfunding of school districts with significant student-performance challenges by:**
   - Increasing funding for **categorical grants.**
   - Expanding **school district and school eligibility for these programs** to ensure that all performance gaps are addressed.
   - Expanding **state technical assistance** to such districts.

4. **Account for the wide disparities in municipal service demand (municipal overburden) by:**
   - Adding a component to the ECS formula to **equalize for municipal service demand** and corresponding impacts on municipal budgets.

5. **Reduce the cost burden of costlyunfunded and underfunded state education mandates by:**
   - Reviewing the continued appropriateness of such **mandates** and modifying or eliminating them as needed. Stop using the MBR to make up for chronic state underfunding of PreK-12 public education.

6. **Continue to meet the statewide need for school construction and renovation by:**
   - Maintaining the State's unparalleled funding commitment to ensure that aging schools are renovated and replaced to meet school district needs and higher technology and quality standards.





Enact Mandates Reform

There are currently over 1,200 state mandates on towns and cities in Connecticut. Most of these state mandates are unfunded. They burden residential and business property taxpayers with significant costs and siphon precious resources from local services. The State should eliminate or modify unfunded and underfunded mandates.

1. Enact a Constitutional amendment or **prohibition to prohibit the passage of unfunded or underfunded state mandates without a 2/3 vote of both chambers of the General Assembly.**

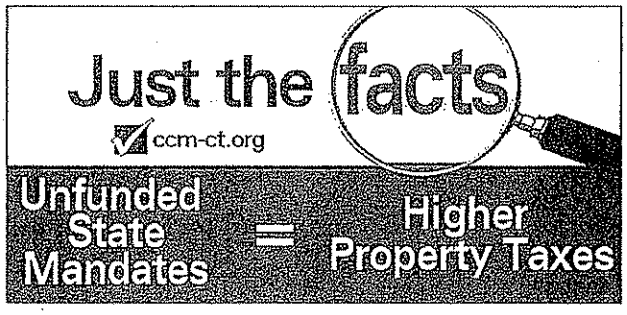
2. **Allow municipalities to defer revaluations** to (a) provide savings from the cost of conducting them, and (b) provide a measure of relief to hard-pressed residential property taxpayers.

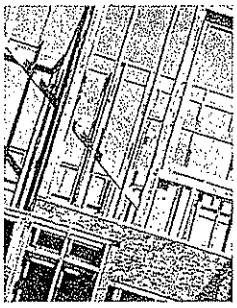
3. Require the **Mortgage Electronic Registration Systems (MERS) to file mortgage assignments with municipal clerks** to (1) enable homeowners facing foreclosure to know who owns their homes and (2) prevent MERS from avoiding recording fees that costs municipalities and the State tens of millions of dollars each year.

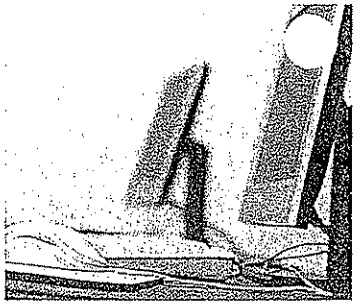
4. **Modify state-mandated compulsory binding arbitration laws** under the Municipal Employee Relations Act (MERA) and the Teacher Negotiation Act (TNA) to make the process fairer for towns and cities and their property taxpayers.

5. **Amend the State's prevailing wage rate mandate:** (a) adjust the thresholds for renovation construction projects from $100,000 to $400,000; (b) adjust the thresholds for new construction projects from $400,000 to $1 million; and (c) index both thresholds for inflation thereafter.

6. Modify the requirements for posting legal notices in newspapers to allow municipalities the **ability to publish notice of the availability of a particular document on their website**, instead of having to publish the entire document.







Encourage Intermunicipal and Regional Collaboration

State financial and technical assistance incentives for increased intermunicipal and regional collaboration should be maintained. The new Regional Performance Incentive Grant – funded through a share of the state Hotel Tax and state Car Rental Tax – is a great foundation upon which to build stronger incentives and support for cooperative efforts. Providing towns and cities with the tools and authority to deal with service delivery, revenue, and other issues on a regional basis would result in increased efficiencies.

1. Maintain state financial and other incentives for cost-effective intermunicipal and regional cooperation. Empower Councils of Government (COGs) to:

   - **deliver services** on a regional basis;
   - **negotiate multi-municipal master contracts** with municipal employee and teacher unions; and
   - **make land use decisions** on regionally-significant projects.

2. Encourage regional cooperation and local efficiencies by at least funding the **Regional Performance Incentive Grant** at the FY 12 level of $8.6 million. The fund was gutted in December 2012, as part of the Deficit Mitigation package. Previously, the grant funded only a small percentage of proposals.

