

REGULAR MEETING – MANSFIELD TOWN COUNCIL
July 28, 2014
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: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Ryan, Shapiro, Wassmundt

II. APPROVAL OF MINUTES

Mr. Shapiro moved and Ms. Moran seconded to approve the minutes of June 23, 2014, meeting, as presented. Members discussed the wording of the Finance Committee Chair's report. Motion to approve passed with all in favor except Ms. Raymond who voted no. Mr. Shapiro moved and Mr. Ryan seconded to approve the minutes of the July 14, 2014 meeting, as presented. Ms. Wassmundt asked for additional clarification of some of the recorded public comments. Members discussed the purpose and format of the minutes. By consensus the Council agreed to postpone action to allow the Town Clerk time to review the recording of the meeting.

III. PUBLIC HEARING

1. Open Space Acquisition, Sawmill Brook Lane Parcel

Mr. Shapiro recused himself from acting or discussing Items 1 and 4. Mr. Shapiro has provided a letter explaining his recusal to the Board of Ethics, Mayor and Town Clerk.

The Town Clerk read the legal notice. Natural Resources and Sustainability Coordinator Jennifer Kaufman noted the Open Space Preservation Committee reviewed and strongly supports the purchase of this property. Ms. Kaufman stated that the address posted in the legal notice is incomplete and recommended the Council continue the public hearing to their August 25, 2014 meeting. Staff will provide Council members with a copy of the assessor's map and additional information regarding abutting neighbors.

Richard Hossack, Middle Turnpike, objected to the amount of money to be spent and believes the property is worthless.

Mr. Freudmann, Eastwood Road, asked the Council not to pay more for the acquisition then it is worth and stated that he is not philosophically opposed to the purchase of open space.

Brian Coleman, Centre Street, asked the Council to start responsibly managing the Town's money.

Mr. Ryan moved and Ms. Moran seconded to continue the public hearing to the August 25, 2014 meeting of the Town Council.

Motion passed by all.

Mr. Shapiro rejoined the Council.

2. Proposed Deletion of the Ordinance Regarding Regional Planning Agency

The Town Clerk read the legal notice. No members of the public commented.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, expressed his disappointment that issues which he has raised have not been discussed and requested all his questions be included in the minutes. Mr. Hossack urged the Council not to expand the housing inspection zone, to table the vote on the sewer project, and to find a way to fund the sewer project without the use of taxpayer funds.

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David Freudmann, Eastwood Road, asked a question regarding the authorization of the sewer project and the role of the public hearing. Mr. Freudmann asked the Council not to authorize the project until after the public hearing.

Brian Coleman, Centre Street, spoke in opposition to the expansion of the rental zone. (Statement attached)

Estelle Elliott, Wrights Way resident and Mansfield Senior Center Association President but speaking as a private citizen, spoke in favor of the brick based bus shelter because it appears to offer better protection from the elements (Statement attached)

Richard DeBoer, Blacksmith Shop Road, spoke in opposition to any expansion of the rental zone. Mr. DeBoer stated that his family has been in the rental business for 81 years without any problems.

Arthur Smith, Mulberry Road, asked a number of questions including whether Lon Hultgren is a per diem employee of the Town; who decides what meetings are recorded and by whom; and if the MOA with the Community School for the Arts has been approved. Mr. Smith also questioned the Town Manager's actions regarding the pump station; the neutrality of the Town Manager during the budget process; the editorializing of the Council minutes; the reasons for the difficulty with recordings of the meetings; and called the Director of Public Works' comments regarding DEEP communications regarding the Four Corners area misleading.

