

REGULAR MEETING – MANSFIELD TOWN COUNCIL
November 25, 2013

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: Kegler, Kochenburger by phone, Marcellino, Moran, Paterson, Raymond, Ryan, Shapiro, Wassmundt

II. APPROVAL OF MINUTES

Mr. Shapiro moved and Ms. Moran seconded to approve the minutes of the November 12, 2013 meeting with the correction of a typographical error. Members noted the meeting adjourned at 10:32 p.m. The motion to approve the minutes as corrected passed unanimously.

III. PUBLIC HEARING

1. Draft Windham Region Hazard Mitigation Plan

The Town Clerk read the legal notice and staff outlined the process and goals of the plan being prepared by WINCOG.

Arthur Smith, Mulberry Road, asked how the plan will work with state government entities who are not subject to zoning regulations.

Brandon Coleman, Centre Street, on behalf of Brian Coleman, presented a packet of suggestions. (Statement attached)

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, posed questions about the use of the charging station, the funding for the Town Square, the parking garage settlement and whose responsibility would it be to provide water for a major fire in Storrs Center?

Saman Azimi, representing ConnPirg, urged the Council to support their efforts to enact a bigger and better bottle bill.

Winkie Gordon, Charter Oak Square, asked for details on the workings of the proposed Water Advisory Board and asked if a response has been received from UConn regarding the impact study on the Next Gen project.

Arthur Smith, Mulberry Road, reiterated his questions regarding the estimates of “roving” students and accidents caused by deer as a result of deforestation and objected to illegible pages in the packet and proposed changes to the Town Council Rules of Procedures.

V. REPORT OF THE TOWN MANAGER

Town Manager Matt Hart addressed issues in his report and added the following comments:

- A reception for retiring Director of Public Works Lon Hultgren will be held on December 5, 2013
- The charging station does not have a separate meter and is used by one member of the staff, all others use a smart form application to access the station
- In the event of a fire in Storrs Center a combination of Town and mutual aid facilities would be used
- The Town’s contribution to the parking garage will be financed by the use of future tax revenues
- Both the Sustainability and the Solid Waste Advisory Committees have reviewed the proposed bottle bill and have expressed support
- The Advisory Board to Connecticut Water Company will be created as part of the agreement and therefore will be organized after the contract is signed

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- Information on the requested impact analysis of Next Gen Connecticut will be available at a future meeting
- The estimates of “roving” students were prepared by the State Police and have been discussed with UConn personnel
- The deer population is increasing due to an expansion in forested areas.

By consensus the Council agreed to authorize the Town Manager to send a letter of support to the Town’s legislators regarding the expansion of the bottle bill. A copy of the letter will also be sent to ConnPirg.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson reported the Human Services Department is working hard to provide holidays to those in Town who do not have the means to do so and urged citizens to do what they can to help.

Mr. Shapiro moved and Ms. Moran seconded to move Items 7, Town Square Project-Funding Agreements; Capital Improvement Program (CIP) Adjustment and Appropriation, and Item 8, Town of Mansfield Assistance Agreements By and Between, the State of Connecticut Acting by the Department of Economic and Community Development for \$450,000 under the State’s Brownfield Remediation and Revitalization Program; and Pass-Through Agreement by and among the Town of Mansfield, the DECD, and Storrs Center Alliance LLC and Leyland Storrs, LLC, just prior to Old Business.

The motion passed unanimously.

Ms. Wassmundt questioned whether or not all proposed water lines will be forwarded to the Planning and Zoning Commission. Mr. Hart reported all lines will be included.

Ms. Raymond moved and Mr. Shapiro seconded to add Item 5a, Comments on Fire Water Holes, to the agenda.

The motion passed unanimously.

Mr. Kochenburger no longer participated by phone.

VII. OLD BUSINESS

2. Draft Windham Region Hazard Mitigation Plan

This item will be carried as old business and the comments received will be reviewed.

3. Town Council Rules of Procedures

Chair of the Personnel Committee Toni Moran moved, effective November 25, 2013, to adopt the amended Rules of Procedure as presented. Ms. Moran described the proposed changes which include the identification of an edition of Roberts Rules, the elimination of Town Council office hours, and the addition of a section concerning the use of email with regards to the Freedom of Information Act.