3. **Reinvest in planning and technical assistance capacity at OPM** to assist Rr os and municipalities in collaborative efforts.

4. **Provide that DEMHS conduct a comprehensive after-action report within**

60 days of any major emergency that includes review of, and feedback from, various state agencies, regional entities, and towns and cities. Focus should be on performances on communication, information sharing and overall emergency management structures before, during, and after such storms.

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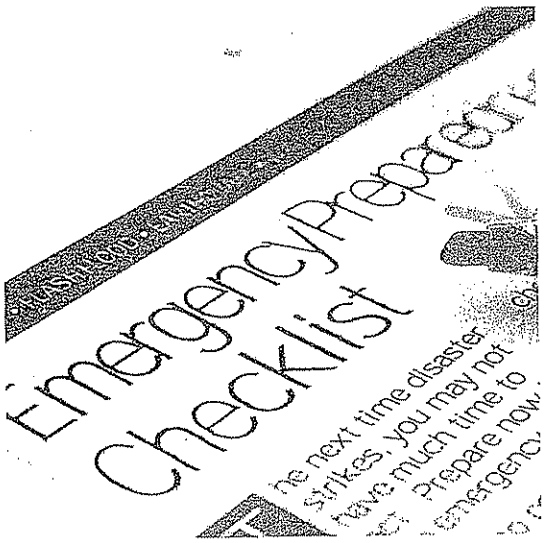

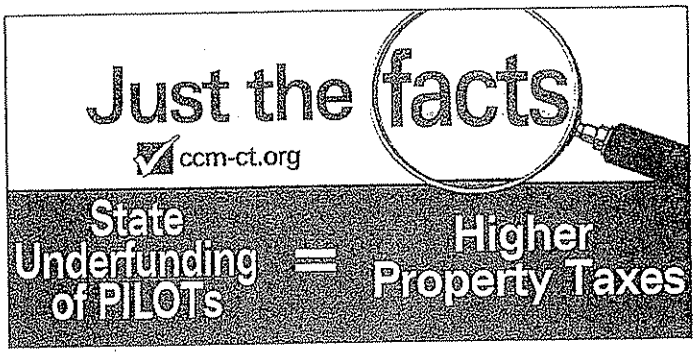

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ADDITIONAL 2013 STATE LEGISLATIVE AGENDA ITEMS

(Listed by likely General Assembly committee of cognizance.)

APPROPRIATIONS

1. **Fund critical state aid to towns and cities at statutorily-set levels.** State aid to municipalities continues to deteriorate below amounts established by law. Any additional cuts to our hometowns would exacerbate the decline and should not be considered as alternatives to state budget shortfalls.

2. **Enhance the STEAP grant program as a critical tool that creates jobs and promotes development by increasing state investments that fund the program.**

CHILDREN, SELECT COMMITTEE

1. Promote healthy alternatives and nutritional education to stimulate anti-obesity efforts for children and families by:

   (a) Providing **incentives for local Farmer's Markets,** which provide healthy and locally-grown produce and stimulate local economies, and

   b) Providing **incentives for school-based and community gardens,** wherein children can learn and adhere to healthy eating habits.

2. Protect needed services for the vulnerable, at-risk and/or underprivileged by:

   (a) **Supporting funding for programs and services that reduce youth violence**, such as evening and weekend teen programs, family resource centers, youth service initiatives, afterschool and summer programs, and Youth Service Bureaus, and

   (b) **Increasing funding for school readiness slots** so more children are afforded the proven benefits of early education, as well as providing funding for the **Care for Kids and Birth to Three programs.**

ENVIRONMENT

1. Require DEEP to ensure regional disposal options for Fats, Oils, and Grease.

2. Create state-local economic development teams – which include appropriate state agencies, regional and municipal officials – to work jointly and simultaneously on permit applications for development projects to reduce bureaucratic delays.

FINANCE, REVENUE AND BONDING

1. **Make permanent the Manufacturing Transition Grants.** The PILOT for Manufacturing Machinery and Equipment Program (MME), which reimbursed municipalities for mandated property tax exemptions on machinery and equipment, was eliminated in FY2012.

GOVERNMENT, ADMINISTRATION AND ELECTIONS

1. Provide meaningful unfunded state mandates relief by modifying the requirements for posting legal notices in newspapers to allow municipalities the **ability to publish notice of the availability of a particular document on their website,** instead of having to publish the entire document.

