



**TOWN OF MANSFIELD
TOWN COUNCIL MEETING
Monday, August 25, 2014
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.**

AGENDA

	Page
CALL TO ORDER	
ROLL CALL	
APPROVAL OF MINUTES	1
PUBLIC HEARING	
1. Open Space Acquisition, Sawmill Brook Lane Parcel (Item #1, 07-28-14 Agenda)	13
OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL	
REPORT OF THE TOWN MANAGER	
REPORTS AND COMMENTS OF COUNCIL MEMBERS	
OLD BUSINESS	
2. Storrs Center Update (Item #3, 07-28-14 Agenda) (Oral Report)	
3. Open Space Acquisition, Sawmill Brook Lane Parcel (Item #1, 07-28-14 Agenda)	15
4. Mansfield Housing Code, Expansion of Rental Certification Zone (Item #7, 07-28-14 Agenda).....	35
5. Proposed Amendments to Parks Rules and Regulations - Smoking Prohibition (Item #3, 06-09-14 Agenda).....	49
NEW BUSINESS	
6. Use of Town Attorney Policy.....	93
7. Transfer of Foreclosed Property to Property Tax Suspense Book.....	97
8. <u>WPCA</u> , Fiscal Year 2013/14 UConn Water and Sewer Budget.....	99
REPORTS OF COUNCIL COMMITTEES	
DEPARTMENTAL AND ADVISORY COMMITTEE REPORTS (www.MansfieldCT.gov)	
PETITIONS, REQUESTS AND COMMUNICATIONS	
9. Citizen Letters re: Swap Shop.....	103
10. T. Luciano (07/25/14).....	111
11. G. Salorio (07/15/14).....	113
12. Connecticut Light & Power re: wire stringing	115
13. Connecticut Natural Gas re: Public Awareness and Education Program.....	117
FUTURE AGENDAS	

EXECUTIVE SESSION

- 14. Personnel in accordance with Connecticut General Statutes §1-200(6)(a), Town Manager Performance Review (if needed)**

ADJOURNMENT

REGULAR MEETING – MANSFIELD TOWN COUNCIL

July 14, 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, Paterson, Raymond, Ryan, Shapiro, Wassmundt

Excused: Moran

II. APPROVAL OF MINUTES

Mr. Ryan moved and Mr. Shapiro seconded to approve the minutes of the June 23, 2014 meeting as presented. Ms. Wassmundt questioned some of the wording contained in Item 3, Collaboration with Community School for the Arts. After some discussion it was agreed that the motion to approve would be postponed to allow the Town Clerk time to review the recording of the meeting. Mr. Shapiro moved and Mr. Ryan seconded to approve the minutes of the July 2, 2014 special meeting as presented. The motion passed with all in favor except Mr. Kochenburger, Mayor Paterson and Ms. Wassmundt who abstained.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, called for an investigation into the Superintendent's travel expenditures and asked how the Council is planning to spend the additional revenue from the State.

Arthur Smith, Mulberry Road, offered an apology regarding his mistake in identifying how many years the Community Arts School has operated at a profit. Once the subsidies are eliminated he stated there were no years for which they showed a profit. Mr. Smith questioned contracts entered into by the Town; stated he has identified a pattern of defective disc in response to Freedom of Information requests; and questioned comments made by representatives of Blum and Shapiro with regards to their role as auditors for the Town and the Board of Education.

Brian Coleman, Centre Street, asked the Council to investigate the misuse of taxpayer funds with regards to the Superintendent's travel expenses.

David Freudmann, Eastwood Road, objected to a statement by the Deputy Mayor in the Finance Committee regarding his comments concerning the Council's role in reviewing questionable expenditures of the Board of Education.

IV. REPORT OF THE TOWN MANAGER

In addition to his written report, the Town Manager offered the following responses to questions raised during public comments:

- The Town Council has not yet spent the additional state revenues but will be receiving recommendations from staff in September
- The Town Manager will look into faulty discs in answer to FOI requests
- Mr. Hart reiterated that he has full confidence in the ability and performance of the Director of Finance. The Director has all the necessary qualifications and has been working for the Town for twenty years. The Town Manager asked the Council members and public to look at the record. The Finance Director has guided the Town through some very difficult economic times and actually has improved our financial situation during that time.

By consensus the Council agreed to eliminate the practice of providing Chronicle articles online.

Ms. Wassmundt reported she also requested a disc of a meeting, the first copy of which she was told was defective, although the disc she received worked.

July 14, 2014

Ms. Wassmundt asked for clarification as to the academic qualifications of the Finance Director. The Town Manager commented that the Finance Director has a Bachelor of Arts, all the necessary qualifications, and over 20 years of public and private experience.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

No comments offered.

VI. OLD BUSINESS

1. Storrs Center Update

The Town Manager provided a construction update. By mid-August there will be 414 leased apartments.

2. Community/Campus Relations

Town and UConn staff are in the process of hiring a consultant to conduct the Fiscal Impact Analysis for UConn's Next Generation project. Three firms have been invited to respond to the Request for Proposals (RFP). A copy of the scope of services and RFP will be provided to Council members.

The Town Manager will be meeting with the State Police and UConn Police to discuss plans for community policing for the fall semester.

3. Community Water and Wastewater Issues, Four Corners Water and Wastewater Project

The Town Manager reviewed the Four Corners Water and Sewer Project Referendum Schedule and described the educational campaign planned.

VII. NEW BUSINESS

4. Open Space Acquisition, Sawmill Brook Lane Parcel

Mr. Shapiro recused himself from acting or discussing this issue. Mr. Shapiro has provided a letter explaining his recusal to the Board of Ethics, the Mayor and the Town Manager.

Mr. Ryan moved and Ms. Raymond seconded, to refer the proposed purchase of the 9.15-acre parcel located at 13 Puddin Lane to the Planning and Zoning Commission for review pursuant to Section 8-24 of the Connecticut General Statutes, and to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on July 28, 2014 to solicit public comment regarding the proposed purchase.

The motion passed with all voting in favor.

5. Proposed Deletion of the Ordinance Regarding Regional Planning Agency

Mr. Shapiro moved and Mr. Kegler seconded, to schedule a public hearing for 7:45 PM at the Town Council's regular meeting on July 28, 2014, to solicit public comment regarding the proposed deletion of the Ordinance Regarding Regional Planning Agency. Motion passed unanimously.

6. South Eagleville Road Bus Shelter

Director of Public Works John Carrington described the structure and funding options available. After some discussion regarding the need to make the shelter both protective and fully accessible the Council agreed, by consensus, to proceed with an enhanced Option 3.

VIII. REPORTS OF COUNCIL COMMITTEES

Chair of the Finance Committee Bill Ryan recapped the Finance Committee discussions and explained that the Four Corners bonding will seek authorization for nine million dollars for the project but will request six million dollars in actual bonding. A discussion of shared services will be on the next Finance Committee agenda.

July 14, 2014

Chair of the Committee on Committees Peter Kochenburger made the following recommendations for approval:

- the appointment of John McGuire (Economic Development Commission), Joan Buck (Conservation Commission) and Michael Soares (Town Council appointment) to the Connecticut Water Advisory Committee
- the appointment of Kristine Nowak as a citizen member of the Transportation Advisory Committee for a term ending 11/30/2017

The motion to approve passed unanimously.

Mr. Kochenburger moved to amend the Resolution to Establish a Town Council Sustainability Committee to change the Town Manager from a voting member to an ex-officio member.

The motion passed unanimously.

In response to a question from Ms. Raymond regarding Mr. Hultgren's appointment to the Transportation Advisory Committee, Mr. Hart reported that Mr. Hultgren had been appointed as a member of the Transportation Advisory Committee (TAC) by the Council and that the Committee had elected him chair. Prior to his retirement he served as staff to TAC. Mr. Kochenburger noted the issue had been raised at the Committee on Committees meeting.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered.

X. PETITIONS, REQUESTS AND COMMUNICATONS

7. J. Horsman-Potter (07-09-14)

8. Payment Receipt re: Sale of Wire from the Transfer Station

9. Legal Notices: Primary Notice

10. Mansfield Minute – July 2014

11. Connecticut Council of Small Towns re: Membership – Mr. Hart asked Council members to give thought to rejoining COST. He noted that in the past the Town benefited from its legislative work. The Town Manager will confirm the cost to the Town.

12. Government Finance Officers Association re: Certificate of Achievement

XI. FUTURE AGENDA

An agenda item regarding the possibility of rejoining COST will be included on the next agenda.

XIV ADJOURNMENT

Mr. Ryan moved and Mr. Kegler seconded to adjourn the meeting at 8:54 p.m.

Motion passed unanimously.

Elizabeth C. Paterson, Mayor

Mary Stanton, Mansfield Town Clerk

July 14, 2014

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 than 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.

July 28, 2014

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.

July 28, 2014

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

July 28, 2014

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.

July 28, 2014

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 COMMUNICATONS

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

July 28, 2014

July 28, 2014

Estelle Elliott
901 Wrights Way, Storrs
President MSCA

Members of the Town Council,

What I say this evening I am presenting to you as a tax payer of Mansfield.

My comments this evening pertain to the Bus Shelter, based on the information presented by Mr. Carrington on July 14, 2014. I took the time to look at the proposed Bus Shelters. It is my strong opinion the 1st shelter shown to us, which is the one with brick on the bottom, would be the best.

1st because it best matches the one across the street.

2nd because there is better protection from the elements, based on the possibility that many people waiting for the bus may be elderly or handicapped.

I ask you how is the Down Town Shelter with its mesh walls going to stop the biting wind or the blowing rain or snow from impeding those standing for any length of time?

As a side line, the first shelter is less money.

Thank you,

Estelle Elliott

July 28, 2014

Dear Town Council,

I would like to comment on Mike Nintean's proposal on expanding the rental zone to the entire town. In the proposal he states that his will level the playing field across the town of doing business in town. Really Mike? Maybe the town can offer us a 7 year tax abatement like Storrs Center, so we can afford to do business in this increasingly regulated, taxed bureaucracy that we call Mansfield. I am sorry Mike doing business in this town is a struggle. We are a family business and we just don't have the resources of EDR, ING and the likes.

Our family business has been in operation for more than 70 years, we have had a diverse pool of tenants from young families, working people, graduate students undergrads and empty nesters. We strive for a cohabited community where the tenant's privacy and peace are protected through a lease. We have been successful and will continue to be so without intrusive government regulations. The town of Mansfield's rental ordinances are discriminatory, intrusive and expensive to those who want to provide affordable housing in this community. Furthermore the town's rental regulations trample the personal freedoms of those who rent in this town.

The ordinances associated with the rental zone in Mansfield, inspections (at a fee of \$150.00 per unit), limited occupancy by relationship and who you are, and parking regulations with punitive damages on private property are trampling the personal freedoms and causing constitutional harm to those who reside in this town. The inspections are in direct violation of the 4th and 14th amendments of the Bill of Rights of the United States Constitution. The tenant and landlord are denied due process and the town lacks probable cause when they illegally enter a house or apartment on the pretense of an inspection to see who is residing there. The tenant has the right (and they should) to call the town building department, if there is a safety issue in a unit, this gives the town probable cause to act on an issue. What is the real motive behind these inspections? The student tenant. This is illegal search and seizure folks.

I am not here to state that there aren't problems in some of our neighborhoods from unruly students that are too immature to be out on their own. There are problems, yes, we have existing laws and ordinances that should be enforced to address the quality of life issues that are present. The nuisance ordinance is a common sense law that addresses the issue at hand and doesn't unfairly target law abiding citizens.

The good news, at least as far as I am concerned, is that many of these illegal unconstitutional ordinances are being overturned through law suits and intervention by

the ASLU nationwide. Rental inspections are unconstitutional and are being challenged in Willimantic, Meriden with a great deal of success and other towns in Connecticut and will eventually be challenged here in Mansfield.

Brian Coleman

26 Centre ST

PAGE
BREAK

PUBLIC HEARING
CONTINUATION
TOWN OF MANSFIELD
August 25, 2014

The Mansfield Town Council will continue a public hearing at 7:30 PM at their regular meeting on August 25, 2014 to solicit additional public comments regarding the proposed purchase of a ±9.15 acre parcel of land referred to as the Sawmill Brook Parcel, located approximately 200' northeast of the Jacobs Hill Road cul-de-sac and identified on the Town of Mansfield Assessor records as parcel 33.97.13.

At this hearing persons may address the Town Council and written communications may be received. Information regarding the program is on file and available at the Town Clerk's office: 4 South Eagleville Road, Mansfield and is posted on the Town's website (mansfieldct.gov).

Dated at Mansfield Connecticut this 4th day of August, 2014.

Mary Stanton, Town Clerk

PAGE
BREAK



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Linda Painter, Director of Planning and Development; Curt Vincente, Director of Parks and Recreation; Jennifer Kaufman, Natural Resources and Sustainability Coordinator
Date: August 25, 2014
Re: Open Space Acquisition, Sawmill Brook Lane Parcel

Subject Matter/Background

Pursuant to the *Planning, Acquisition and Management Guidelines for Open Space, Park, Recreation, Agricultural properties and Conservation Easements*, the Town Council is required to hold a public hearing prior to acquisition of any open space property. On July 14, 2014, the Town Council scheduled a public hearing for July 28, 2014 regarding the proposed acquisition of a 9.15 acre parcel located approximately 200 feet northeast of the Jacobs Hill Road cul-de-sac (Parcel ID 33.97.13 in the assessor's records) and as shown on the attached maps. This parcel has been referred to as both the 'Sawmill Brook Parcel' and 13 Puddin Lane in various reports; however, the actual parcel has no officially designated address. On staff's advice, the Town Council continued the public hearing until August 25, 2014 to allow for issuance of a revised public hearing notice that more clearly described the location of the property.

The subject property is bounded to the north, east and south by open space property owned by the Town or Joshua's Trust. The parcel to the west of the subject property is developed with a single-family house, which is set back over 600 feet from the Jacobs Hill Road cul-de-sac. The subject property abuts the driveway that leads to this house. The land rises gradually to the northwest and is forested with the same trees as the adjoining land - mature oaks with a beech understory. Wetlands and a brook cross the property from northwest to southeast. The Nipmuck Trail follows the east boundary of the property. The property was appraised at \$30,000 in December 2012 by an appraiser hired by the property owner, Willard J. Stearns and Sons, Inc. An appraiser hired by the Town appraised the property for \$9,500.00 in August 2013. As discussed with the Town Council in executive session as allowed by state statute, the Town and the seller have agreed to a sales price of \$20,000.00.

Open Space Preservation Committee members visited the property on June 8, 2013 and reviewed this parcel with reference to its location and according to the criteria in the Town's Plan of Conservation and Development. The following is a summary of the committee's review:

1. *Significant Conservation and Wildlife Resource* - The parcel is located in a significant forest area within the Kidder-Sawmill Brook streambelt (see Appendix J).
2. *Conserves, preserves or protects notable wildlife habitats and/or plant communities* - This parcel is located in the middle of a preserved section of a large interior forest between Crane Hill Road and Puddin Lane. Preservation of the site would protect the ecological benefits of this property as well as the surrounding preserved parcels. Preservation would also contribute to the overall protection of this large forest tract.
3. *Creates or Enhances Connections* - A well-worn trail begins on Town land at the end of Jacobs Hill Road and follows the south edge of the subject property to a junction with the Nipmuck Trail, which proceeds along the east edge. The subject property is part of the viewshed from these trails, and it provides a buffer from an adjoining house to the west. A loop trail may be possible on the subject property for further enjoyment of this scenic forest area.

The Planning and Zoning Commission reviewed the proposed acquisition at its July 21, 2014 meeting and recommended approval of the proposed acquisition (see attached memo).

Financial Impact

As stated above, the agreed upon sales price totals \$20,000. There is a sufficient balance in the Town's Open Space Acquisition Fund to cover this cost.

Recommendation

Unless the public hearing raises any additional issues that have not been considered, staff recommends that the Council authorize purchase of the Sawmill Brook Property for the reasons referenced above.

Move, effective August 25, 2014 to authorize the Town Manager to finalize and to execute the purchase of the 9.15-acre parcel, Parcel ID 33.97.13 in the Town Assessor's records and otherwise known as the Sawmill Brook Parcel, from Willard J. Stearns and Sons, Inc.