Members discussed the proposed change in Rule 3, elimination of “and Comments” from Item 7 of the agenda.

Ms. Wassmundt moved and Ms. Raymond seconded to amend the motion and recommit the Town Council Rules of Procedures to the Personnel Committee.

Members discussed why this change was deemed necessary and the need for a place on the agenda for Councilors to make comments. Ms. Wassmundt withdrew her motion to recommit. Ms. Moran moved to amend the original motion to restore “and Comments” to Rule 3. The motion passed unanimously.

The amended motion passed unanimously.

VIII. NEW BUSINESS

4 Agricultural Leases

Ms. Moran moved and Mr. Ryan seconded, effective November 25, 2013, to refer the proposed leases of the Town’s agricultural properties to the Planning and Zoning Commission for review pursuant to Connecticut General Statutes §8-24.

Motion passed unanimously.

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

Mr. Ryan moved and Ms. Shapiro seconded, effective November 25, 2013, to authorize Town Manager Matthew W. Hart to submit the proposed Fiscal Year 2013 Assistance to Firefighters Grant application, which purpose is to support the provision of fire protection and emergency services within the Town of Mansfield.
Motion passed unanimously.

5a. Comments on Fire Water Holes

Chief Dave Dagon reviewed the Town's efforts to provide water availability within 1.5 miles to almost all sections of Town. Currently 82.01% of the Town is covered.

6. Financial Statements Dated September 30, 2013

Mr. Ryan, Chair of the Finance Committee moved, effective November 25, 2013, to accept the Financial Statements dated September 30, 2013.
Motion passed unanimously.

7. Town Square Project – Funding Agreements; Capital Improvement Program (CIP) Adjustment and Appropriation

Mr. Shapiro moved and Mr. Ryan seconded, effective November 25, 2013, to authorize the Town Manager to execute the Agreement between the University of Connecticut and the Town of Mansfield regarding the town square project.

Mr. Shapiro moved and Mr. Ryan seconded, effective November 25, 2013, to authorize the Town Manager to execute the Agreement between the Town of Mansfield and EDR Storrs LLC, and Leyland Storrs, LLC regarding the town square project.

Mr. Shapiro moved and Mr. Ryan seconded, effective November 25, 2013, to authorize the Town Manager to execute the Agreement between the Town of Mansfield and the Mansfield Downtown Partnership, Inc. regarding the town square project.

Mr. Shapiro moved and Mr. Ryan seconded effective November 25, 2013, to approve the adjustment to the Capital Improvement Program of \$850,000 for the design and construction of the town square, and to appropriate said amount.

Mr. Shapiro moved and Mr. Ryan seconded, effective November 25, 2013, to approve the adjustment to the Capital Improvement Program of \$500,000 from the state Main Street Investment Fund for the town square project, street lights and street trees on Wilbur Cross Way and signage in the Phase 1A area, and to appropriate said amount.

Executive Director of the Mansfield Downtown Partnership, Inc. Cynthia van Zelm, and Director of Public Works Lon Hultgren reviewed the design and construction plans. Rosemary Ayers, attorney with Day Pitney LLP, outlined a proposed change to the agreement between the University of Connecticut and the Town of Mansfield. The requested deletion would eliminate the first sentence of paragraph 4. g. The State does not give indemnification and UConn will be required to carry insurance when conducting events.

Mr. Ryan moved and Ms. Moran seconded to amend the agreement by striking the first sentence of paragraph 4.g.

The motion passed with all in favor except Ms. Wassmundt, who abstained.

Members discussed the possible kiosks, the event planning process and the funding sources for the contributions to the Town Square Project.

The motions, as amended, passed with all in favor except Mr. Kegler, Ms. Wassmundt and Ms. Raymond who abstained.

8. Town of Mansfield Assistance Agreement By and Between the State of Connecticut Acting by the Department of Economic and Community Development (DECD) for

\$450,000 under the State's Brownfield Remediation and Revitalization Program; and Pass-Through Agreement by and among the Town of Mansfield, the DECD, and the Storrs Center Alliance, LLC and Leyland Storrs, LLC

Ms. Moran moved and Mr. Shapiro seconded the following resolution:

WHEREAS, pursuant to PA 13-308 Brownfield Remediation Law, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Mansfield make an application to the State for \$450,000 in order to undertake the Municipal Brownfield Grant and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF MANSFIELD:

1. That it is cognizant of the conditions and prerequisites for state assistance imposed by PA 13-308 Brownfield Remediation Law.