V. REPORT OF THE TOWN MANAGER

In addition to his written comments the Town Manager Matt Hart offered the following comments:

- The Town Manager commended the Departments of Emergency Management and Public Works for their quick response to recent storms.
- Staff is looking at bus shelters similar to the Storrs Center models but which will provide adequate protection from the elements.
- Former Public Works Director Lon Hultgren is not currently a per diem employee. Mr. Hultgren did do some per diem work but has not done so for several months. There are no plans to employ him in the future.
- If a Town Council Committee requests and if facilities are available, Council Committee meetings can be recorded.
- The construction of a pump station will be part of the larger Four Corners Sewer Project. The Council did vote to authorize money for design. The Storrs Center pump station was built using Federal and State funds. An operational successor sewer agreement between the Town and UConn will be brought to the Council for approval.
- The Memorandum of Agreement with the Community School of the Arts has not yet been executed. The Town Manager will report to the Council upon its execution.
- The Town Manager is registered as an unaffiliated voter and has always been willing to work with members of either party. In the past, whenever a Council member has requested information on budget issues, staff has worked to prepare the requested materials.
- The status of any abatement orders in the area of the Four Corners Project will be clarified during the discussion of Item 8, WPCA, Four Corners Sanitary Sewer Project.

Mr. Shapiro moved and Mr. Kegler seconded to move Item 8, WPCA Four Corners Sanitary Sewer Project, as the next item of business following the Town Manager's report. The motion passed unanimously.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Ms. Moran noted the dramatic nature of some of the comments received during the public comment section of the meeting.

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VII. OLD BUSINESS

3. Storrs Center Update
The Town Manager noted the second Square Fair was held on July 25, 2014.
4. Open Space Acquisition, Sawmill Brook Lane Parcel
Mr. Shapiro again recused himself from discussion or action on this item.
The public hearing has been continued to the August 25, 2014 meeting.
Mapping and appraisal information will be provided for the next meeting as well as the Open Space Acquisition Policy.
Mr. Shapiro rejoined the Council.
5. Proposed Deletion of the Ordinance Regarding Regional Planning Agency
Ms. Moran moved and Mr. Shapiro seconded to suspend the Town Council Rules of Procedures and vote on the proposed deletion of the Ordinance.
The motion passed unanimously.

Mr. Ryan moved and Ms. Raymond seconded, to approve the deletion of the Ordinance Regarding Regional Planning Agency, which will be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.
The motion passed unanimously.

VIII. NEW BUSINESS

6. Information Technology Update
Information Technology Director Jamie Russell provided an update on the Town's use of computers and telecommunications to serve the community.
7. Expansion of Housing Inspection Zone
Director of Building and Housing Inspection Mike Nintean provided information regarding expanding the housing inspection zone to include the entire Town and providing a technical fix to address conflicting language in Section 901 of the Code. Council members discussed the impact of expanding the housing inspection zone and whether similar regulations have been successfully challenged in court.

Mr. Ryan moved and Ms. Moran seconded to ask staff and the Town Attorney to draft amendments to the Housing Inspection Code to include the entire Town and to correct current conflicting language in Section 901 of the Code.

Council members discussed the value of delaying a vote and conducting a general discussion of Chapter 9 or starting the process with proposed language, the need to ask the Town Attorney to provide information on the legality of housing inspection zones and what constitutional rights they may implicate, and the value of processing any proposed changes through an ad hoc committee.

The motion passed with Kochenburger, Marcellino, Moran, Paterson, Ryan and Shapiro in favor and Kegler, Raymond and Wassmundt in opposition.
8. WPCA, Four Corners Sanitary Sewer Project
Ms. Moran moved and Mr. Ryan seconded to recess as the Town Council and convene as the Water Pollution Control Authority (WPCA). The motion passed unanimously.

Derek Dilaj and Dan Lawrence of Weston and Sampson provided an update as to the status of the design. Mr. Dilaj noted that at the May 21, 2014 public information session Joe Higgins of DEEP provided comments indicating that if the Town does not follow through with the project, DEEP would consider an abatement order to deal with the problems in the Four Corners area. As of now there is no order in place as the

Town has been moving toward addressing the environmental issues. Mr. Dilaj described some of the monitoring and ongoing testing programs in this area. Staff will provide a report of properties in Town with ongoing sewer contamination issues. The Town Manager reviewed the schedule provided by bond counsel.