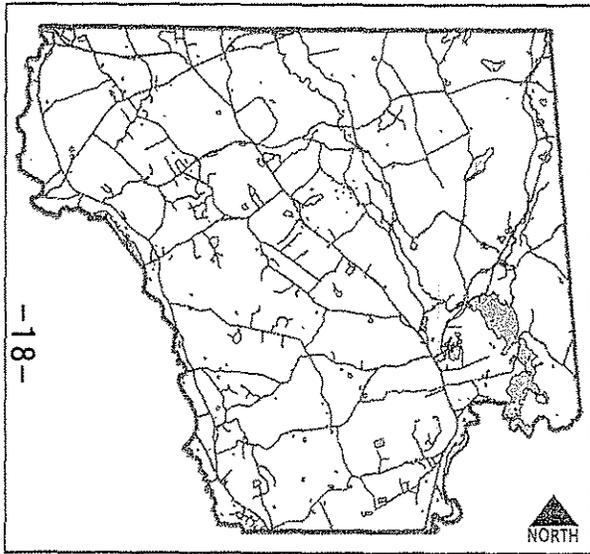
Attachments

- 1) Location Map
- 2) Aerial Photograph

- 3) Map of Parcel in relation to Saw Mill Brook Preserve and Wolf Rock Preserve.
- 4) Open Space Preservation Committee Report
- 5) Planning and Zoning Commission July 22, 2014 memo
- 6) Appendix J and K of the 2006 Plan of Conservation and Development
- 7) *Planning, Acquisition and Management Guidelines for Open Space, Park, Recreation, Agricultural properties and Conservation Easements*

SAWMILL BROOK PROPERTY

August 25, 2014



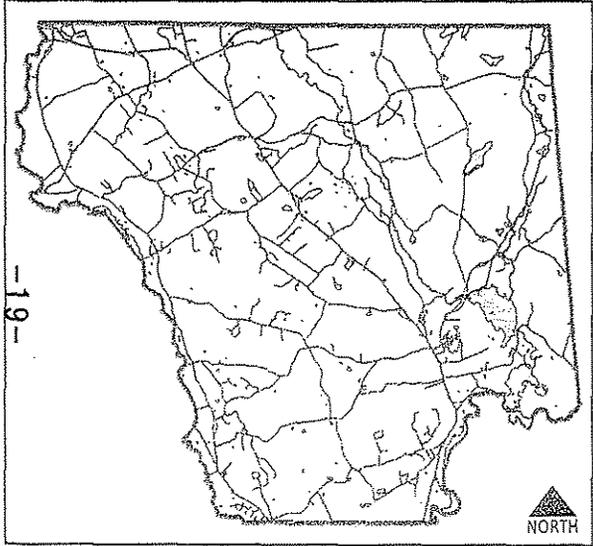
-  STREAMS
-  WETLANDS
-  JOSHUAS TRUST
-  SUBJECT PROPERTY
-  WATER
-  OPEN SPACE

980 490 0 980 Feet

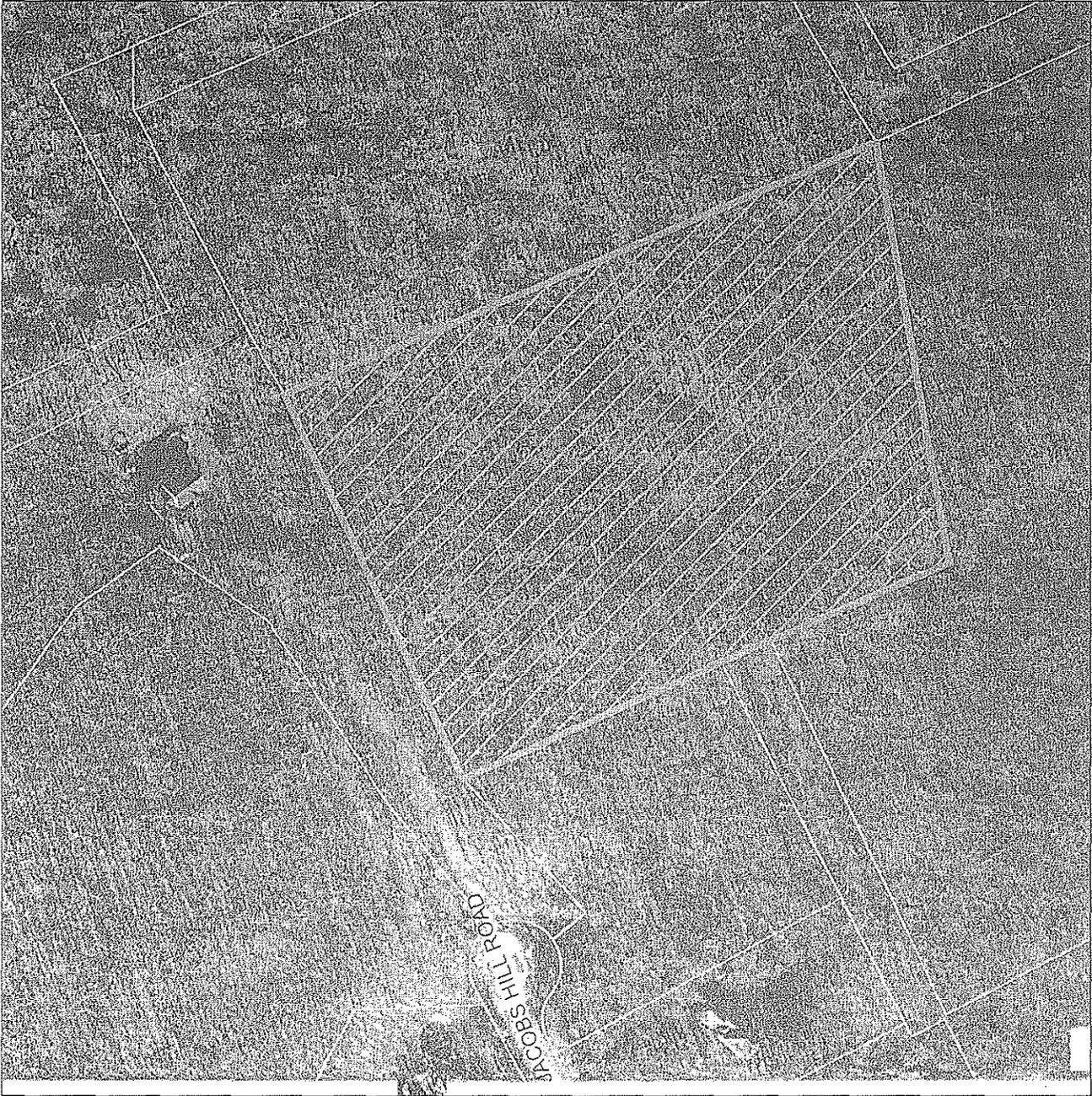


SAWMILL BROOK PROPERTY

August 25, 2014



 SUBJECT PROPERTY



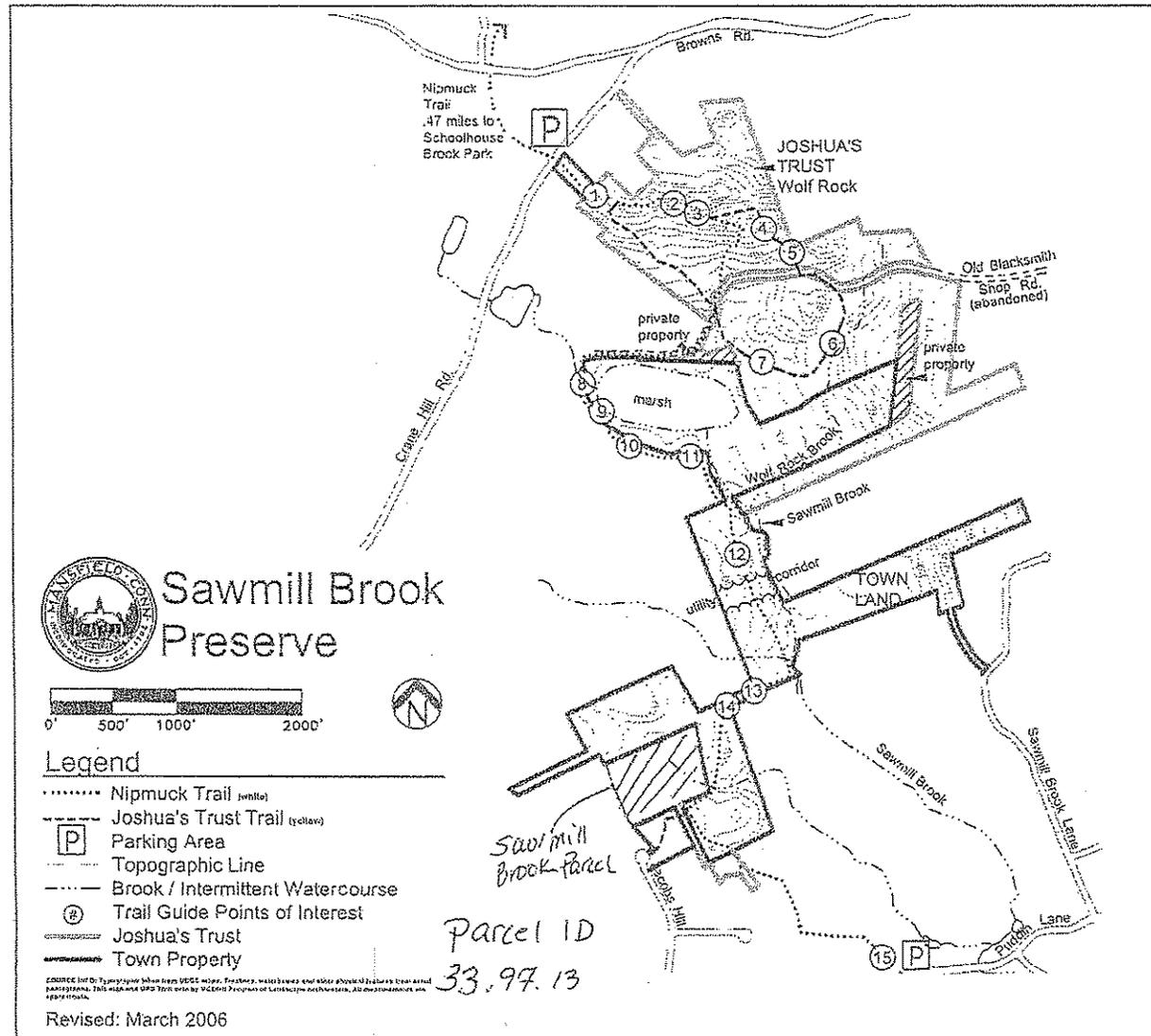
trail guide

There is a total of 3 miles of blazed hiking trails within the Joshua's Trust and Town boundaries. The Nipmuck Trail (blazed in blue) and Joshua's Trust (blazed in yellow) wind through the following points of interest:

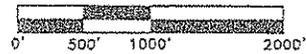
1. **Glacial Remains** - Signs of glacial activity are visibly scattered around the preserve. Many of the rocks were carried by the glacier from regions much farther north and were deposited here over 15,000 years ago.

2. **Wolf Rock** - Approximately 6 feet in diameter, this rock was left perched at the edge of a 40-foot cliff by the glaciers. Today it remains as one of Mansfield's most spectacular landmarks, mentioned in deeds dating back to the late 18th century.
3. **Scenic View** - As you look out south and east over the tree canopy from Wolf Rock, the views are breathtaking. Here the forested valley of Sawmill Brook can be seen, as well as the open fields on the brow of Crane Hill Field. In the distance is the campus of Eastern Connecticut State University.

4. **Rock Ledge** - During the descent down the trail, one of the preserve's many rock ledges can be seen. The bedrock exposed here is a variety of metamorphic rock called Willimantic Gneiss.
5. **Old Blacksmith Shop Road** - This abandoned road once connected Mansfield Center to the Crane Hill area.
6. **Riparian Vegetation** - While the trail winds along Wolf Rock Brook, take note of native water-tolerant vegetation growing here: skunk cabbage, ferns and birches. This palette of greenery will appear in many of the wet areas in the preserve.
7. **Hemlock Grove** - The dominant tree species here is the evergreen hemlock. While these trees are native, the species is currently threatened by a non-native insect called the Hemlock Woolly Adelgid.
8. **Invasive Plants** - As you cross over Sawmill Brook, notice the understory vegetation. These invasive species (barberry, multiflora rose, and bittersweet) were introduced as ornamental plants, and have since escaped from cultivated gardens into the wild, replacing native plants.
9. **Beaver Activity** - As the trail winds along the marsh's edge, note the pointed stumps. These are the remains of trees that were felled by beavers. The size of the marsh may be attributed to beaver damming.
10. **Marsh Views** - Sunny, treeless wetlands are called marshes. Phragmites, the tall 'wheat-like' grass seen at the far edge of the marsh, is a common invasive species of this wet environment.
11. **Wildlife View** - A view opens when the trail rounds the end of the marsh. Approach quietly and you may spot a Great Blue Heron.
12. **Utility Corridor** - This area is cleared for power lines and reveals the profile of Sawmill Brook valley, as the land slopes down to the brook, then steeply up the other side to Beech Mountain.
13. **Upland Hardwoods** - As the trail makes a gradual climb, notice the change in tree species. Hardwoods such as oak, beech and maple dominate the forest here.
14. **Old Stone Wall** - In most forests in New England it is common to find spans of old stonewalls used to contain grazing animals and property boundaries.
15. **Nipmuck Trail** - The blue-blazed Nipmuck Trail extends 37-miles from Union, Connecticut to Mansfield Hollow State Park and connects many of Mansfield's town parks. The Nipmuck trail is maintained by the Connecticut Forest and Parks Association.



Sawmill Brook Preserve



Legend

- Nipmuck Trail (blue)
- Joshua's Trust Trail (yellow)
- [P] Parking Area
- Topographic Line
- Brook / Intermittent Watercourse
- ⊗ Trail Guide Points of Interest
- Joshua's Trust
- Town Property

SOURCE: 1990 USGS 7.5-minute USGS map. Features, water bodies and other points of interest are derived from aerial photography. This map and GPS Trail only by VCEM's Program of Landscape Architecture. All measurements are approximate.

Revised: March 2006

Parcel ID
33,97,13

OPEN SPACE PRESERVATION COMMITTEE

Recommendation concerning acquisition of the Stearns property (at Sawmill Brook Preserve)

June 17, 2014

To: Mansfield Town Council, Town Manager

At the Open Space Preservation Committee's June 17, 2014 meeting, the committee reviewed in executive session a 7-acre land-locked property off Jacob's Hill Road that Willard J. Stearns and Sons, Inc. is offering to the Town. The committee reviewed this parcel with reference to its location and to criteria in the Town's Plan of Conservation and Development (POCD). Committee members visited the property on June 8, 2013.

DESCRIPTION

The land-locked parcel lies east of Jacob's Hill Road (access by a trail from the east side of the cul-de-sac). On three sides it abuts either Town or Joshua's Trust land (Sawmill Brook Preserve). On the west side it abuts a private driveway. The Nipmuck Trail follows the east boundary of this property. The land rises gradually to the northwest and is forested with the same trees as the adjoining land: mature oaks with a beech understory. Wetlands and a brook cross the property from northwest to southeast.

CRITERIA IN APPENDIX K of POCD

1. A Significant Conservation and Wildlife Resource

The parcel is located in a significant forest area within the Kidder-Sawmill Brook streambelt (see Appendix J).

3. Conserves, preserves or protects notable wildlife habitats and/or plant communities

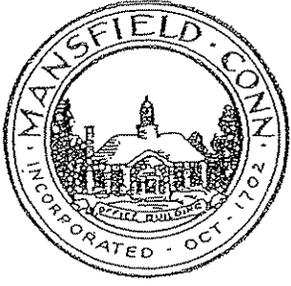
This parcel is located in the middle of a preserved section of a large interior forest between Crane Hill Road and Puddin Lane. Preservation of this parcel would protect the ecological benefits of this property as well as the surrounding preserved parcels. It would also contribute to the overall protection of this large forest tract.

7. Creates or Enhances Connections

A well-worn trail begins on Town land at the end of Jacobs Hill Road and follows the south edge of the Stearns property to a junction with the Nipmuck Trail, which goes along the east edge. The Stearns property is part of the viewshed from these trails, and it provides a buffer from an adjoining house to the west. A loop trail may be possible on the Stearns property for further enjoyment of this scenic forest area.

RECOMMENDATION

The committee recommends that the Town acquire this property to insure a continuous protected area in this interior forest and to provide a buffer for the Nipmuck and Town trails.



PLANNING AND ZONING COMMISSION
TOWN OF MANSFIELD

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

To: Town Council
From: Planning and Zoning Commission
Date: Tuesday, July 22, 2014
Re: 8-24 Referral; Sawmill Brook Lane Parcel (Puddin Lane)

At a meeting held on 7/21/14, the Mansfield Planning and Zoning Commission adopted the following motion:

“That the PZC notify the Town Council that the proposed acquisition of the Stearns Property would promote Mansfield’s Plan of Conservation and Development through protection of a significant interior forest tract and expansion of the Kidder-Sawmill Brook Preserve.”

J. LISTING OF SIGNIFICANT CONSERVATION AND WILDLIFE RESOURCES

The following listing is intended to identify locations and/or streambelts/greenways which have significance with respect to conservation and wildlife resources in Mansfield. The listing is not intended to suggest priorities.

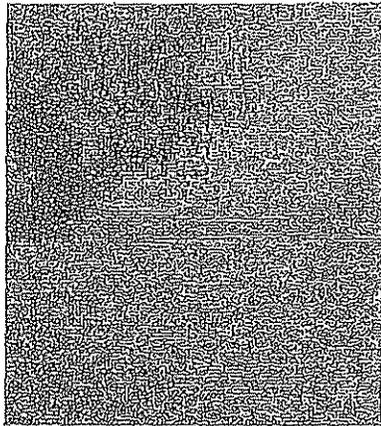
NATURAL DIVERSITY RESOURCES

- Locations depicted in the Connecticut Department of Environmental Protection Agency's Natural Diversity Data Base mapping (see Map 11 of this Plan)

WATER RESOURCES (Surface and Groundwater)

- The Willimantic River Valley Greenway from the Willington town line to the Windham town line, including Eagleville Lake, an important stratified drift aquifer associated with UConn well fields north of Route 44 and west of Route 32 and tributary streams;
- Weaver Brook streambelt, which bisects the University of Connecticut's Depot Campus and enters the north end of Eagleville Lake;
- Cedar Swamp Brook streambelt, which flows from Cedar Swamp (a large, important swamp extending north into Willington and south across Rt. 195 into Mansfield) joining Nelson Brook and ultimately entering the north end of Eagleville Lake. Cedar Swamp itself, scenic falls, old dams, ledges, Pink Ravine Pond and Pink Ravine are all features of this streambelt system.
- Nelson Brook streambelt, which enters Mansfield from Willington and joins Cedar Swamp Brook at Shelter Falls Park. Two of its tributaries drain unusual wetlands. The first, a unique perched oligotrophic pitch pine-blueberry bog, lies just north of Rt. 195 and west of Tony's Garage. The second is roughly 100 acres of wetlands and glacial ridges. This parcel is nearly surrounded by residential development on Cedar Swamp Rd., Rt. 195, Baxter Rd. and Rt. 44. Another significant wetland, made up mainly of a dwarfed maple swamp, accompanies Nelson Brook from northwest of its crossing of Rt. 44 to its crossing with Birch Rd.
- Eagleville Brook streambelt, including a tributary stream north of S. Eagleville Road;
- Dunham Brook streambelt, including Dunham Pond and associated upland wetlands and tributary streams;
- Cider Mill Brook streambelt, including Coutu Pond and tributary streams;
- The Fenton River Valley streambelt, including associated stratified drift aquifer areas, adjacent meadows, ledges, hillsides and tributary streams;
- Fishers Brook streambelt, including "Codfish Falls" and tributary streams;
- Gurleyville (Valentine) Brook streambelt, including Valentine Meadow, the Horsebarn Hill drumlin, adjacent University of Connecticut agricultural land and tributary streams;

- Tift Pond and the Albert E. Moss Sanctuary south of Route 275, west of Rt. 195 and north of Birchwood Heights Road;
- Hanks (Hitchcock) Pond and associated streambelt areas;
- Bradley Brook streambelt, including Hansen's Pond and tributary streams to both Bradley Brook and Hansen's Pond;
- Schoolhouse Brook streambelt, including Bicentennial Pond, Schoolhouse Brook Park, Chapins Pond and tributary streams;
- The Mount Hope River Valley streambelt, including associated stratified drift aquifer areas, hillsides, identified potholes and tributary streams;
- Knowlton Pond, Leander Pond and McLaughlin Pond and the streambelt areas between these ponds;
- The Mansfield Hollow Reservoir (Naubesatuck Lake) and associated flood plain and stratified drift aquifer areas;
- Echo Lake, Eaton Bog and associated stratified drift aquifer and streambelt areas;
- The Natchaug River Valley streambelt, including the Willimantic Reservoir;
- Kidder-Sawmill Brook streambelts, including a significant white cedar swamp between Maple Road and Mansfield City Road that is on State DEP priority lists; Wolf Rock, east of Crane Hill Road, a significant forest area south of Browns Road, east of Crane Hill Road, north of Puddin Lane and west of Route 195, and tributary streams;
- Conantville Brook streambelt, including associated stratified drift aquifer areas and tributary streams;



The Mansfield Hollow Reservoir Falls

AGRICULTURAL AND FORESTRY RESOURCES

- Agricultural land in southwestern Mansfield, hillside vistas extending from Browns Road through Pleasant Valley Road and along Mansfield City and Crane Hill Roads;
- Agricultural land located along Rt. 32 north and south of Route 44. Important natural features and scenic beauty make this area significant.
- Agricultural land east and west of Route 195 behind Mansfield Supply and in the Horsebarn Hill area;
- Prime agricultural soils and agricultural soils of State-wide significance within active farming areas;
- Interior forest tracts as identified on Map #21 of this Plan.