2. That the filing of an application for State financial assistance by the Town of Mansfield in an amount not to exceed \$450,000 is hereby approved and that the Town Manager is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Mansfield.

3. That said Matthew W. Hart, as Town Manager, is further directed to execute a Certificate of Applicant, Environmental Certificate and Indemnity Agreement and Negative Pledge and Agreement for the benefit of the Connecticut Department of Economic and Community Development and to execute a Pass-Through Agreement by and among the Town of Mansfield, the Connecticut Department of Economic and Community Development and the Sub-Recipient identified therein, and to execute any amendments, decisions and revisions thereto, and to act as the authorized representative of the Town of Mansfield.

4. That any and all documents heretofore executed and delivered and all acts heretofore done in connection with or to effectuate the purposes of the foregoing resolutions are hereby ratified and confirmed.

The motion passed unanimously.

9. Appointment of Town Attorney

Ms. Shapiro moved and Ms. Moran seconded to approve the following resolution:

RESOLVED: Pursuant to Section C305 of the Mansfield Charter, to appoint Attorneys O'Brien and Johnson as Town Attorney, for a term commencing on December 5, 2013 and ending on June 6, 2014 and to authorize the Town Manager to execute the proposed Retainer Agreement between the Town of Mansfield and Attorneys O'Brien and Johnson.

The motion passed unanimously.

Mr. Shapiro moved and Ms. Moran seconded that the Council direct the Personnel Committee, with appropriate staff participation, to issue an RFQ for the purpose of identifying one or more candidates for appointment as Town Attorney. The Personnel Committee is further directed to bring a candidate or candidates to the full Council for its consideration.

The motion passed unanimously.

10. Appointment of Council Representatives to Advisory Committees
Mayor Paterson appointed Alex Marcellino to the Committee on Committees in place of Toni Moran.
Mayor Paterson offered the following recommendations:
Campus Community Partnership – Elizabeth Paterson
Eastern Highlands Health District – Elizabeth Paterson
Transportation Committee – Alex Marcellino and Bill Ryan
Emergency Management – Peter Kochenburger
Sustainability Committee – Paul Shapiro
Discovery Depot – Betty Wassmundt
Four Corners Sewer and Water Advisory Committee – Bill Ryan and Virginia Raymond
Downtown Partnership – Toni Moran (6/30/2015), Elizabeth Paterson
University Town Relations – Steve Kegler and Elizabeth Paterson
Windham Regional Council of Governments – Elizabeth Paterson
The motion to approve the recommendations passed unanimously.

IX. QUARTERLY REPORTS

No comments offered.

X. DEPARTMENTAL AND COMMITTEE REPORTS

By consensus the Council agreed that in the future all Departmental and Committee Reports will be distributed electronically.

XI. REPORTS OF COUNCIL COMMITTEES

Chairman of the Finance Committee Bill Ryan reported on recently enacted legislation which requires the school budget to be reviewed within 10 days of publication by the Finance Committee to offer suggestions on non-educational items.

Ms. Moran reported the Ad hoc Committee on Responsible Contractors heard from local contractors.

XII. PETITIONS, REQUESTS AND COMMUNICATONS

11.A. Smith (10-28-13)

12. Community Center Vehicle Charging Station Cost to Date

13. CT Water Company re: Questions from 11/12/13 Public Comment

14. State of Connecticut Department of Transportation re: 2014 Construction Season

15. State of Connecticut Siting Council re: Interstate Reliability Project

16. Managing Urban Deer in Connecticut – A Guide for Residents

XIII. FUTURE AGENDA

Ms. Moran moved and Mr. Shapiro seconded to add the cancelation of the second meeting in December to the agenda. Motion passed unanimously.

Mr. Shapiro moved and Mr. Kegler seconded to cancel the second Council meeting in December. Motion passed unanimously.

XIV. ADJOURNMENT

Ms. Moran moved and Mr. Shapiro seconded to adjourn the meeting at 10:40 p.m.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

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