Mr. Shapiro moved and Mr. Ryan seconded to approve the following resolution:
**RESOLUTION APPROVING AND RECOMMENDING THE FOUR CORNERS
SANITARY SEWER PROJECT**

RESOLVED, That Town Council of the Town of Mansfield, Connecticut, acting in its capacity as the Town's Water Pollution Control Authority, authorizes and recommends the Town undertake the following sanitary sewer system project at an estimated cost of \$9,000,000, and requests that an appropriation and borrowing authorization be approved therefor:

Sanitary sewer collection system to address water contamination and wastewater disposal in the approximately 500 acre area near the intersection of Routes 44 and 195 in northern Mansfield known as "Four Corners." The project is contemplated to serve sixty-one (61) properties and to include, but is not limited to, installation of approximately 21,700 linear feet of sewer piping (which includes the collection system, a trunk sewer and a force main to the University of Connecticut's wastewater treatment plant), two submersible pump stations, related equipment and appurtenances, and related land or easement acquisitions.

The Water Pollution Control Authority shall be authorized to determine the scope and particulars of the project and to reduce or modify the project, and the entire project appropriation may be spent on the project as so reduced or modified. The Town anticipates receiving grants administered by the State of Connecticut Department of Energy and Environmental Protection in the estimated amount of \$3,000,000 to defray in part the appropriation for the project, for an anticipated net project cost of approximately \$6,000,000.

(2) Establishes a public hearing to be held at the Audrey P. Beck Municipal Building at 4 South Eagleville Road, in the Town of Mansfield, on Thursday, August 21, 2014, at 7:00 p.m. to consider the aforesaid resolution and the advisability of the sanitary sewer system project described therein, which public hearing the Town Council hereby authorizes the Mayor to call.

(3) Refers said sanitary sewer system project to the Planning and Zoning Commission of the Town for a report pursuant to Section 8-24 of the Connecticut General Statutes.

Council members discussed the length of time DEEP has been involved in the Four Corners area, the cost and revenue estimates including the need for more specific public cost estimates, planning for capacity, and the meaning of the word "authorizes" in the resolution.

Ms. Wassmundt moved and Ms. Raymond seconded to divide the resolution separating Section 1 from Sections 2 and 3.

The motion failed with Kegler, Raymond and Wassmundt in favor and Kochenburger, Marcellino, Moran, Paterson, Ryan and Shapiro against.

The motion to approve the resolution passed with Kochenburger, Marcellino, Moran, Paterson, Ryan and Shapiro in favor and Kegler, Raymond and Wassmundt against.

Mr. Shapiro moved and Ms. Raymond seconded to adjourn as the Water Pollution Control Authority and reconvene as the Town Council.

The motion passed unanimously.

9. Cancellation of August 11, 2014 Regular Town Council Meeting

Mr. Shapiro moved and Ms. Raymond seconded to cancel the August 11, 2014 regular meeting of the Mansfield Town Council.

Motion to approve passed unanimously.

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IX. REPORTS OF COUNCIL COMMITTEES

Ms. Moran, Chair of the Personnel Committee, urged members to complete the Town Manager evaluations as soon as possible.

X. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered

XI. PETITIONS, REQUESTS AND COMMUNICATIONS

10. Correspondence between A. Smith and M. Stanton regarding the Connecticut Freedom of Information Act
11. Correspondence regarding the Mansfield Transfer Station
12. S. Thomas (07-21-14)
13. L. Painter re: Public Hearing on proposed tree removal on Dog Lane and Gurleyville Road
14. Request for Proposals (RFP): Impact Analysis of Next Generation Connecticut Initiative – The Town Manager will resend the RFQ for the Next Gen Project to Council members
15. State of Connecticut Department of Transportation re: Safe Routes of School
16. University of New Haven re: Open Houses

XII. FUTURE AGENDA

Mr. Ryan requested operation of the swap shop be added to a future agenda.

XIII. ADJOURNMENT

Mr. Shapiro moved and Mr. Ryan seconded to adjourn the meeting at 10:30 p.m.
The motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

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