GEORGRAPHY AND EARTH RESOURCES

- Coney Rock and adjacent steeply-sloped and hillside areas north of Mulberry Road and east of Chaffeeville Road;
- Fifty-foot Cliff and adjacent steeply-sloped areas west of Chaffeeville Road.

K. OPEN SPACE ACQUISITION PRIORITY CRITERIA

The following open space acquisition criteria, are provided to assist in the evaluation of potential sites for additional preserved open space. All open space acquisition decisions should be based on a comprehensive review of specific site characteristics, information contained or referenced in this Plan and information obtained through an active public notice and review process. The listed criteria are not weighted to help establish priorities, but in general, sites that address multiple primary categories or that would be of town-wide significance in addressing a goal or objective of this Plan would have a higher priority than sites that address fewer primary categories or do not have Townwide significance. It also is noted that land availability, acquisition costs and budgetary priorities will also significantly influence open space acquisition decisions.

1. Identified or specifically referenced as a potential conservation, preservation or recreational area within Mansfield's Plan of Conservation and Development, the WINCOG Regional Land Use Plan or the Connecticut Policies Plan for Conservation and Development
 - Identified as a potential conservation area on Map 21
 - Identified as within one of Mansfield's significant conservation and wildlife resource areas in Appendix J.
2. Conserves or preserves historic or archaeological resources
 - Site is located within or adjacent to a Plan-identified village area (see Map #5)
 - Site contains historic structures, sites or features including, but not limited to mill sites, cemeteries, foundations, stone walls (see Map 2)
 - Site is a recorded archaeological site
3. Conserves, preserves or protects notable wildlife habitats and/or plant communities
 - Site includes species listed by State or Federal agencies as endangered, threatened or of special concern (see Map #11 for DEP Natural Diversity Data Base data)
 - Site contains or helps protect vernal pools, marshes, cedar swamps, grasslands, waterbodies or other notable plant or animal habitats
 - Site is within a designated large contiguous interior forest area (see Map #11)
 - Site includes a diversity of habitats
4. Conserves, preserves or protects important surface or groundwater resources
 - Site is located within or proximate to a State-designated wellfield aquifer area, potential stratified drift wellfield area or existing public water supply well
 - Site is proximate to the Willimantic Reservoir or tributary watercourses and waterbodies
 - Site contains or is adjacent to significant wetlands, watercourses or waterbodies and acquisition will significantly help to protect the water resource
 - Site contains a flood hazard area
5. Conserves, preserves or protects agricultural or forestry land
 - Site contains prime agricultural soils or agricultural soils of State-wide significance, (particularly important when in association with an existing agricultural use)

- Site is located within an existing agricultural area such as the area in southwestern Mansfield along Mansfield City Road, Stearns Road, Browns Road, Crane Hill Road and Pleasant Valley Road
 - Site contains prime forestry soils (particularly important when located within a large contiguous interior forest area or within a site implementing a long-term forest management plan)
 - Site would provide a significant buffer for an existing agricultural use
6. Conserves, preserves or protects important scenic resources
- Site contains scenic overlooks, ridgelines, open fields, meadows, river valleys and other areas or features of particular scenic importance. (Information contained on Map 12 should be utilized in considering relative scenic importance.)
 - Site contains significant roadside features such as specimen trees and noteworthy stone walls
 - Site abuts a Town-designated Scenic Road
 - Site is visible from existing roadways, trails and/or readily accessible public spaces
 - Site contributes to the scenic quality of one of Mansfield's historic village areas
7. Creates or enhances connections
- Site is located along the Willimantic River, the Nipmuck Trail or other State-recognized greenway or a potential town-wide or multi-town greenway or trail system
 - Site would expand an existing park or preserved open space area and contribute to a continuous area of open space, protect a wildlife corridor, and/or provide a new trail access between open space properties or from existing roads or subdivisions to open space properties)
 - Site would provide a new linkage from an existing or proposed residential neighborhood to an open space/park area, school or commercial area
 - Site provides a buffer area for existing trails
8. Creates or enhances recreational opportunity
- Site is physically suitable for future ballfields and other active recreational use
 - Site abuts an existing school, playground or active recreational site
 - Site provides new boating or fishing access to the Willimantic River or other significant watercourses or waterbodies
 - Site abuts or is within the watershed of existing outdoor public swimming site, such as Bicentennial Pond in Schoolhouse Brook Park
 - Site is located within or proximate to existing areas of higher-density/residential development

Planning, Acquisition, and Management Guidelines, Mansfield Open Space, Park, Recreation, Agricultural Properties and Conservation Easements

(Approved by Mansfield Town Council Nov. 13, 1995, revisions approved Aug. 25, 1997 and August 24, 2009)

Background

This document serves to guide the Town of Mansfield as it plans, acquires and manages the following:

- Open space, park, and recreation areas
- Agricultural properties
- Open space acquired as a result of subdivision, as appropriate
- Conservation easements

I Planning

- A. The Planning and Zoning Commission (PZC) has a statutory responsibility to periodically review and update the Town's Plan of Conservation and Development (POCD), including open space, recreation and agricultural elements. Appendix J of the 2006 POCD contains a listing of Significant Conservation and Wildlife Resources. Appendix K contains the Open Space Acquisition Priority Criteria. These pertinent sections of the POCD are contained in **Attachment A**.
- B. The Town Council, Conservation Commission, Agriculture Committee, Open Space Preservation Committee, Parks Advisory Committee, Recreation Advisory Committee, Historical Society, various staff members and the public shall directly assist the PZC with its review and updating of the POCD. Interim studies and reports shall be encouraged on specific areas of Town and on various aspects of local goals to promote recreational opportunities and to protect and enhance valuable natural, agricultural or historic resources.
- C. The PZC and Inland Wetland Agency periodically shall review and update land use regulations to help implement community goals and objectives regarding the protection and enhancement of natural, agricultural, historic and recreational resources.
- D. The Town Council shall consider on an annual basis the allocation of funds and taxation policies to help implement community goals regarding the protection and enhancement of natural, agricultural, historic and recreational resources.

II Acquisition

A. Planning and Zoning Commission/Inland Wetlands Agency (IWA) Application/Approval Process

The Town Manager is authorized to receive for the Town any open space/conservation easement acquisition approved by the PZC/IWA application process. However, in the event that the Town Council disagrees with PZC/IWA recommendation for the proposed acquisition, the Town Manager is not authorized to accept the acquisition without specific Town Council authorization.

Before acting however, the Town Council will provide PZC/IWA the opportunity to justify their recommendation.

1. The procedure for reviewing open space/conservation easement acquisitions associated with the PZC application/approval process is detailed below.
2. Proposed open space/conservation easements associated with the PZC application/approval process shall be referred for comment to the Open Space Preservation Committee, the Town Council, the Conservation Commission, and as appropriate, the Parks Advisory Committee, the Recreation Advisory Committee, and the Agriculture Committee.
3. Proposed open space/conservation easements associated with the PZC application/approval process shall be evaluated by taking into account site and neighborhood characteristics, the proposed development layout, natural, historic, cultural and scenic resource information, and priority criteria contained in Mansfield's POCD and regulatory provisions.
4. Comments from committees shall be forwarded to the PZC/IWA and the Town Council. As deemed necessary, the PZC/IWA and/or the Town Council may obtain expert advice to address management concerns and potential liabilities.
5. Any Town Council comments or recommendations, including any obtained expert advice, shall be forwarded to PZC/IWA in association with the application review process.
6. If a public hearing is held as part of the PZC/IWA application process, committee and Town Council comments shall be submitted prior to the close of the public hearing.

B. Other potential open space acquisitions

1. Step I-Committee Reviews

In response to a Town Council or staff referral or a committee initiative, the Open Space Preservation Committee shall conduct preliminary reviews of potential acquisitions and/or conservation easements. Potential acquisitions shall be evaluated based on resource information and priority criteria contained in Mansfield's POCD. As deemed appropriate, property owners shall be contacted, sites shall be visited and the Town's other land use commissions and committees shall be consulted. Available properties worthy of further consideration shall be referred to the Town Council with a background report. Said report shall identify important site characteristics and potential benefits. In addition, potential liabilities and management concerns, including anticipated maintenance and improvement costs, shall be noted.

2. Step II-Town Council Review

The Town Council shall review the Open Space Preservation Committee report, In instances where deemed necessary to maintain the confidentiality of the transaction, the Open Space Preservation Committee report shall be discussed in executive session. As deemed appropriate, the Town Council shall take a field trip to the site. Where multiple properties are being reviewed, the Town Council may schedule a meeting (in executive session when necessary) with the Open Space Preservation Committee to consider priorities.

3.. Step III-Negotiations, Grant Applications

After evaluation of site characteristics, potential benefits and management needs, the Town Council shall authorize the Town Manager to begin preliminary negotiations with property owners of land deemed suitable for further consideration. If appropriate, and if grant funds are available, the Town Manager shall direct staff to complete a grant application to subsidize the purchase of the identified property.

4. Step IV-Appraisals, Consultants

Depending on preliminary negotiations, the Town Council may authorize the Town Manager to hire a real estate appraiser to prepare an opinion of value or appraisal report for potential properties or portions of said property. In addition, the Town Council may authorize the Town Manager to retain other expert advice to inform the Council on other management concerns and/or potential liabilities.

5. Step V-Purchase Agreements

Subject to Town Council authorization, the Town Manager may negotiate and execute purchase agreements for potential acquisitions. Said purchase agreements shall be conditional upon final approval by the Town Council, following a Public Hearing. As appropriate, the Town Manager may utilize specialists, such as the Trust for Public Land, to negotiate and facilitate agreements.

6. Step VI-Public Hearing

The Town Council shall hold a Public Hearing to receive public comment regarding a proposed purchase. Prior to the Public Hearing, neighboring property owners shall be notified by staff and, in situations where a referral has not yet taken place, the proposed purchase shall be referred to the PZC pursuant to Section 8-24 C.G.S.

7.. Step VII-Town Council Vote

Following the Public Hearing, the Town Council shall vote on whether to acquire the subject property.

8 Step VIII-Property Preparation

After the Town Council votes to acquire the property, and before a management plan is approved, Town Staff, relevant committee members and other volunteers shall take appropriate

steps to prepare the property for Town ownership. These steps may include, but are not limited to:

- Gathering information from abutters regarding management issues/concerns
- Creating safe access
- Surveying land and marking boundaries, if appropriate
- Developing a map including boundary information, existing notable features such as trails, waterways, buildings and vistas

C. Sale of Town-owned Properties

In general, it is the Town's policy not to sell land or conservation restrictions acquired by the Town through purchase, donation or as a result of a PZC/IWA subdivision application process. In some instances, a deed restriction may prevent the Town from selling Town-owned land. In the unusual instances where Town lands and easements may be transferred to private ownership, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed sale. In addition, staff shall notify neighboring property owners of the proposed sale.

D. Leasing of Town-owned Properties

1. **Agricultural Land**

The policy goals of the Town 2006 POCD encourage sustainable agricultural land use, and the conservation and preservation of Mansfield's agricultural resources (p.4). For this reason, when the Town acquires farmland or land with prime agriculture soils, it is Town policy that this land be actively farmed. When the Town initiates an agricultural lease of Town property, there shall be a formal "Request for Agricultural Services." The Town shall publish a legal notice requesting sealed proposals no less than 10 days prior to the date the proposals are due. The Town Manager, with advice from the Agriculture Committee, shall be responsible for selecting the services rendered and for monitoring the leases. A sample lease for Town-owned agricultural land is contained as **Attachment B**.

2. **Other Land**

In instances where an individual requests to lease Town-owned property, this request shall be referred to the Open Space Preservation Committee and any other relevant committee to review. In general, it is the Town's policy to lease only Town-owned agricultural lands. In the rare instance when the Town agrees to lease other Town-owned land to a private party, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed lease. In addition, staff shall notify neighboring property owners of the proposed lease.

III Managing Town Parks, Preserves, Open Space and Agricultural Land

A. Step I-Management Plan Assignments

The Town Manager, with the advice of committees and Town staff, shall assign the support role of a draft management plan to the appropriate Town staff, with input from appropriate committees.

As a general rule, the preparation of a draft management plan shall be a coordinated effort involving the Conservation Commission, Agriculture Committee, Parks Advisory Committee, Recreation Advisory Committee, Open Space Preservation Committee, Town staff, and, as appropriate, the PZC, Inland Wetland Agency and Beautification Committee. Responsibility for preparing a written draft management plan will be as follows:

- 1) The Conservation Commission shall provide input for draft management plans for undeveloped open space areas;
- 2) The Agriculture Committee shall provide input for draft management plans for properties with existing or proposed agricultural or horticultural uses;
- 3) The Parks Advisory Committee shall provide input for draft management plans for existing or proposed park areas with trails, community gardens or other recreational facilities;
- 4) The Recreation Advisory Committee shall provide input for draft management plans for properties with existing or proposed playgrounds or athletic fields.
- 5) The Open Space Preservation Committee shall provide input for draft management plans for properties with special characteristics reviewed during the acquisition process.

B. Step II-Drafting the Management Plan

1) Format

Management plans shall be prepared utilizing the general format contained in **Attachment C**. Each plan shall summarize the information gathered and presented during the acquisition process. In addition, the management plan shall document important site characteristics, concerns, and goals for the use of the property as well as recommended management and monitoring actions.

2) Invasive Species

Pursuant to Mansfield's Non-Native Invasive Species Policy (included as **Attachment D**) adopted on the staff level after briefing the Town Council at their 11/22/04 meeting, management plans shall include the development and implementation of an invasives control plan and prohibit the use of species banned by Public Act 04-203 of the State of Connecticut, with any subsequent revisions.

3) Fiscal Notes and Budget Considerations

Fiscal notes estimating the costs associated with managing the property shall be included as an attachment to the management plan. These fiscal notes shall serve to guide the Town Council and committee members as to *estimated* projected costs associated with implementing the management plan. More precise cost estimates shall be prepared annually for budget consideration by the Town Manager and Town Council as part of the annual Capitol Improvement Budget. When available, sources of grant assistance shall be investigated and

grant applications shall be prepared by staff to implement goals and objectives stated in the management plan.

4) Naming the Property

The proposed name of the property shall be included in the draft management plan. In general, the Town of Mansfield shall name properties after a significant natural or historic feature. In some instances, it shall be deemed appropriate by the advisory committees, the Town Council, the PZC or staff to name a property in a different manner. Naming of properties after a person shall be limited to those properties that have been donated to the Town or made a specific condition of acquisition. In all cases, the Town Council, with advice from advisory committees and the PZC, shall make the final decision regarding the name of the property.

C. Step III-Staff and Committee Review

Staff shall provide comment and circulate the draft management plan to appropriate committees for final review before an abutters' review and public comment.

D. Step IV-Abutters' Review

After the preparation of a draft management plan or significant changes in a plan, the responsible staff member or committee member shall notify abutting property owners and schedule an abutters' meeting to provide opportunity for neighborhood comment.

E. Step V-Town Council Review

The Town Council shall review draft management plans or significant changes in a plan and, as deemed appropriate obtain additional information from the Town's various land use commissions/committees and staff. The Town Council may choose to hold a Public Hearing to receive public input to the plan.

F. Step VI-Town Council Approval

The Town Council shall approve a new management plan or significant changes to an existing plan for Town-owned properties.

G. Step VII-Implementation

Implementing management plans shall be a coordinated effort among Town staff, advisory committee members, and volunteer stewards. Implementation shall be coordinated through the Parks and Recreation Department but may include staff from various other Town departments including the Department of Public Works, Planning Department, etc.

Plan implementation may include but will not be limited to:

- Structural improvements for public access and safety (such as establishing a parking area, constructing trails, improving wheelchair accessibility)

- Ecological management (such as inventorying natural resources, managing and controlling invasive species, encouraging native habitats, improving wildlife habitat)
- Maintenance of parking areas, signage, and boundary markers
- Monitoring of plan goals and objectives to ensure effective implementation
- Public outreach including public information and interpretive guides and maps, and use for education and research

H. Step VIII-Monitoring

Site conditions, including any new improvements, shall be monitored in accordance with the schedule established in the approved management plan by staff or appropriate volunteers. Any problems or issues uncovered shall be reviewed by staff and the commission /committee members that assisted in the preparation of the management plan. As appropriate, problems or issues shall be referred to the Town Council.

I. Step IX-Management Plan Update

The management plan(s) shall be updated as per the approved schedule or as often as deemed necessary by the Town Council or by the commissions/committees.