LABOR AND PUBLIC EMPLOYEES

1. Amend CGS § 31-53(g) to: **adjust the thresholds that triggers the prevailing wage mandate for public construction projects for (i) renovation construction projects, from $100,000 to $400,000; and (ii) new construction projects, from $400,000 to $1 millior** Both thresholds would be indexed for inflation thereafter. State prevailing wage mandate has not been amended since 1991.

2. **Modify state-mandated compulsory binding arbitration laws to:**

   (a) Amend CGS § 7-473c within the Municipal Employee Relations Act (MERA) – to impose deadlines for interest arbitration which would require that the negotiation process and binding arbitration be completed no later than one year from the date binding arbitration is imposed by the State; and

   (b) Amend CGS § 31-98(a) and to § 31-107 to **require that grievance arbitration and unfair labor practice awards be issued no later than 60 days following the date post-hearing briefs are filed.** This would establish timelines for the issuance of decisions in cases before both the State Board of Mediation and Arbitration, and the State Board of Labor Relations.

3. Increase the statutorily set employee contributions to the Municipal Employee Retirement System (MERS) by 1% annually over the next three years (but, not to exceed 15% of a pension per year) to a total employee

contribution to MERS of 5.25%. From 2002-2012, municipal contribution rates have risen 444% (3.75% of payroll to 16.65%) for public safety employees; and 392% (3% to 11.76%) for all others employees.

PLANNING AND DEVELOPMENT

1. Require **developers to pay conveyance tax on all consideration they receive for transfers,** including the price for the lot and price of the residence.

PUBLIC HEALTH

1. **Equip towns and cities with adequate state resources** (including educational materials and guidance on remediation efforts) and **support to combat bed bug infestations.**

PUBLIC SAFETY AND SECURITY

1. **Clarify Section 51-56a(c) to ensure that funds** collected under this statute, and allocated to the Police Officer Standards & Training (POST) council, are specifically earmarked for costs associated with the tuition and training of municipal police officers.

2. **Allow local police departments to be reimbursed by another department for the initial POST certification training costs of a police officer, who has been employed with the department for less than four years, and decides to transfer to the other department.** The reimbursement rate should be tiered over the four year period to allow for 100% reimbursement if transferring within the first year of employment, 75% if transferring within the second year of employment, 50% if transferring within the third year of employment and 25% if transferring within the fourth year of employment.

TRANSPORTATION

1. Establish a Municipal Project Liaison program within the State Department of Transportation (DOT). This would codify state DOT staff (liaisons) be responsible for overseeing, coordinating, and streamlining communication and permits among state agencies (i.e. DOT, DECD, DEEP, etc.) for all approved, local bridge and rail construction projects – and until the completion of such projects.

2. Empower municipalities to collect fees-in-lieu-of sidewalk (FILOS) installation *(similar to provisions allowing payments in lieu of open space)* that would:

- Impose no new costs on developers;
- Require FILOS to be deposited into an account to be used for sidewalk installation;
- Limit FILOS to be no more than the costs of installation that would have been incurred; and
- Allow municipalities to provide incentives to developers opting to pay the FILOS.

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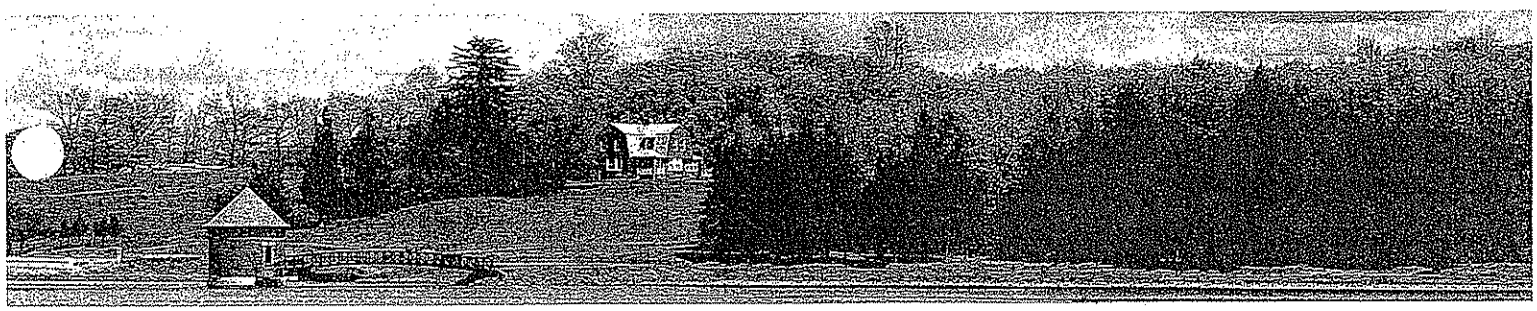

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