IV Management of Conservation or Agricultural Easements

A specific management plan is not needed for conservation or agricultural easements unless public access, trails or other municipal interests not adequately addressed in the easement are involved. If a management plan is appropriate, a draft shall be prepared, using the steps detailed in Section III of these guidelines. The Conservation Commission, with staff assistance, shall be responsible for periodically monitoring Mansfield's existing Conservation Easements. **Attachment E** contains a Conservation Easement Abstract and Monitoring/Inspection Form. The Agriculture Committee, with staff assistance, shall be responsible for periodically monitoring any agricultural easements.

Problems or issues uncovered shall be reviewed with staff. As appropriate, problems or issues shall be referred to the Town Council, PZC, or Inland Wetland Agency, depending on the specific easement document.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Michael Ninteau, Director of Building and Housing Inspection
Date: August 25, 2014
Re: Mansfield Housing Code, Expansion of Rental Certification Zone

Subject Matter/Background

As you will recall, staff has presented a proposal to expand the rental certification zone under the Mansfield Housing Code to include all rental dwelling units within the entire town. If the Town Council were to take this action, it would eliminate the need to have a separate rental certification zone.

At the July 28, 2014 meeting, staff provided Council with a briefing regarding the potential expansion of the rental certification requirements. At this time, we also reported on the need for a technical fix to remove ambiguity within the code concerning the expiration of the biennial rental certificates.

Financial Impact

Revenue - Funds would be generated by two sources if the rental certification requirements are extended town-wide. The program would require staff to administer the both Housing Code and the Residential Off Street Parking ordinance in the expanded area, adding 366 units requiring housing certificates and 103 units requiring compliance with the off street parking requirement. The housing certificates would generate \$27,450 annually and the parking ordinance would generate \$3,605 as a one-time sum payable over a two-year period.

Expenses - In 2013, the Director of Building and Housing Inspection Mike Ninteau audited the department's quarterly reports to estimate the expense of expansion. We currently inspect approximately 1,250 units within the two-year cycle stipulated by the code. Taking into account other departmental duties such as the Landlord Registry, parking enforcement, nuisance enforcement against landlords, blight inspections, complaint investigation, training and duties related to the Mansfield Community Campus Partnership, Mr. Ninteau estimates the department could inspect approximately 50 more units with the current inspection staff. This would leave 316 units requiring additional staff to inspect.

Consequently, the department would require approximately eight hours per week of inspection time and an additional four hours per week to handle the associated administrative duties typically provided by inspection staff. If we hire a part-time employee at an hourly rate of \$29.96 the cost would be \$18,695 per year.

I anticipate the cost of any professional development would be absorbed within the department's current budgeted amount.

Legal Analysis

The Town Attorney has prepared the proposed amendments to §130-35, Chapter 9, Rental Certification and Inspection, of the Mansfield Housing Code and it is his opinion that the changes can be legally implemented.

Recommendation

Staff recommends that the Town Council schedule a public hearing to solicit public comment regarding the proposed amendments to the housing code.

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

Move, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on September 8, 2014, to solicit public comment regarding the proposed amendments to §130-35, Chapter 9, Rental Certification and Inspection, of the Mansfield Housing Code.

Attachments

- 1) M. Nintean Memo July 9, 2014
- 2) M. Nintean Memo July 18, 2014
- 3) Proposed Amendments to Mansfield Housing Code, Chapter 9 (black-line & clean copies)

TOWN OF MANSFIELD
OFFICE OF BUILDING AND HOUSING INSPECTION

Michael E. Ninteau, CBO MCP, Director

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CONNECTICUT 06268-2599
(860) 429-3324 TELEPHONE
(860) 429-3388 FACSIMILE

July 9, 2014

To: Matt Hart, Town Manager

From: Mike Ninteau, Director of Building & Housing Inspection

RE: Housing Inspection Zone Expansion

Pursuant to your request I have studied the impact of extending the current Housing inspection zone to encompass additional rental units within the Town of Mansfield. This is an update of the March 20, 2013 document.

Reason for Proposal

The Housing program instituted in August of 2006 has been extremely successful to date. We are currently well within the fourth 2 year cycle and it is my belief the quality of the housing stock has improved and is safer than prior to the program. It is also my belief that we have made positive improvements regarding behavioral aspect within the rental community as a result of other regulations adopted in concert with the Housing code.

As you may recall we initially started with a small zone situated around the UConn campus. After initial implementation it was determined staff could enforce the code over a larger district allowing the benefits of the program to aid in quality of life for additional residents both renter and neighbors alike.

I am in agreement the time has come to investigate the positives and potential negatives of expanding again. When expanding the zone previously no additional staff was required because we had built in a buffer to allow for appeals and unforeseen issues that might have arisen as we proceeded with code implementation. Those issues did not materialize nor have they to date. Based on this I offer the following information and recommendations for your use and consideration.

Approach

I took a similar approach to the last expansion, first quantifying the number of units within the program and then looking at the most appropriate geographical areas in which to explore. Last time I presented a plan A and B. This made sense at that time because we were only inspecting approximately 25% of the geographical area in Mansfield. This time however once my initial research was completed I noted Plan A would cover approximately 96% of the units in Town so I determined it would make sense to present a plan to cover the entire Town if expansion is deemed warranted.

Dwelling Units

The department currently inspects approximately 1250 units within the Implementation Zone. That constitutes about 75% of the rental dwelling units in Town.

I quantified the remaining rental dwelling units within the Town. The following table depicts the results of that research.

Dwelling Units							
	Single	2 Family	3 Family	4-6 Family	Multi- Family	Condominium	Total
Current	290	122	21	34	713	68	1249
Expansion	101	2	0	10	208	45	366
Total	391	124	21	44	921	113	1615
*Estimated	7/2014						

Revenue

Revenue will be generated by 2 sources if expansion is adopted. The program will require staff to administer the Housing Code and Residential Off Street Parking ordinance in the expanded area. There will be an additional 366 units requiring Housing certificates and 103 units requiring compliance for off street parking. The Housing certificates will generate \$27,450 annually and the parking \$3,605 as a one-time sum payable over a 2 year period.

Expenses

In 2013 I audited the department's quarterly reports to estimate the expense of expansion. We currently inspect approximately 1250 units within the 2 year cycle stipulated by the code. Taking into account other departmental duties such as the Landlord Registry, parking enforcement, nuisance enforcement against landlords, blight inspections, complaint investigation, training and duties related to the M CCP I estimate the department could inspect approximately 50 more units with current inspection staff. This would leave 316 units requiring additional staff to inspect.

The department would require approximately 8 hours per week of inspection time and an additional 4 hours to handle the associated administrative duties. If we hire a part-time employee at an hourly rate of \$29.96 the cost would be \$18,695 per year.

I anticipate the cost of any professional development would be absorbed within the department's current budgeted amount.

Possible Issues

If we do expand the zone additional staff will be required. We are short on office space at this time so we will need to determine where the new employee would work from.

The Town is short on vehicles and while we would try to coordinate field and office work of inspectors I believe the new inspector would be required to use their own vehicle at times and paid a mileage reimbursement pursuant to Town policy. This cost should be minimal and I anticipate the cost could be absorbed by the current travel budget.

With the construction of the Storrs Center project several units will come into the program on a regular basis starting in August of 2017. This will undoubtedly require more inspection and administrative staff to implement properly.

Conclusion

It is my recommendation that we propose a Town wide expansion of the Housing Certificate Zone. This will provide health and safety benefits for all tenants within Mansfield. It will also level the playing field among the landlord community by equalizing the cost of doing business with regard to Town regulation.

Based on my revenue versus expense calculations I estimate positive annual revenue of approximately \$8,485. I suggest using the parking revenue to help cover any one time expenses such as office supplies, business cards, ICC certification and additional administrative staff overtime related to expansion.

TOWN OF MANSFIELD
OFFICE OF BUILDING AND HOUSING INSPECTION

Michael E. Ninteau, CBO MCP, Director

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CONNECTICUT 06268-2599
(860) 429-3324 TELEPHONE
(860) 429-3388 FACSIMILE

July 18, 2014

To: Matt Hart, Town Manager

From: Mike Ninteau, Director of Building & Housing Inspection

RE: Housing Code Certificate Expiration Language Modification

As you are aware we are trying to obtain search warrants for the 32 units at Woodsedge apartments for the purpose of Housing inspection. The State Housing prosecutor, Judith Dicine, while doing her due diligence noticed that there is conflicting language within Section 901 of our code. The "Implementation Schedule" provision requires a valid permit within the period of time specified by the schedule. The "Term of Certificate" states that it expires 2 years after the date of issuance. Therefore in Judy's opinion we must go by the "Term of Certificate" language. I agree with her finding and for that reason we will be unable to apply for search warrants until after the current certificates expire in August, even though they are expired pursuant to the implementation schedule. The reason this occurred is because as the 2 year cycle repeats, due to scheduling, waiver pending correction or late fee payment certificates were being issued after the implementation schedule required date. While unaware of the complete ramifications, we did identify this issue and adjusted policy accordingly some time ago. We now require the date of implementation be used and not the date of issue for certificate renewal.

Also, regarding this particular matter staff has question whether or not fines should begin to accrue now. It is my opinion based on the ambiguity that the fines should be delayed as well.

Going forward I propose we ask Council to amend the ordinance language to state:

"Term of Certificate: Every rental certificate of compliance shall expire pursuant to the date set forth within the implementation schedule. The fee for a certificate of compliance shall be \$150 for the two-year period established pursuant to the schedule."

CHAPTER 9, RENTAL CERTIFICATION AND INSPECTIONS:

SECTION 901 CERTIFICATION

Findings. The Town Council of the Town of Mansfield finds that inadequate maintenance of some residential rental property within the community is especially prevalent and concentrated in certain areas of the Town, and that since the Town of Mansfield has limited resources to regulate and control such inadequate maintenance Town-wide, it is necessary to concentrate deployment of said limited resources in areas of the Town in which the is a detriment to the public welfare, health and safety caused by inadequate maintenance of residential rental property is more prevalent and concentrated.

901.1 Scope. No owner, agent or person in charge of a residential rental housing unit offered for rent within the Rental Certification Zone-Town of Mansfield shall allow any person to occupy the same as a tenant or lessee for a valuable consideration, unless the owner, agent or person in charge holds a valid certificate of compliance issued by the Code Official for the specific housing unit.

Rental Certification Zone: The provisions of this chapter shall apply only to those residential rental housing units located within the Rental Certification Zone, hereinafter referred to as the "Certification Zone," or to any residential rental dwelling or dwelling unit whose owner requests such status and treatment by the Town of Mansfield. A map of the Certification Zone is attached as an appendix to this code. [1]

{Amended 3-26-2007, effective 4-20-2007}

Exception: The provisions of this chapter shall not apply to those housing units that are:

1. Age-restricted to persons aged 55 and older.
2. Owned by the Mansfield Housing Authority.
3. Owned by the State of Connecticut. This exception shall not include those dwellings or dwelling units located within the Certification Zone-Town of Mansfield that are owned by an entity leasing real property from the State of Connecticut.
4. Newly constructed housing units for the first five years after issuance of an initial certificate of occupancy by the Town of Mansfield Building Department.
5. Housing units in any building consisting of no more than four units, one of which is the owner's primary place of residence in which he or she remains for more than half of the calendar year.
6. Single-family dwelling units rented or leased for a period not to exceed one year when the original owner occupant will return to that unit as his or her primary residence at the end of the rental term or lease.
7. Single-family dwelling units sold and rented or leased by the buyer to the seller as a condition of the sale to provide the seller with extended occupancy for a period not to exceed one year.

Implementation Schedule: The provisions of this chapter shall be implemented pursuant to a schedule, hereinafter referred to as the "implementation schedule," developed and maintained by the Code Official. No owner, agent or person in charge of a dwelling or dwelling unit located within the Certification Zone-Town of Mansfield shall be found in violation of this chapter until such time as he/she

fails to obtain a valid certificate of compliance within the period of time specified by the implementation schedule.

Term of Certificate: Every rental certificate of compliance shall expire pursuant to the date set forth within the implementation schedule. ~~at the end of two years following the date of issuance.~~ The fee for a certificate of compliance shall be \$150 for the two-year period established pursuant to the schedule.

901.2 Conditions for issuance of certificates. Upon request of the owner, agent or other person authorized to rent a dwelling unit (hereinafter referred to as the "applicant"), the Code Official will be available at an appointed time, within a reasonable amount of time, agreed upon by the Code Official and the applicant, or later if the applicant requests, to inspect such dwelling or dwelling unit. If such inspection establishes that the dwelling or dwelling unit is in substantial compliance with this code, the Code Official shall issue a certificate of compliance for said dwelling or dwelling unit, provided that all fees or other assessments charged against the dwelling or dwelling unit pursuant to this Housing Code have been paid. One copy of the certificate of compliance shall be handed to or sent by mail to the applicant; a second copy shall be posted by the owner or his/her designated agent in a conspicuous location inside the dwelling or dwelling unit for the information of the tenant and shall not be removed by or at the direction of anyone other than the tenant; and a third copy shall be kept on file in the Code Official's office. After the issuance of a certificate, if, upon reinspection pursuant to this code it is determined by the Code Official that the dwelling or dwelling unit is no longer in substantial compliance with this code, the certificate may be revoked by the Code Official in a writing stating the reasons for the revocation.

901.3 Reinspections. If said dwelling or dwelling unit does not comply with the code standards, the Code Official shall furnish the applicant with a written list of the specific violations, which would have to be corrected before a certificate of compliance could be issued for the dwelling or dwelling unit. Upon the representation of the applicant that the listed violations have been corrected, the Code Official shall reinspect said dwelling or dwelling unit and issue a certificate of compliance or a list of violations, as above provided.

901.4 Waiver pending correction. Any applicant who is delayed in correcting violations necessary to entitle him/her to a certificate of compliance and who has a valid contract in writing with a person for the performance of the work may petition the Code Official in writing for a temporary waiver of compliance. The petition shall contain the information therein which is reasonably necessary for a decision and shall include a written and signed statement by the person under contract to correct the violation, specifying the date of beginning and completion of the work. If the Code Official shall find that the delay in the correction of the violation is reasonable, taking into consideration the availability of persons to do the work and the current work load, and that the work can reasonably be undertaken and completed while the premises are occupied or that appropriate provision has been made for housing the tenant elsewhere during the necessary period when the dwelling or dwelling unit will not be habitable because of the work of correcting the code violation, the Code Official shall issue a temporary waiver of compliance expiring on the date when the corrective work should be completed. The applicant shall, on or before that date, request a reinspection. The Code Official shall reinspect the dwelling or dwelling unit and issue the certificate of compliance or list any remaining violations as above provided.

901.5 Appeals. Any applicant aggrieved by the decision of the Code Official to issue a certificate of compliance may appeal to the Housing Code Board of Appeals as set forth in Section 111, above.

901.6 Violations and penalties. Any owner, agent or other authorized persons who lets for occupancy any dwelling or dwelling unit in the Town of Mansfield and who does not hold a valid certificate of compliance from the Code Official shall be given written notice by said official of said violation by personal service or by certified mail, addressed to said owner, agent or other authorized person in control of the subject property at his/her last known address. Any such person or entity who or which fails to cure such violation within 15 days after the date of such written notice may be assessed a fine of not more than \$100 per day for each and every day that such violation continues, as each day of such continued violation shall be considered a separate violation of this chapter.

SECTION 902 INSPECTIONS

902.1 Scope. The Code Official is hereby authorized and directed to make periodic inspections within the purview of this chapter and such inspections as are required by a code compliance program of the Town of Mansfield, by and with the consent of the owner, occupant or person in charge, to determine the condition of dwellings, dwelling units, rooming units and premises within this Town for the purpose of determining compliance with the provisions of this chapter or this code. Occupants may also request inspections under this chapter or this code.

A. For the purpose of making such inspections, the Code Official, with the consent of the owner, occupant or person in charge, is hereby authorized to enter, examine and survey all dwellings, dwelling units, rooming units and premises at such time mutually satisfactory to and agreed upon by the Code Official and the owner or occupant of a dwelling, dwelling unit or rooming unit or the person in charge thereof. Such inspection, examination or survey shall not have for its purpose the undue harassment of the owner or occupant, and such inspection, examination or survey shall be made so as to cause the least amount of inconvenience to said owner or occupant, consistent with an efficient performance of the duties of the Code Official. To further ensure that the policy of this chapter, which is to achieve compliance through cooperation of owners and occupants, shall be successfully maintained, it shall be the practice of the Code Official, whenever practicable, to provide reasonable advance notice to owners and/or occupants of projected special inspections or inspections of a routine nature. Ultimately, no owner or occupant of a residential rental housing unit or rooming unit may unreasonably withhold from the Code Official consent to access the premises for the purpose of performing any inspection authorized by this code.

B. The occupant of each dwelling, dwelling unit, rooming unit or premises, or the person in charge thereof, upon presentation by the Code Official of his/her proper credentials, may give the Code Official entry to the dwelling, dwelling unit, rooming unit or premises and free access to every part thereof.

C. Whenever an owner, occupant or person in charge of a dwelling, dwelling unit, rooming unit or premises shall deny the Code Official right of entry for the purpose of inspection, examination or survey, the Code Official shall not enter until he/she presents a duly issued search warrant or other written authorization describing the dwelling, dwelling unit, rooming unit or premises to the owner, occupant or person in charge thereof.

D. Nothing in this section shall be construed to preclude the entry of the Code Official at any time when, in his/her judgment, an emergency tending to create an immediate danger to the public welfare or safety exists, or when such entry is requested by the owner, occupant or person in charge of the

dwelling, dwelling unit, rooming unit or premises, or when the Code Official presents a duly issued search warrant to said owner or occupant or person in charge thereof.

902.2 Access to remedy. Per Connecticut General Statutes Section 47a-16, every occupant of a residential rental housing unit or rooming unit shall not unreasonably withhold from the owner thereof, or his/her agent or employee, consent to access any part of such dwelling, dwelling unit or rooming unit, or its premises, for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.

{1}

~~Editor's Note: A copy of the Certification Zone Map is included at the end of this chapter.~~

CHAPTER 9, RENTAL CERTIFICATION AND INSPECTIONS:

SECTION 901 CERTIFICATION

Findings. The Town Council of the Town of Mansfield finds that inadequate maintenance of residential rental property within the community detriment to the public welfare, health and safety.

901.1 Scope. No owner, agent or person in charge of a residential rental housing unit offered for rent within the Town of Mansfield shall allow any person to occupy the same as a tenant or lessee for a valuable consideration, unless the owner, agent or person in charge holds a valid certificate of compliance issued by the Code Official for the specific housing unit.

Exception: The provisions of this chapter shall not apply to those housing units that are:

1. Age-restricted to persons aged 55 and older.
2. Owned by the Mansfield Housing Authority.
3. Owned by the State of Connecticut. This exception shall not include those dwellings or dwelling units located within the Town of Mansfield that are owned by an entity leasing real property from the State of Connecticut.
4. Newly constructed housing units for the first five years after issuance of an initial certificate of occupancy by the Town of Mansfield Building Department.
5. Housing units in any building consisting of no more than four units, one of which is the owner's primary place of residence in which he or she remains for more than half of the calendar year.
6. Single-family dwelling units rented or leased for a period not to exceed one year when the original owner occupant will return to that unit as his or her primary residence at the end of the rental term or lease.
7. Single-family dwelling units sold and rented or leased by the buyer to the seller as a condition of the sale to provide the seller with extended occupancy for a period not to exceed one year.

Implementation Schedule: The provisions of this chapter shall be implemented pursuant to a schedule, hereinafter referred to as the "implementation schedule," developed and maintained by the Code Official. No owner, agent or person in charge of a dwelling or dwelling unit located within the Town of Mansfield shall be found in violation of this chapter until such time as he/she fails to obtain a valid certificate of compliance within the period of time specified by the implementation schedule.

Term of Certificate: Every rental certificate of compliance shall expire pursuant to the date set forth within the implementation schedule. The fee for a certificate of compliance shall be \$150 for the two-year period established pursuant to the schedule.

901.2 Conditions for issuance of certificates. Upon request of the owner, agent or other person authorized to rent a dwelling unit (hereinafter referred to as the "applicant"), the Code Official will be available at an appointed time, within a reasonable amount of time, agreed upon by the Code Official and the applicant, or later if the applicant requests, to inspect such dwelling or dwelling unit. If such

inspection establishes that the dwelling or dwelling unit is in substantial compliance with this code, the Code Official shall issue a certificate of compliance for said dwelling or dwelling unit, provided that all fees or other assessments charged against the dwelling or dwelling unit pursuant to this Housing Code have been paid. One copy of the certificate of compliance shall be handed to or sent by mail to the applicant; a second copy shall be posted by the owner or his/her designated agent in a conspicuous location inside the dwelling or dwelling unit for the information of the tenant and shall not be removed by or at the direction of anyone other than the tenant; and a third copy shall be kept on file in the Code Official's office. After the issuance of a certificate, if, upon reinspection pursuant to this code it is determined by the Code Official that the dwelling or dwelling unit is no longer in substantial compliance with this code, the certificate may be revoked by the Code Official in a writing stating the reasons for the revocation.

901.3 Reinspections. If said dwelling or dwelling unit does not comply with the code standards, the Code Official shall furnish the applicant with a written list of the specific violations, which would have to be corrected before a certificate of compliance could be issued for the dwelling or dwelling unit. Upon the representation of the applicant that the listed violations have been corrected, the Code Official shall reinspect said dwelling or dwelling unit and issue a certificate of compliance or a list of violations, as above provided.

901.4 Waiver pending correction. Any applicant who is delayed in correcting violations necessary to entitle him/her to a certificate of compliance and who has a valid contract in writing with a person for the performance of the work may petition the Code Official in writing for a temporary waiver of compliance. The petition shall contain the information therein which is reasonably necessary for a decision and shall include a written and signed statement by the person under contract to correct the violation, specifying the date of beginning and completion of the work. If the Code Official shall find that the delay in the correction of the violation is reasonable, taking into consideration the availability of persons to do the work and the current work load, and that the work can reasonably be undertaken and completed while the premises are occupied or that appropriate provision has been made for housing the tenant elsewhere during the necessary period when the dwelling or dwelling unit will not be habitable because of the work of correcting the code violation, the Code Official shall issue a temporary waiver of compliance expiring on the date when the corrective work should be completed. The applicant shall, on or before that date, request a reinspection. The Code Official shall reinspect the dwelling or dwelling unit and issue the certificate of compliance or list any remaining violations as above provided.

901.5 Appeals. Any applicant aggrieved by the decision of the Code Official to issue a certificate of compliance may appeal to the Housing Code Board of Appeals as set forth in Section 111, above.

901.6 Violations and penalties. Any owner, agent or other authorized persons who lets for occupancy any dwelling or dwelling unit in the Town of Mansfield and who does not hold a valid certificate of compliance from the Code Official shall be given written notice by said official of said violation by personal service or by certified mail, addressed to said owner, agent or other authorized person in control of the subject property at his/her last known address. Any such person or entity who or which fails to cure such violation within 15 days after the date of such written notice may be assessed a fine of not more than \$100 per day for each and every day that such violation continues, as each day of such continued violation shall be considered a separate violation of this chapter.

SECTION 902 INSPECTIONS

902.1 Scope. The Code Official is hereby authorized and directed to make periodic inspections within the purview of this chapter and such inspections as are required by a code compliance program of the Town of Mansfield, by and with the consent of the owner, occupant or person in charge, to determine the condition of dwellings, dwelling units, rooming units and premises within this Town for the purpose of determining compliance with the provisions of this chapter or this code. Occupants may also request inspections under this chapter or this code.

A. For the purpose of making such inspections, the Code Official, with the consent of the owner, occupant or person in charge, is hereby authorized to enter, examine and survey all dwellings, dwelling units, rooming units and premises at such time mutually satisfactory to and agreed upon by the Code Official and the owner or occupant of a dwelling, dwelling unit or rooming unit or the person in charge thereof. Such inspection, examination or survey shall not have for its purpose the undue harassment of the owner or occupant, and such inspection, examination or survey shall be made so as to cause the least amount of inconvenience to said owner or occupant, consistent with an efficient performance of the duties of the Code Official. To further ensure that the policy of this chapter, which is to achieve compliance through cooperation of owners and occupants, shall be successfully maintained, it shall be the practice of the Code Official, whenever practicable, to provide reasonable advance notice to owners and/or occupants of projected special inspections or inspections of a routine nature. Ultimately, no owner or occupant of a residential rental housing unit or rooming unit may unreasonably withhold from the Code Official consent to access the premises for the purpose of performing any inspection authorized by this code.

B. The occupant of each dwelling, dwelling unit, rooming unit or premises, or the person in charge thereof, upon presentation by the Code Official of his/her proper credentials, may give the Code Official entry to the dwelling, dwelling unit, rooming unit or premises and free access to every part thereof.

C. Whenever an owner, occupant or person in charge of a dwelling, dwelling unit, rooming unit or premises shall deny the Code Official right of entry for the purpose of inspection, examination or survey, the Code Official shall not enter until he/she presents a duly issued search warrant or other written authorization describing the dwelling, dwelling unit, rooming unit or premises to the owner, occupant or person in charge thereof.

D. Nothing in this section shall be construed to preclude the entry of the Code Official at any time when, in his/her judgment, an emergency tending to create an immediate danger to the public welfare or safety exists, or when such entry is requested by the owner, occupant or person in charge of the dwelling, dwelling unit, rooming unit or premises, or when the Code Official presents a duly issued search warrant to said owner or occupant or person in charge thereof.

902.2 Access to remedy. Per Connecticut General Statutes Section 47a-16, every occupant of a residential rental housing unit or rooming unit shall not unreasonably withhold from the owner thereof, or his/her agent or employee, consent to access any part of such dwelling, dwelling unit or rooming unit, or its premises, for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Curt Vincente, Director of Parks and Recreation
Date: August 25, 2014
Re: Proposed Amendment to Parks Rules and Regulations – Smoking Prohibition

Subject Matter/Background

At its June 9, 2014 meeting, the Town Council held a public hearing regarding two proposed amendments to the Parks Rules and Regulations: 1) to enact modifications to Section A194-1(J) to allow scoreboard sponsorship; and 2) to enact a smoking ban in Town parks. Following feedback from the public and discussion by Council members, the first item was approved, but the second item was tabled. This tabled item has been placed on the Council’s agenda as old business to allow the Council to further deliberate and to receive more information from staff.

Attached you will find the updated Parks Rules and Regulations with the proposed addition of item “O” of Section A194-2 of the prohibited activities. The proposed language has been recommended by Town Attorney Kevin Deneen.

The Parks Advisory Committee (PAC) reviewed this item at its May 7, 2014 meeting and supported the recommended change. In keeping with past practice, the Council referred the proposed amendments to the Parks Regulations to the Planning and Zoning Commission (PZC) for review and comment. The PZC reviewed the proposed amendments at its meeting on May 19, 2014 and also endorsed the proposed changes. More recently, the Recreation Advisory Committee (RAC) recently reviewed this item at its July 23, 2014 meeting and expressed its unanimous support for the smoking ban.

The Council had asked staff to provide additional information regarding the need or importance of enacting the smoking prohibition. The Parks and Recreation Department presently adheres to the National Standards for Youth Sports, which apply to all of the Town’s active ball field areas. Staff has provided the Council with a copy of this document and specifically references Standard #9, which promotes a drug, tobacco, alcohol, and performance enhancer-free environment (see attached). Staff has also attached a copy of the *Making Our Parks Tobacco*

Free toolkit sponsored by the Tolland County Community Health Action Response Team. Please see an informative explanation starting on page 5 of this document regarding the importance of tobacco-free parks.

Financial Impact

If this recommendation is approved, staff will utilize the existing Parks Improvement account in the Capital Fund to replace park signs on as-needed basis.

Legal Review

Town Attorney Kevin Deneen reviewed staff's initial draft and recommended some changes, which are now included in the proposed amendment to the Parks Rules and Regulations. Attorney Deneen does not think that the Council needs to conduct a subsequent public hearing regarding the proposed amendment. Please see his attached opinion for more detail.

Recommendation

Staff recommends that the Council adopt the proposed amendment to the Parks Rules and Regulations.

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

Move, effective August 25, 2014, to accept the proposed amendment to the Parks Rules and Regulations, adding certain restrictions regarding the use of tobacco products to the list of Prohibited activities, which amendment shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Attachments

- 1) Proposed Amendment to Park Rules and Regulations
- 2) K. Deneen re: Amending Ordinance to Prohibit Smoking in Public Parks
- 3) National Standards for Youth Sports
- 4) Making Our Parks Tobacco-Free, EHHD Toolkit sponsored by the Tolland County Community Health Action Response Team

Chapter A194: PARK RULES AND REGULATIONS

[HISTORY: Adopted by the Town Council of the Town of Mansfield 11-25-1974, effective 12-3-1974. Amendments noted where applicable.]

GENERAL REFERENCES

Alcoholic beverages — See Ch. 101.

Outdoor burning — See Ch. 114.

Parks and recreation areas — See Ch. 137.

§ A194-1 Permitted activities.

§ A194-2 Prohibited activities.

§ A194-1 Permitted activities.

The following park uses and/or activities are permitted subject to additional specific regulations which may be adopted by the Town Council or its designated agency:

- A. Hiking, picnicking, organized nature study, bicycling and horseback riding in designated areas.
- B. Ice skating, swimming, cross country skiing and fishing at specific times and/or places.
- C. Day and/or night camping only in specified areas, with a permit issued by the Town Manager or other designated person or agency of the town.[Amended 7-25-1983]
- D. Open fires only in fireplaces in designated picnic areas around Bicentennial Pond.[Amended 7-25-1983]
- E. Open camping fires are thus prohibited in the remainder of Schoolhouse Brook Park.[Added 7-25-1983]
- F. Organized games in designated areas.
- G. Posting of signs only with permission issued by the Town Manager or other designated person or agency of the town.[Amended 7-25-1983]
- H. Special activities and/or programs only upon approval by the Town Manager or other designated person or agency.

I. Pets on leash only.

J. Subject to compliance with applicable provisions of the Mansfield Zoning Regulations, the Parks and Recreation Department may authorize not-for-profit organizations to erect program sponsorship signs/banners in Town parks, subject to the following conditions:[Added 1-27-2003, effective 2-25-2003]

- (1) Eligibility. Only not-for-profit organizations that operate to serve Mansfield residents are eligible to erect signs/banners under this subsection. The eligible not-for-profit organizations may erect signs/banners for only those businesses, organizations, individuals and other entities that provide monetary or other material assistance to the eligible organization. Subject to the conditions expressed herein, the Parks and Recreation Department has the discretion to reasonably determine which not-for-profit organizations and program sponsors are eligible to erect signs/banners under this subsection.
- (2) Location. The location of program sponsorship signs/banners in Town parks shall be limited to active ballfields at the reasonable discretion of the Department of Parks and Recreation. [Amended 9-14-2009, effective 10-9-2009]
- (3) Duration. Signs/Banners permitted under this subsection may be erected or displayed permanently on scoreboards and for the duration of the season around the perimeter of the ballfields. Signs/Banners around the ballfields must be removed following the conclusion of the season.[Amended 5-14-2007, effective 6-11-2007]
- (4) Construction. Signs/Banners permitted under this subsection must be single-sided, non-illuminating, and constructed with weather-proof material.
- (5) Size. Signs/Banners permitted under this subsection cannot exceed 32 square feet in area or for scoreboards, cannot exceed thirty-three percent of the total scoreboard area.
- (6) Color/Format. Signs/Banners permitted under this subsection must be consistent in format. Wording on signs/banners permitted under this subsection is limited to the name, phone number, website and logo of the program sponsor. Sign/color format of any Sign/Banner is subject to the reasonable approval of the Department of Parks and Recreation.
- (7) Enforcement. The Parks and Recreation Department shall administer and enforce the requirements of this subsection.
- (8) Other. Subject to the conditions expressed herein, the Parks and Recreation Department has the discretion to impose reasonable restrictions and develop guidelines for program sponsorship signs consistent with these Regulations.[Amended 9-14-2009, effective 10-9-2009]

§ A194-2 Prohibited activities.

Prohibited activities shall be as follows:

- A. Commercial advertising, except for program sponsorship signs/banners as permitted in § A194-1J above.[Amended 1-27-2003, effective 2-25-2003]
- B. Vending or soliciting of any type except as authorized by the Town Council.
- C. Littering.
- D. Removal of or injury to trees, shrubs, flowers and/or other plants.
- E. Molesting of birds and/or other fauna.
- F. Destruction, misuse and/or defacement of park property.
- G. Use or possession of explosives, firearms and/or fireworks.
- H. Hunting and/or trapping.
- I. Pets in swimming area.
- J. All motorized vehicles except on designated public access roads and parking areas.
- K. Use of the park, including parking areas, between sunset and sunrise without proper permit.
- L. Disorderly conduct or any other illegal activity.
- M. Drinking or possession of alcoholic beverages.[Added 3-10-1975, effective 3-19-1975]
- N. Golfing.[Added 7-28-1997, effective 8-23-1997]
- O. The use, carrying or smoking of a lighted cigarette, cigar, pipe, or other device containing tobacco or tobacco products. (proposed Town Council meeting 08/25/14, discussion tabled from 5/27/14 Town Council meeting)

O'MALLEY, DENEEN, LEARY, MESSINA & OSWECKI

ATTORNEYS AT LAW

20 MAPLE AVENUE

P. O. BOX 504

WINDSOR, CONNECTICUT 06095

TELEPHONE (860) 688-8505

FAX (860) 688-4783

THOMAS J. O'MALLEY (ret)

DONALD J. DENEEN (ret)

ANDREW G. MESSINA, JR.

(1940-2000)

WILLIAM C. LEARY

Of Counsel

VINCENT W. OSWECKI, JR.

MICHAEL P. DENEEN

KEVIN M. DENEEN

RICHARD A. VASSALLO

JAMES P. WELSH

August 18, 2014

Curt A. Vincente, CPRP
Director of Parks & Recreation
Town of Mansfield
4 South Eagleville Road
Mansfield, Connecticut 06268-2599

Re: Amending Ordinance to Prohibit Smoking in Public Parks

Dear Curt:

You have asked me to review a proposed amendment to the Town of Mansfield's Code of Ordinances to ban smoking and the use of tobacco and/or nicotine products in Town owned parks. The proposed language adds to the list of prohibited activities (Code Section A194-2): "O. Smoking and use of tobacco/nicotine products."

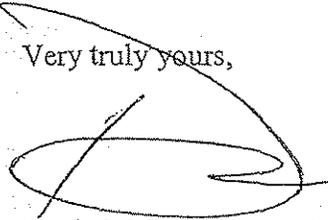
In 2008 the Connecticut General Assembly specifically authorized municipalities to "regulate, on any property owned by the municipality, any activity deemed to be deleterious to public health, including the lighting or carrying of a lighted cigarette, cigar, pipe or similar device."

I am concerned about the broadness of the proposed language. The use "of tobacco/nicotine products" would encompass not only the smoking of tobacco products, but also the use of 'e-cigarettes', nicotine patches, nicotine gum and other smoking cessation aids which contain nicotine.

I would suggest the following addition in lieu of the proposed language: "The use, carrying or smoking of a lighted cigarette, cigar, cigarillo, pipe or other device containing tobacco or tobacco products."

Please feel free to contact me with any further questions.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Kevin M. Deneen', written over a large, light-colored oval shape.

Kevin M. Deneen

KMD/ilc

National Standards

For Youth Sports

Modifying the Sports Environment for a Healthier Youth

National
ALLIANCE
For Youth Sports

Compiled By:

National Alliance for Youth Sports



An Introduction to the National Standards for Youth Sports

The National Alliance for Youth Sports (NAYS) is pleased to release this revised edition of the National Standards for Youth Sports. The original version of the National Standards for Youth Sports were released in 1987 to provide direction for parents to follow when developing and administering youth sport for children. Since then, the Standards have served as the blueprint for how thousands of recreation professionals have conducted their youth sports programs through the years in an effort to meet the needs of all their participants.

In December 2007, a dedicated group of professional youth sports administrators convened during the International Youth Sports Congress in Orlando, Florida to re-examine the Standards in relation to the current youth sports environment. This new edition reflects the consensus of this group and addresses a variety of topics that currently affect the delivery of youth sports programs.

The purpose of these Standards is to provide a framework by which youth sports programs are designed and executed. While the previous edition was focused on parents and the role of parents within the youth sports landscape, this new version is directed to the league and program administrators. The National Standards for Youth Sports place in motion a nation policy for youth sports.

In addition to the nine standards, we have included three additional sections that provide information to parents, volunteer coaches and participants to explain what the National Standards for Youth Sports specifically mean to each group.

For more information about the National Standards for Youth Sports contact:



2050 Vista Parkway
West Palm Beach, Florida 33411
561-684-1141
800-688-KIDS
www.nays.org

Standard #1 Quality Sports Environment

Youth sports programs must be developed and organized to ensure, as well as to enhance, the emotional, physical, social and educational well-being of children.

Background:

A wide variety of youth sports experiences are available today. Historically, many programs have been modeled after adult-oriented programs using rules, skill expectations and competitive requirements replicated from high school, college and professional levels. Today, programs must be designed and administered so that every child, regardless of their abilities, has an opportunity to positively benefit from participation.

Rationale:

Youth sports programs should be based on meaningful participation. All children physically and emotionally mature at different rates. In order to have a quality youth sports environment consider the appropriate age range of the participants, the rules of the sport and the proper level of physical and emotional stress.

Implementation:

1. Leagues should be required to abide by written policies and procedures.
2. Leagues should be guided by a written mission statement that provides a foundation for the program's purpose and goals.
3. Leagues should maximize play time for all by establishing a minimum play rule/policy.
4. Leagues should organize programs using the following guidelines, although modifications can be made when total participation numbers are low:
 - a. Developmental Programs for children 6 years old and under:
 - Informal teams
 - Focus on motor skill development
 - Scores and/or standings not emphasized
 - Roster size, rules, equipment and fields modified
 - Limited uniforms
 - Post-season tournament or all-star competition highly discouraged
 - Encourage boys and girls to participate together whenever possible
 - No travel
 - Coaches permitted on playing surface
 - b. Instructional Sports Programs for 7 to 8 year olds:
 - Focus on skill development and rules of the game
 - Scores and standings not emphasized
 - Roster size, rules, equipment and fields modified
 - Limited uniforms
 - Encourage a variety of position and situational play
 - Post-season tournament or all-star competition discouraged
 - Encourage boys and girls to participate together whenever possible
 - Travel discouraged
 - Coaches permitted on playing surface
 - c. Organizational Programs for 9 to 10 year olds:
 - Scores kept but standings de-emphasized
 - Roster sizes, rules, equipment and fields modified when necessary
 - Encourage a variety of position and situational play
 - Out-of-community postseason play only when necessary
 - No national tournament participation
 - d. Skill Enhancement and Enrichment Programs for 11 year olds and above:
 - Scores and standings de-emphasized
 - Proper grouping and selection procedures to ensure fair and equitable teams
 - Encourage a variety of position and situational play
5. Leagues should develop skill level assessments to establish teams using methods to ensure teams are balanced by considering weight, skill and special needs when grouping children.
6. Leagues should establish a no-cut policy so all children can participate in recreational programs.
7. League standings should be discouraged below the age of nine and de-emphasized below the age of 13.
8. Leagues and coaches should not require sports specialization or year-around participation.



Standard #2 Sports participation should be fun and a portion of a child's life

Youth sports are only one portion of a child's life that must be balanced with other social and educational experiences and activities.

Background:

The foundation for human development occurs during the early years of life. Individuals that are exposed to many different learning situations increase their potential for successful development. Youth sports participation is a valuable component to a child's overall healthy development.

Rationale:

Parents, coaches and league administrators need to encourage children to be involved in a variety of programs and activities to experience positive growth and development, while taking great care to ensure that the child isn't overscheduled or that activities don't detract from their academic learning. Parents must respect a child's decision to play or not play, while keeping in mind that commitment is still important for their growth and development. Parents, coaches and league administrators must also realize that a child's involvement in youth sports affects the entire family.

Implementation:

1. Leagues, parents and coaches should encourage participation in a variety of youth activities in addition to sports while not over-scheduling.
2. Leagues should establish rules that limit organized practices and games to no more than one hour a day and three days a week up to age 8; not more than 1.5 hours and four days a week for ages 9 to 12; and not more than two hours and four days a week for ages 13 and above.
3. Leagues should adopt policies that make provisions for excused absences.
4. Everyone involved should understand that positive life skills are learned/gained from participation in youth sports programs.

Standard #3 Training and Accountability

Adults involved with youth sports must receive training and important information about the program and must be held accountable for their behavior.

Background:

Sports participation can lead to physical and emotional harm if those responsible have no training. In many cases, adults involved with youth sports organizations have not received formal training. Adults are an essential component of organized sports programs, whose own motives, morals and beliefs can influence how programs are conducted and their outcomes.

Rationale:

To ensure that everyone involved strives to make the youth sports program safe, positive and fun for all children, all administrators, coaches and parents must receive information about the program's philosophy, policies and procedures, as well as specific knowledge required for each position. By holding everyone accountable for their behaviors, high quality programming can be ensured.

Implementation:

1. Parents, coaches and volunteers should be provided written information that outlines the program's purpose, as well as policies and procedures.
2. Coaches and staff should be trained in the following areas: the emotional needs of children; safety, injury prevention and first aid; conditioning; hydration and nutrition; teaching proper sport techniques; including all children; child abuse prevention; and drug, alcohol and tobacco prevention.
3. Coaches should be encouraged to continually gain general and sport-specific coaching skills.
4. Leagues are encouraged to provide additional educational resources for coaches and parents to assist them in providing the best possible youth sports experience for each child.
5. Adults involved should be provided information about the types of child abuse, recognizing symptoms of child abuse and neglect and understand reporting procedures.
6. Leagues should adopt a positive coaching recruitment policy that encourages the recruitment and selection of qualified women and men regardless of race, creed, sex or economic status.
7. All volunteers should be required annually to sign a code of conduct pledging their commitment to provide enjoyable, healthful youth sports experiences.
8. Leagues should establish an accountability procedure and disciplinary process to remove anyone who does not abide by its policies and procedures.
9. Coaches and parents should encourage and apply proper principles of conditioning.

Standard #4 Screening Process

To ensure the safety and well being of children in youth sports, individuals with regular, repetitive access or contact with children must complete the screening process.

Background:

Volunteers are crucial to the delivery of youth sports programs. Leagues have a responsibility to protect participants against unsafe individuals by implementing a comprehensive screening system. Screening is a process with many elements that an organization uses to protect participants.

Rationale:

Leagues must be selective when choosing volunteers since parents are entrusting their children to the adults running the youth sports league. Consistent and comprehensive screening strengthens the organization's protective shield. T ct occurs in the organization.

Implementation:

1. Leagues must use appropriate and available screening techniques for selecting and assigning individuals to ensure that children are protected.
2. A written screening policy should be included in policies and procedures.
3. A written job description outlining the duties and responsibilities should be available for every position.
4. Job descriptions should be read, signed, dated and kept on file to ensure an understanding of the position and the league's expectations.
5. Volunteers should be required to complete and sign an application form.
6. Leagues should contact references provided by potential volunteers.
7. Leagues are encouraged to interview volunteers.
8. A criminal history background check should be conducted on all volunteers.
9. Leagues are encouraged to develop procedures and disqualifiers to determine what issues make a volunteer undesirable.

Standard #5 Parents' Commitment

Parents/guardians must take an active and positive role in their child's youth sports experiences.

Background:

Leagues should encourage parents to be caring and active in their child's youth sports experiences by providing positive support as a spectator, coach and league administrator. Many parents do not get involved at all in their child's youth sports experience, while others become overly involved. All parents should be required to demonstrate their positive commitment by signing a code which outlines the opportunities their child should have through participation, as well as the responsibility the parent has in supporting the youth sports experience.

Rationale:

Parents are one of the keys to their child's youth sports experiences. Parents who receive an orientation and who are required to sign a code of conduct are usually more positive and supportive of their children. They need to demonstrate the participation benefits by attending games, practices, or team social events; or by just expressing their positive support. Parents should discuss participation with their child and help in evaluating his/her experiences.

Implementation:

1. Parents should be required to complete a league orientation meeting annually. The orientation should cover the following areas: youth sports philosophy, program goals, expected behaviors and responsibilities, as well as sport specific information.
2. Teams should be required to have a minimum of one team/parents' meeting at the beginning of each sports season.
3. Parents must demonstrate their commitment to their child's youth sports experience by annually signing a parental code of conduct.
4. A child should not be allowed to participate if their parent refuses to sign the parental code of conduct.
5. Parents should familiarize themselves with the specific sport, including the rules of the game.
6. Leagues should encourage parent-child communication about their youth sports experiences.
7. Leagues should maintain open communication channels with parents through newsletters, league meetings and email.
8. Leagues should promote parental involvement in roles such as coach, team manager, fund-raiser, league manager, special assistant and fan.

Standard #6 Sportsmanship

Everyone involved in youth sports programs should exhibit positive sportsmanship behavior at all times.

Background:

Children will follow the example of adult role models, positively or negatively. Children will copy or imitate sports behaviors witnessed, including the development of values based on that behavior. Adults must be a positive role model exhibiting sportsmanlike behavior at games, practices, and at all times while giving positive reinforcement to the children and supporting their coaches, staff and other volunteers.

Rationale:

If the youth sports experience is to be a positive one for each child, adults must demonstrate sportsmanlike behavior as a fan, coach, and/or league administrator. They need to encourage fun, guide with positive reinforcement and give praise for successes along the way. When a child makes a mistake, separate the mistake from the child. Adults need to encourage peer support and give positive verbal support to team members, opponents and coaches of their child.

Implementation:

1. Leagues will develop a sportsmanship/conduct code that includes positive expectations and describes unacceptable behaviors (for example berating players, coaches, officials; use of vulgar language; and intoxication).
2. Leagues will promote fair play, respect for the game and graciousness in losing or winning.
3. Leagues will communicate conduct requirements to administrators, coaches, parents, players and spectators through policies and procedures, newsletters, email, website, telephone calls and announcements.
4. Leagues will develop an enforcement plan for implementing a sportsmanship/conduct code, including disciplinary procedures.



Standard #7 Safe Playing Environment

Youth sports programs must provide safe playing facilities and equipment, healthful playing situations and proper first aid applications, should the need arise.

Background:

Coaches and league administrators have the responsibility to inspect and ensure proper maintenance of facilities; to have knowledge of proper equipment selection and appropriate use; to understand the physical consequence of improper skill techniques; have the ability to modify rules for safe-playing situations; understand the physical need for a proper child-oriented conditioning program; and have knowledge of prevention and first aid for athletic injuries, including the ability to implement emergency procedures.

Rationale:

Children participating in youth sports are exposed to a variety of organized risk-taking opportunities. It is important for programs to take every precaution to protect participants from dangerous situations and in the event of an accident or emergency, everyone must be prepared to respond appropriately.

Implementation:

1. Leagues must implement procedures for inspecting playing facilities for safety hazards before every youth sports activity.
2. Leagues should develop procedures for continual safety inspections of all playing equipment.
3. Leagues must not allow participation during unsafe conditions, such as lightning storms, darkness, playing sites in disrepair, etc.
4. Leagues should develop emergency action plans and these should be communicated to everyone involved at the beginning of the season or program.
5. Leagues should establish procedures to ensure that all teams and events have an emergency first aid plan for administering to injuries, as well as policies in place for dealing with dangerous weather conditions and hazards that pose injury risks.
6. Leagues should require basic medical and injury treatment forms to be properly completed and signed by parents.
7. Leagues should require that at least one adult trained in CPR (cardiopulmonary resuscitation) and basic first aid is always on site at any practice or game.
8. Leagues should require coaches to carry each player's emergency contact and health information at all practices and games.
9. Leagues should demand that teams have a fully equipped first aid kit at all youth sports activities.
10. An AED (automated external defibrillator) should be located in proximity to all fields, courts and rinks.
11. Leagues should remove coaches that knowingly allow a player to play while having a serious injury or knowingly create unsafe play situations.
12. Leagues should enforce a policy that requires written permission from a doctor prior to allowing a child to participate following an injury.
13. Leagues should provide information to everyone regarding proper hydration techniques.
14. Children below the age of 11 should participate in activities that contain limited collision potential and feature modified rules that will significantly reduce the chances of injury.
15. Leagues should mandate that at least two adults are always present during practices, games and any other related activity.
16. Leagues must adopt rules/policies banning rapid weight loss/gain procedures used solely for participation in youth sports.
17. Leagues must select equipment designed to ensure injury reduction for participants, (i.e. baseballs designed to reduce injuries, soccer shin guards, approved protective equipment in contact sports).

Standard #8 Equal Play Opportunity

Parents, coaches and league administrators must provide equal play opportunity for all youth regardless of race, creed, sex, economic status or ability.

Background:

The cost of participation in youth sports is financially out of reach for some kids. Sports opportunities for girls, minorities and children with disabilities have improved but are still not equal.

Rationale:

All children deserve the opportunity to play regardless of race, creed, sex, economic status or ability. Coaches, parents and league administrators should recognize stereotyping and demand that prejudice of any type be prohibited. Every effort should be made to provide financial assistance to those unable to afford participation, including the cost of safe equipment. Adult youth sports leaders must teach acceptance, tolerance and respect for people of all abilities, sizes, shapes, colors and cultural and economic backgrounds.

Implementation:

1. Leagues must adopt a non-discrimination policy that ensures participation for all children regardless of race, creed, sex, economic status or ability.
2. Leagues should make provisions whenever possible to allow all children to participate regardless of their financial ability to pay.
3. Leagues are encouraged to provide programs that allow boys and girls to participate together whenever possible.
4. Leagues must encourage equal play time for all participants.
5. Leagues must make reasonable accommodations to encourage children with disabilities to participate.

Standard #9 Drug, Tobacco, Alcohol and Performance Enhancer-Free Environment

Parents, coaches, officials, fans, players and administrators must be drug, tobacco, alcohol and performance enhancer free at youth sports activities.

Background:

Sports participation has long been characterized as a means of developing character and positive values. Information indicates that peer pressure, negative peer group associations and unhealthy adult role models may actually increase the use of drug, tobacco and alcohol use among youth participants as well as lead to the use of performance-enhancing drugs.

Rationale:

Adults involved in youth sports must be educated about all drugs, including performance enhancing drugs. Leagues should have policies to deal with the use of drugs, tobacco and alcohol, emphasizing prevention through education. Parents, league administrators and coaches should be trained to identify signs of usage and know how to access community resources. Healthful role modeling should lead the way for influencing youth participants to avoid drug, tobacco and alcohol use and to promote seeking safe and healthy improvements through proper training methods that don't involve the use of performance-enhancing drugs to gain an unfair advantage.

Implementation:

- Leagues should adopt rules prohibiting the use of performance enhancing drugs, alcohol, illegal substances and/or tobacco at all youth sports events.
- Leagues should provide coaches and parents educational information on identifying signs and symptoms of substance use.
- Leagues should establish written policies and implementation procedures for immediately dealing with substance use by coaches and players and communicate this information to coaches, players, and parents.
- Leagues should continually encourage dialogue between coaches, players and parents about the need for an alcohol, tobacco and drug-free environment for children.
- Leagues must ban all forms of tobacco use during any youth sports related activity.
- Leagues should discourage participants from using caffeine products (pills, gum and drinks).
- Leagues must not allow alcohol to be sold or allowed to be brought into youth sports games, practices or related events.
- Leagues should develop an enforcement plan for removing adults and players who appear to be under the influence of drugs, alcohol or any illegal substances.

What the Standards mean to parents and coaches

Parents – What the National Standards for Youth Sports Mean to YOU

Participation in youth sports provides children with an opportunity to gain many valuable life skills and develop an appreciation for physical fitness, all of which can lead to a lifetime of healthy activity. This can only occur, though, when organized sports programs are designed and administered to ensure a safe, positive and fun environment for everyone.

The National Standards for Youth Sports place in motion a national policy for children's sports. These Standards serve as a blueprint for all youth sports programs and must be incorporated into the delivery of every youth sports experience to best ensure that the needs of every child are met.

As a parent of a youngster involved in youth sports, you have a responsibility to make sure that your child is enrolled in a program that adheres to the Standards. Prior to signing your child up for a sport it's important that you review the Standards so when you're taking a look at how the program operates you can be sure that it is a good fit for your child.

Remember, you have the right to expect and demand that the recreation agency and/or youth sports program understands the Standards. You also have the right to ask that these Standards are incorporated into their programs so that all children are given the best opportunity for a memorable season that they'll look back on for years to come for all the right reasons.

Coaches – What the National Standards for Youth Sports Mean to YOU

As a volunteer coach you are commended for stepping forward to work with a group of children because there are few endeavors in life more worthwhile. You may be aware that as a coach you are in a special position to impact the lives of children in so many areas. Your influence extends far beyond simply helping them learn and progress in their respective sport, so it's of paramount importance that you take great care to approach your role with diligence.

One of the best ways you can prepare yourself for the season is to review the National Standards for Youth Sports. The Standards place in motion a national policy for children's sports. They serve as a blueprint for all youth sports programs and must be incorporated into the delivery of every youth sports experience to best ensure that the needs of every child are met.

When you volunteer to coach a youth sports team you take on the responsibility to meet the needs of every child under your care. As you review the Standards – which should be customary operating procedure before you gather the children for your first practice of the season – keep in mind that these represent what being involved in youth sports is all about.

By making a commitment to abide by these Standards you'll greatly increase your chances of making special connections with your players. This will translate into happy and productive children who will learn and develop skills and likely continue their involvement in the sport for years to come. Equally important, they'll reflect back on their experiences with you favorably and if they choose to coach someday they'll be more likely to pass along many of the same positive attributes to their players that they gained from their interactions with you.

What the Standards mean to youth sports participants

Kids – What the National Standards for Youth Sports Mean to YOU

Participating in organized sports programs is a truly special time in your young life. It's important that you – along with your parents or guardians – are aware that with your involvement in these programs you have rights. Among those are the right to a safe and fun experience and the opportunity to receive the same amount of playing time as your teammates, among many others.

The National Standards for Youth Sports are a great resource to help you gain a good understanding of what your youth sports experience is all about and how you should expect to be treated throughout the season. You should know that the Standards were created with your best interests in mind. They represent what respected professionals around the country believe is the best way to provide top-quality sports programs for children.

Along with your rights comes the responsibility for you to abide by team rules, follow your coach's instructions and, with the help of your parent or guardian, put forth every effort to get to practices and games on time. When coaches, parents and players work together – and do their best to follow the Standards – you'll enjoy participating in a positive environment that will increase the likelihood of you learning new skills, enhancing others and having a safe and fun-filled experience.

Acknowledgements

These National Standards for Youth Sports have been developed to be used by every youth sports league in the nation. The National Alliance for Youth Sports (NAYS), America's leading advocate for safe, positive and fun youth sports experiences, has continually taken a leadership role to assimilate and share the best practices. NAYS wishes to pay a special tribute to the following dedicated youth sports professionals who lent their time and provided input for the update of these Standards.

Yahya Aabdul-qaadir, *Misawa Air Force Base, Japan*
Kevin Adams, *City of South Portland, Maine*
Miste Adams, *National Trails Parks and Recreation District, Ohio*
Daniel Affleje, *Kadena Air Force Base, Japan*
Patricia Anglehart, *Kings Bay Submarine Base, Georgia*
Kurt Baker, *Whitpain Township, Pennsylvania*
Nikki Bakos, *City of Frankenmuth, Michigan*
Brian Benton, *Town of Jupiter, Florida*
Steve Berninzoni, *Highlands Ranch Community Association, Colorado*
Debbie Boone, *City of Orem, Utah*
Christine Brown, *Camp Butler Marine Base, Japan*
Tonya Brown, *Charleston County, South Carolina*
Eric Burch, *US Army Garrison Fort Carson, Colorado*
David Campbell, *Charleston County, South Carolina*
Alex Cann, *Miami-Dade County, Florida*
Leonardo Chavez, *City of Pasadena, California*
Adam Christensen, *City of Yuma, Arizona*
Dee Donahue, *Navy Headquarters, Tennessee*
Angela Dufield, *South Suburban Parks and Recreation, Colorado*
Rachel Ebaugh, *St. Andrews Parks and Playgrounds, South Carolina*
Ann-Marie Ely, *Hanscom Air Force Base, Massachusetts*
John English, *US Army Garrison Heidelberg, Germany*
Manuel Escobar, *Los Angeles County, California*
Michael, Estes, *Teton County Jackson Parks and Recreation, Wyoming*
Terry Evans, *Eglin Air Force Base, Florida*
Randall Fauteux, *Palm Beach County, Florida*
Chuck Finney, *Frances E. Warren Air Force Base, Wyoming*
Northbear Fragua, *Jemez Pueblo Community Wellness, New Mexico*
Yukiko, Fujimoto, *Iwakuni Marine Station, Japan*
Angie Gadososki, *Ellsworth Air Force Base, South Dakota*
Angie Gardner, *City of Mason, Ohio*
Mike Gleason, *Salina Area Youth Sportsmanship Initiative, Kansas*
Todd Goodwin, *City of South Burlington, Vermont*
Jere Gunderman, *City of Clearwater, Florida*
David Guthrie, *US Marine Air Corp Station Cherry Point, North Carolina*
Kevin Halligan, *Andersen Air Force Base, Guam*
Al Hondo Handy, *Town of Ocean City, Maryland*
Kevin Hansen, *McGuire Air Force Base, New Jersey*
Dan Harrison, *Lehi City, Utah*
Jason Hayward, *City of Patterson, California*
Terry Henderson, *US Army Garrison Fort Knox, Kentucky*
Jim Henegar, *City of Boca Raton, Florida*
Joe Hoffman, *City of Anniston, Alabama*
Brenda Holmes, *Luke Air Force Base, Arizona*
Love Ishie, *Charleston County, South Carolina*
Tim Jerome, *Town of Hamburg, New York*
Marty Johnston, *City of Savannah, Georgia*
Sheron Jones, *Miramar Marine Corp Station, California*
Keith Jones, *Homewood-Flossmoor Park District, Illinois*
John Judnich, *City of Grand Rapids, Michigan*
Danny Kapales, *City of Jonesboro, Arkansas*
Tim Kerbs, *City of Salina, Kansas*
Jason Kozerski, *Camp Butler Marine Base, Japan*
Adam Laughlin, *Highlands Ranch Community Association, Colorado*
Nicole Lindgren, *Minot Air Force Base, North Dakota*
David Ludington, *City of Gaithersburg, Maryland*
Kristen Maiden, *Village of Evandale, Ohio*
John Martinez, *City and County of Denver, Colorado*

Continued on next page

Acknowledgements

John Massey, *Charleston County*, South Carolina
Omar Matos, *Goodfellow Air Force Base*, Texas
Donna McGrath, *US Army Headquarters*, Virginia
Jake Meneley, *City of Merced*, California
Adam Metz, *Ralph J. Stolle Countryside YMCA*, Ohio
Christopher Miller, *US Marine Corp Air Station New River*, North Carolina
Isaiah Mincks, *Yokosuka Navy Base*, Japan
Debbie Monfre, *Scott Air Force Base*, Illinois
Mike Moran, *City of Iowa City*, Iowa
Joe Munger, *City of Miramar*, Florida
Dennis Neal, *Diablo Valley Youth Football*, California
Glenn Neumann, *Camp LeJeune Marine Base*, North Carolina
Jill Nunes, *Highlands Ranch Metro District*, Colorado
Renee Nunez, *City of Pembroke Pines*, Florida
Jeff Odom, *Tri-Command Marine Base*, South Carolina
Leslie Orlowski, *US Army Garrison Heidelberg*, Germany
Tim Orvin, *St. Andrews Parks and Playgrounds*, South Carolina
Jeff Owens, *City of Jonesboro*, Arkansas
Jerry Penyin, *City of Strongsville*, Ohio
Olivia Perea, *Los Angeles County*, California
Sandy Phillip, *Seymour Johnson Air Force Base*, North Carolina
Shawn Michelle Phillips-Nielson, *Murray City*, Utah
Craig Plowman, *US Army Garrison Fort Jackson*, South Carolina
Martin Rascon, *Los Angeles County*, California
Ryan Reckley, *City of Boca Raton*, Florida
Joe Rosselli, *29 Palms Marine Base*, California
Satoru Sakumoto, *Camp Butler Marine Base*, Japan
Estevan Sando, *Jemez Pueblo*, New Mexico
Margaret Senecal, *Langley Air Force Base*, Virginia
Kristofor Sewer, *Palm Beach County*, Florida
Guy Smith, *City of Richland*, Mississippi
Richard Smith, *Camp Pendleton Marine Base*, California
Lorenzo Smith, Jr., *King George County*, Virginia
Michael Steele, *Palm Beach County*, Florida
Stephanie Stephens, *Colorado Parks and Recreation Association*, Colorado
Daniel Sullivan, *Oxford Township*, Michigan
Dale Thompson, *US Marine Headquarters*, Virginia
Dawn Thompson, *Grand Forks Air Force Base*, North Dakota
Brian Todd, *Charleston County*, South Carolina
George Topoll, *Union Township*, Indiana
Gerald Torres, *Minot Air Force Base*, North Dakota
Ray Torres, *Laughlin Air Force Base*, Texas
Marc Trent, *Hutchison Recreation Commission*, Kansas
Douglas Triplett, *US Army Garrison Fort Knox*, Kentucky
Eric Van Hevel, *City of Mt. Pleasant*, Michigan
Harold Voelker, *Town of Davidson*, North Carolina
Brent Walker, *Grant County*, Kansas
Chuck Williams, *McChord Air Force Base*, Washington
Carl Williams, *Miami-Dade County*, Florida
Roy Williams, *Los Angeles County*, California
Bruce Wineman, *West Bloomfield Jewish Community Center*, Michigan
Brian Wofford, *Florence County*, South Carolina
Ever Wong, *Camp Butler Marine Base*, Japan
Edward Wood, *Colonel Town Recreation*, New Hampshire
Denise Wood, *Colonel Town Recreation*, New Hampshire
Kimberly Woodward, *Pennsylvania Recreation and Park Society*, Pennsylvania
Lori Wyant, *Quantico Marine Base*, Virginia
David Yates, *Town of Hudson*, New Hampshire

In addition, special appreciation is extended to the following individuals for facilitating the re-examination of these National Standards for Youth Sports during a special working session at the International Youth Sports Congress in December, 2007.

Dr. Michael Gray, Northern Kentucky University
Dr. Julie Partridge, Southern Illinois University Carbondale
Dr. Daniel Wann, Murray State University

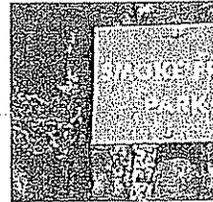
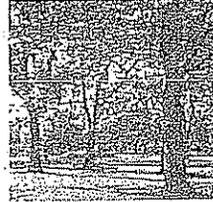
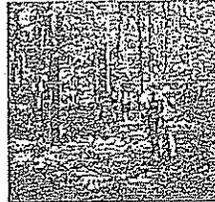
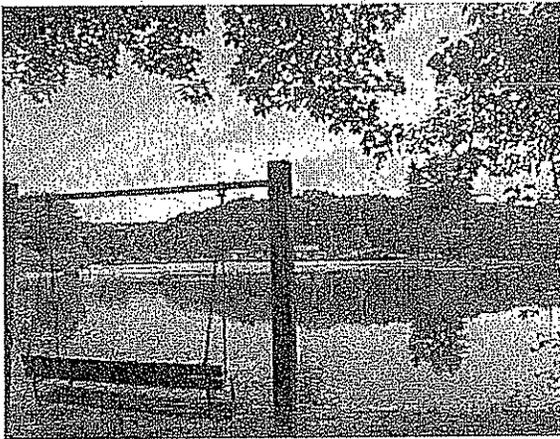
National
ALLIANCE
For Youth Sports

2050 Vista Parkway
West Palm Beach, Florida 33411
561-684-1141
800-688-KIDS

NAYS.org



Making Our Parks Tobacco-Free



A Toolkit sponsored by the Tolland County
Community Health Action Response Team

Introduction

CHART is a community coalition established through the Community Transformation Grant received by Eastern Highlands Health District (EHHD) in 2011 to promote active living, tobacco-free living, healthy eating, and clinical preventive services throughout Tolland County. Tolland County towns include Andover, Ashford, Bolton, Chaplin, Columbia, Coventry, Ellington, Hebron, Somers, Stafford, Tolland, Union, and Willington.

The CHART is made up of representatives from health care organizations, business, community organizations, education, early childhood education groups, family resource centers and representatives from different municipal programs and departments who are committed to the vision of a community where good health and wellbeing are possible for all residents.

Based on the Tolland County's community health needs assessment some the towns show a higher prevalence from the state benchmark (45.5/100,000) for lung cancer and chronic lower respiratory disease and these figures impact figures for years of potential life loss. With these figures in mind, EHHD and CHART want to make every effort to provide health education outreach and support to all Tolland County municipalities that decide to go smoke-free in all public areas which are used by a large segment of the county's residents.

You will find a list of all of the organizations that compose our CHART group on page 23.

For more information or to learn about the Tolland County Community Transformation initiative, contact the Eastern Highlands Health District (860) 429-3325 or ehhd@ehhd.org

Purpose of the Toolkit

The purpose of this toolkit is to give the reader strategies to develop tobacco-free policies in outdoor public spaces, methods to approach policy makers, examples of tobacco-free policies/ordinances that can be used as a guide for implementation, and examples of signage. A brief summary of research is presented, which supports why tobacco-free public places are important from a health, environmental, and economic perspective. The goal is that the reader will use this toolkit as a guide for developing policies/ordinances, and work with local elected officials who can adopt them.

Table of Contents

Introduction

Purpose of the Toolkit

Letters from the Directors of Health

Why are Tobacco-Free Parks Important?

Fact or Fiction?

What is the ENVIRONMENTAL IMPACT caused by tobacco?

What is the HEALTH IMPACT caused by tobacco?

What is the IMPACT ON YOUTH caused by tobacco?

How to Get Started: Developing your Tobacco-Free Park Policy

What is the difference between a policy and an ordinance?

Tobacco Policy Survey Sample

Sample Smoke Free Policy

Sample Smoke Free Ordinance

ALA Letter of Support for Local Ordinance

ALA Support Memorandum

Sample Signage

Enforcement

Spreading the Word

Press Release Template

Sample Public Address Announcement or Public Service Announcement

Using Social Media

CDC Best Practices for Preventing Tobacco Use

Local Resources and Cessation Services

State and National Resources

Community Health Action Response Team (CHART) Partner Organizations

References

Letters from the Directors of Health



Dear Park and Recreation Directors, Elected Officials, and Other Interested Parties:

Tolland County is noted throughout the state for its beautiful outdoor recreational opportunities. Our public parks are maintained for the use and enjoyment of our families and visitors. Making these parks tobacco-free makes sense. It protects users from the well-documented dangers of secondhand smoke, eliminates unsightly and unhealthy litter, and gives our residents the opportunity to model tobacco-free behavior – a powerful tool in teaching our children how to be healthy adults. What better place to model healthy behavior than the very places that provide opportunity for active living?

Tobacco-free public parks are becoming the norm in more and more places across the state and nation. Ellington, Colchester, East Lyme, Montville, Wallingford and Windham, as well as 839 other US cities and the entire state of Oklahoma have already adopted smoke- or tobacco-free park policies.[1] We hope that you will consider joining them. This toolkit provides information that will put you on the path to adopting your own tobacco-free ordinance or policy. For more information, contact us at the Eastern Highlands Health District or at the North Central District Department of Health.

Sincerely,

Robert Miller, MPH, RS
Director of Health, Eastern Highlands Health District
Fiduciary, Tolland County Community Transformation Initiative

Michael Pirro, MPH, MPA, RS
Director of Health
North Central District Department of Health

Why are Tobacco-Free Parks Important?

Presenting evidence to stakeholders and local government officials is critical when establishing new public policy. Several areas of evidence related to outdoor tobacco or smoke-free policies in municipal places are generally presented. These “talking points” can be important when writing letters to elected officials and other decision makers. We offer you the following data.

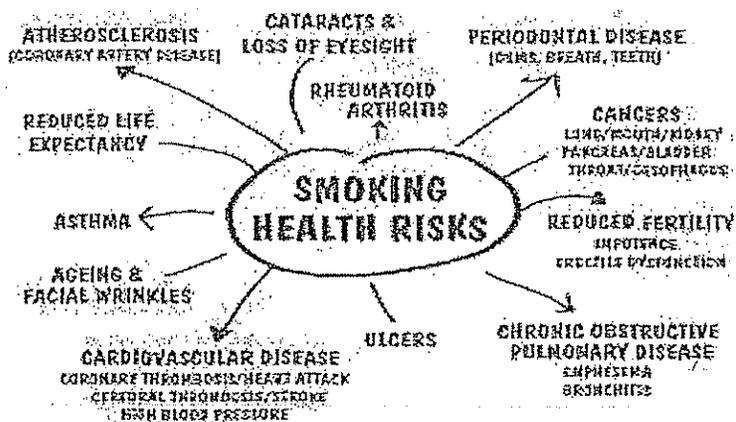
1. Tobacco use is the single largest preventable cause of disease and premature death in the U.S.[4] Healthcare costs in Connecticut directly caused by smoking amount to \$1.63 billion annually, not including costs associated with secondhand smoke, smoking-caused by fires, spit tobacco use, or cigar and pipe-smoking.[5] This is a burden borne by all of us, whether taxpayers, employers, or consumers.

2. In 2010, the U.S. Surgeon General’s report concluded that there is no safe level of exposure to secondhand smoke; breathing even a little indoor or outdoor secondhand smoke is not safe. Secondhand smoke (also known as environmental tobacco smoke) is a combination of the smoke from the end of the cigarette and the smoke breathed out after each cigarette puff. When you are around people who smoke, you inhale the same 4,000 dangerous chemicals in cigarette smoke, including more than 70 chemicals that cause cancer. These include benzene, toluene, lead and arsenic, just to name a few. Filtering air, opening windows and separate “no smoking” sections do not provide protection from secondhand smoke.

3. Health risks due to exposure to second hand smoke and tobacco smoke particulates include:

➤ Babies who are more likely to die of sudden infant death syndrome (SIDS), possibly because, during pregnancy, many of the compounds in secondhand smoke change the way a baby’s brain develops.

➤ Children are also more likely to have lung problems, ear infections, and asthma from exposure to secondhand smoke.



Source: www.dreamstime.com

➤ The U.S. Environmental Protection Agency has classified secondhand smoke as a Class A Carcinogen along with benzene, radon, and asbestos. Breathing in secondhand smoke increases the chances of getting lung cancer by 20 to 30 percent.

- Adults exposed to tobacco smoke are more susceptible to heart attacks and stroke. This is because breathing secondhand smoke changes how the heart, blood, and blood vessels function (blood platelets stick together), the lining of the blood vessels becomes damaged, and adults who are continuously exposed to secondhand smoke have higher "bad" cholesterol making them more susceptible to heart attacks and strokes.
- Public parks are designed to promote active living. Common sense tells us that smoking has no place in an environment that offers playgrounds, ball fields, and walking trails. We have leash laws and laws against drinking in public, designed to promote a safe and healthy environment. Tobacco-free ordinances are intended to do the same.
- Tobacco-free parks model healthy behavior for our children. Research Source: www.dreamstime.com shows that smoking in public places decreases the chances that kids will use tobacco. Policies reinforce the fact that smoking is not a healthy behavior. Every year more than 350,000 kids in the U.S. start smoking, and roughly one third of them will die prematurely from a disease caused by smoking. [3]
- Outdoors, smoke can be smelled 23 feet away, and if someone can smell it, they are inhaling cancer-causing and toxic chemicals.[6] The 2010 Surgeon General's report concluded there is no safe level of exposure to secondhand smoke. The report also concluded that tobacco smoke contains a mixture of more than 70 chemicals that cause cancer.[7]
- Cigarettes are the most littered item in the United States and the world. A single cigarette filter can take 5-10 years to decompose, and in the meantime it is leaching toxins into the soil and water. Ingested cigarette butts can be toxic to children and wildlife, and increase park maintenance costs. [6]
- Discarded cigarettes are the third leading cause of preventable outdoor fires.[2]



Source: Google Images

Fact or Fiction?

You will find below statements that are commonly used in consideration of adopting tobacco-free policies. Some are facts and some are just fiction.



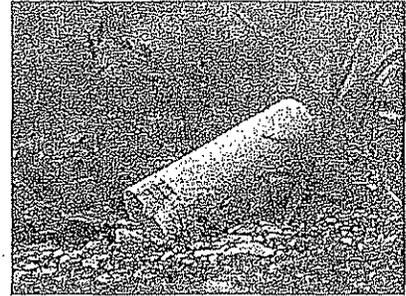
Fact	Fiction
Cigarette filters are composed of cellulose acetate, a form of plastic, which is not biodegradable.	Discarding cigarette butts on the ground doesn't hurt anything.
Secondhand smoke can linger in the air and once inhaled poses health risks to children and adults.	Smoking outside doesn't harm people.
Signage and education play a large role in preventing tobacco use in play areas and other restricted areas.	It's impossible to prevent people from smoking in parks and recreational facilities.
People visit parks to enjoy clean air and natural beauty, less environmental smoke and litter will encourage people to visit.	Fewer visitors will come to a tobacco-free park.

Adapted from: <http://www.columbus.gov/smoke-free-housing-toolkits.aspx>

What is the ENVIRONMENTAL IMPACT caused by tobacco?

Some are listed below.

- Cigarette butts are the most common form of litter. [8]
- At beach cleanups, cigarette butts are the most common form of trash found.[9]
- Within an hour of contact with water, cigarette butts can begin leaching chemicals such as cadmium, lead and arsenic into the marine environment. Cigarette butts have been found in the stomachs of fish, whales, birds and other marine animals, leading to ingestion of hazardous chemicals and digestive blockages.[10]
- Cigarette butts not properly extinguished can cause fires.
- Clean-up of tobacco litter from recreational areas is costly to taxpayers.



Source: Google Images

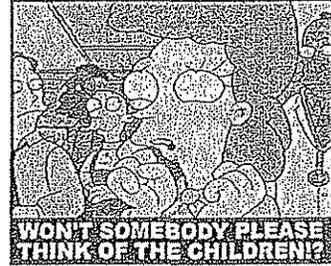
What is the HEALTH IMPACT caused by tobacco?

Some are listed below but there is a growing body of evidence that has been directly linked to tobacco use and exposure.

- The U.S. Environmental Protection Agency has classified secondhand smoke as a Class A Carcinogen, placing it in the same category as radon, benzene, and asbestos.[11]
- Secondhand smoke contains more than 4,000 substances, over 40 of which are known to cause cancer in humans and many of which are strong irritants.[11]
- The Surgeon General has declared that there is no safe level of secondhand smoke.[12]
- Small amounts of secondhand smoke can trigger allergies, asthma attacks and other breathing problems. [11]
- Because their lungs are smaller, children breathe in 50% more air pollution than an adult. They are more susceptible to the dangers associated with tobacco smoke even if outdoors.[11]
- A person sitting or standing next to a smoker outdoors can breathe in wisps of smoke that are many times more concentrated than normal background air pollution levels.[13]
- Stepping on cigarette butts can result in burns.

What is the IMPACT ON YOUTH caused by tobacco?

- Discarded cigarette butts contain the tars absorbed by the filter and levels of bacteria from smoker's mouths and lungs, thus posing a health hazard to small children who routinely tend to pick up items off the ground and place them in their mouths.
- American Poison Control Centers reported that over 5,162 children under the age of five were poisoned by the ingestion of cigarette butts in 2011.[8]
- Tobacco use in family-friendly places such as playgrounds, parks, and athletic events, models unhealthy behavior and normalizes the use of tobacco. When children see adults smoking, they see smoking as acceptable.

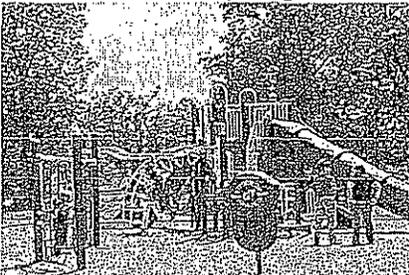


Source: Google Images

How to Get Started: Developing your Tobacco-Free Park Policy



Source: Google Images



- Consider surveying park users to determine their thoughts. Besides providing insight on the level of support for tobacco-free parks in your community, it can also be helpful in identifying individuals interested in leading a campaign. Surveys can also be helpful later, in evaluating the success of your policy.

- Develop your policy, using one of the sample policies included in this packet, or one of the many available online.
- Consider developing an enforcement policy. Many towns have determined that voluntary compliance is sufficient.

- Develop a plan to notify and educate the public.

Publicize the new policy through the media. A sample press release is included in this packet. Post signs at all entrances and in strategic areas throughout the park.

What is the difference between a policy and an ordinance?

Policy – a general term for a local government action that is legal, binding and enforceable.

Ordinance – an act of local legislation that often includes a civil penalty or monetary fine up to a certain amount of money.

Other terms that may be helpful:

Referendum – A direct vote where voters in a given jurisdiction either accept or reject a particular proposal (e.g., adoption of a smoke-free policy); proposals are referred to the ballot by the local governing body or by the state legislature or placed on the ballot through a citizen petition process.

Binding – Permanent and able to regulate those who enter the outdoor area.

Enforceable – Clear enforcement responsibility for controlling tobacco use in outdoor areas and clear ramifications such as monetary fines (civil penalties).

Rules – Rules are NOT enforceable. They are meant as general guidelines for behavior and use of parks and beaches, etc. Those that fail to comply may end up violating another ordinance such as trespassing or failing to follow instructions of a peace officer.

Legal – Originating from a local government body that has power over the outdoor area.

Preemption – The existence of a state law that precludes stronger local laws; can prevent implementation of smoking bans or restrictions.



Source: Google Images

Tobacco Policy Survey Sample

(Adapted from City of Redding, California Smoking Policy Survey, September 2012 and Ringgold County, Iowa Public Health Parks Survey, 2010)

What is your gender? Male _____ Female _____ Other _____

What is your age? Under age 18 _____ Over 18 _____

Do you reside in (insert name of town)? Yes _____ No _____

How often do you visit a (insert name of town) park?

At least once a week _____ At least once a month _____ At least once a year _____

Does it bother you when people smoke in recreational areas? Yes _____ No _____

Does it bother you to see cigarette litter in recreational areas? Yes _____ No _____

Do you favor or oppose a tobacco-free policy at parks in (insert name of town)?

Strongly favor _____ Somewhat favor _____ Somewhat oppose _____

Strongly oppose _____ Don't care _____ Don't know _____

How strongly do you agree that kids act the way they see older teenagers and adults acting?

Strongly agree _____ Somewhat agree _____ Somewhat disagree _____

Strongly disagree _____ Don't know _____

Do you think keeping youth from starting to use tobacco products is important?

Yes _____ No _____

Would you support a policy for parks in (insert name of town) to be tobacco free?

Yes _____ No _____

Do you think there would be a lot of opposition to a policy making all parks in (insert name of town) tobacco-free? Yes _____ No _____

When was the last time you used a tobacco product, including cigarettes, chew, snuff, cigars, etc.?

Never _____ In the last week _____ In the last year _____

In the last five years _____ Longer than five years ago _____

Sample Smoke Free Policy



TOWN OF WINDHAM RECREATION DEPARTMENT

SUBJECT

Town of Windham "Tobacco-Free Parks" Policy

POLICY STATEMENT

The Town of Windham is committed to the quality of life for all residents, therefore, we believe that:

1. Tobacco product use in the proximity of children, youth and adults engaging in or watching recreational activities is unhealthy and detrimental to the health of others.
2. Tobacco products once consumed in public spaces are often discarded on the ground, thus posing a risk of ingestion to toddlers and causing a litter problem.
3. As parents, leaders, coaches, and officials we are thought of as role models, and the use of tobacco products around youth has a negative effect on their lifestyle choices.

TOBACCO-FREE FACILITIES

No person shall use tobacco products on town-owned parkland, park facilities, recreation facilities, open space, trails or outside the immediate entrance to these facilities.

COMPLIANCE PROCEDURES

The emphasis on enforcing the Tobacco-Free park policy is through voluntary compliance:

1. Signs will be posted on appropriate town-owned parkland, park facilities, recreation facilities, open space and trails.
2. Town staff will make periodic observations of activity sites to monitor compliance.
3. The community, especially facility users, will be notified of this policy through various communication channels.

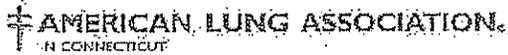
Date of Adoption: 04/03/12

Sample Smoke Free Ordinance

NO SMOKING ORDINANCE

1. No person shall use, carry or smoke a lighted cigarette, cigar, cigarillo, pipe or use cannabis-type substance including marijuana, as defined in Connecticut General Statutes Section 21a-240, in any form in or upon any building, park, playground, recreation area, athletic facility, trail, beach or area of assembly owned, leased or controlled by the Town of Ellington as may be specifically designated by the Ellington Board of Selectmen, provided however, that signs with letters at least four (4) inches in height are posted in the area such as to reasonably warn persons that the area is subject to this No Smoking Ordinance.
2. Violation of this Ordinance shall constitute an *Infraction* as defined in Connecticut General Statute Section 51-164n and/or may be punishable by a fine of not more than \$90.00 pursuant to the Citation Ordinance of the Town of Ellington.
3. Members of the Ellington Police Department shall be charged with the enforcement of this Ordinance and may issue an *Infraction Summons* or a Citation under the Ellington citation Ordinance. Additionally, agents and employees of the Town of Ellington and coaches or officials participating in any athletic event in or upon any Town-owned athletic or recreation facility are authorized to enforce this ordinance through the exclusion of violator from the athletic event or recreational facility.
4. This Ordinance shall be effective 21 days following publication of a notice of adoption by Town Meeting pursuant to Charter Section 505.

ALA Letter of Support for Local Ordinance



95 Galt St.
East Haven, CT 06424
Tel: (203) 333-2401
Fax: (203) 269-5025

1-800-558-LUNG
lungn6.org

State
Erin P. Connors, Esq. (Secretary)

Deputy
Lynne Albertson (Secretary)

Executive Director
John P. Connors (Secretary)

Public Affairs Director (Secretary)

Health Center (Nurse)

Screening Unit (Nurse)

Chief of Education, Air (Coordinator)

Community Outreach (Nurse)

Chief of Health (Secretary)

Health Care (Nurse)

John A. Hagan, MD, MPH (Coordinator)

Dr. Susan (Nurse)

Michelle Sanchez, MD (Nurse)

Clare Spivack (Nurse)

Patricia Shattuck, PhD (Nurse)

James T. Smith, Esq. (Nurse)

John J. Smith, PhD (Nurse)

Testimony of the American Lung Association in Connecticut in Support of the Town of Ellington's Proposed new No Smoking Ordinance

July 8, 2013

Town of Ellington, Board of Selectmen
Ellington Town Hall, 55 Main Street
Ellington, CT 06029

Town of Ellington's Board of Selectmen

My name is Ruth Cahovi and I serve as the Manager of Public Policy at the American Lung Association (ALA) in Connecticut. The American Lung Association is a not-for-profit public health association dedicated to fighting lung disease through research, education and public policy. Thank you for holding this important hearing. I would like to voice our strong support for this new proposed No Smoking Ordinance in the Town of Ellington, which would make the Town of Ellington's buildings, parks, playgrounds, recreation areas, athletic facilities, trails, beaches and other areas of assembly smokefree.

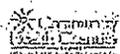
The fact is that tobacco remains one of Connecticut's largest public health threats. In fact, despite our successes, tobacco still is responsible for killing more CT residents each year than AIDS, drugs, homicide and suicide COMBINED.

We believe that the decision makers must now turn their attention to preventing CT residents from being exposed to secondhand smoke. We know that secondhand smoke kills; in fact secondhand smoke causes approximately 55,000 deaths per year among nonsmokers in the United States.

In 2006, the United States Surgeon General released a groundbreaking report declaring there is "no risk-free level of exposure to secondhand smoke. Breathing even a little secondhand smoke can be harmful to your health." Additionally, the U.S. Environmental Protection Agency (EPA) classifies secondhand smoke as a "Group A" known carcinogen. This category is reserved for the most dangerous cancer-causing chemicals and includes such toxins as benzene and asbestos. Nationwide, secondhand smoke is responsible for 3,000 lung cancer deaths per year in nonsmokers. Anyone exposed to secondhand smoke during everyday activities faces a much higher lifetime risk of lung cancer.

Secondhand smoke has also been scientifically linked to contributing to and causing dozens of diseases and illnesses including asthma, heart disease, respiratory tract infections and ear infections. It worsens asthma conditions

1-800-LUNG USA
lungn6.org



and has been linked to being a significant cause of early childhood asthma. Furthermore, nationwide secondhand smoke exposure is responsible for over 250,000 new cases of bronchitis and pneumonia in children aged 18 months and under, which results in 15,000 hospitalizations a year.

We strongly support the RIGHT of all CT residents to breathe healthy air in public spaces. People should not have to choose between enjoying public places and breathing healthy air. These are places where children and their families congregate and secondhand smoke exposure should be limited. Instituting smokefree public spaces such as parks, trails and beaches is an especially important issue for children's health. Because their lungs are so much smaller, children breathe in 50% more air pollution than adults. As a result, they are more susceptible to the dangers associated with tobacco smoke, even if outdoors.

For an individual with asthma, just walking through a cloud of secondhand tobacco smoke is enough to trigger an asthma attack. Laws such as these which limit exposure to secondhand smoke are important health initiatives which could reduce hospital visits.

Research has also shown that just sitting near a smoker outdoors, individuals are exposed to air pollution levels that are significantly higher than normal background air pollution levels.

Beyond the very real public health benefits of this proposal, its implementation will also reduce the most common form of litter in our parks and beaches, cigarette butts. I think we could all agree that cleaner, greener parks, fields and trails are something that we would all support.

In closing, I urge you to support this ordinance that would substantially reduce the danger of secondhand smoke exposure in many of the town's public space.

We all have the right to breathe clean and health air.

Thank you,



Ruth Canovi, Public Policy Manager
American Lung Association in Connecticut

ALA Support Memorandum



Memorandum in Support

**Smoke-Free Public Spaces Including Parks,
Playgrounds and Beaches**

Purpose: To help protect public health and well-being through passage of legislation which restricts the locations in which individuals subject others to the deadly effects of secondhand smoke.

Statement in Support: The American Lung Association in New York supports legislation which removes pollutants from an environment where children and families enjoy recreational activities. Because their lungs are so much smaller, children breathe in 50% more air pollution than an adult. Thus, they are more susceptible to the dangers associated with tobacco smoke --even if outdoors.

If enacted into law, this legislation could mean the difference of having an asthma attack or not for those individuals who recreate in areas that the bill would cover. Tobacco smoke is a known asthma trigger.

Discussion: Secondhand tobacco smoke kills. In fact, secondhand smoke is responsible for 2,500 deaths each year in New York. In 2006, the United States Surgeon General released a report declaring there is "no risk-free level of exposure to secondhand smoke. Breathing even a little secondhand smoke can be harmful to your health." Additionally, the U.S. Environmental Protection Agency classifies secondhand smoke as a "Group A" (known carcinogen). This category is reserved for the most dangerous cancer-causing chemicals and includes such toxins as benzene and asbestos. Nationwide, secondhand smoke is responsible for 3,000 lung cancer deaths per year in nonsmokers. Anyone exposed to secondhand smoke during everyday activities face a much higher lifetime risk of lung cancer.)

Secondhand smoke has also been scientifically linked to contributing and causing dozens of diseases and illnesses including asthma, heart disease, respiratory tract infections and ear infections. **Secondhand smoke worsens asthma conditions and has been linked to being a significant cause of early childhood asthma.** Just walking through a cloud of secondhand smoke could be enough to send someone with asthma to a hospital emergency room.

For these reasons, the American Lung Association in New York SUPPORTS efforts to reduce the dangerous effects of secondhand smoke on the public through the passage of appropriate legislative efforts, such as this.

For more information contact: Michael Seilback, Vice President Public Policy & Communications, American Lung Association of the Northeast, 631.415.0946 or mseilback@LungNE.org

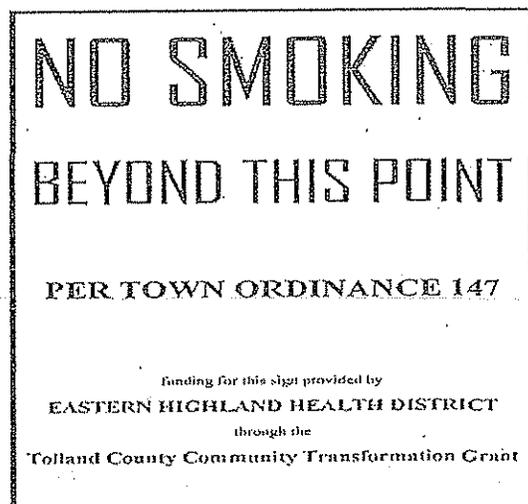
Sample Signage



Towns of Coventry, Mansfield, Tolland, Scotland, and Chaplin



Town of Coventry signs for hiking trails



Town of Ellington

Enforcement

"But how can we enforce it?" is a question often asked by town officials when presented with a tobacco-free parks ordinance. The answer is *"You don't need to."*

Community education, prominent and clear signage, and staff education are usually adequate for successful implementation of a tobacco-free policy/ordinance. According to the California Clean Air Project, "a critical component in addressing smoking in parks is to create an environment that makes the law known to park users. It is important to publicize the law in as many forms of media as possible—especially through City Parks and Recreation Departments."

Ringgold County in Iowa reported that tobacco-free park policies are generally self-enforcing. "Many tobacco users look for 'no tobacco' or 'no smoking' signs. Those using the property also feel comfortable offering friendly reminders to others who may be unaware of park rules." A local example is the Town of Windham which has a no smoking policy that is based on 'voluntary compliance'.

Only 17% of adults in Connecticut use tobacco. Thus, the majority of people who use park facilities do not use tobacco and may not wish to be exposed to secondhand smoke. Since smoking is already banned in many public places such as restaurants, bars and state buildings, many people who use outdoor recreation facilities would prefer that they are smoke-free and may welcome a tobacco-free policy/ordinance.

Additional tips for communicating your policy and thanking people for not smoking in municipal parks include:

- Submit articles to local newspapers promoting your tobacco-free parks policy.
- Remind residents of your policy when speaking at events, concerts, or other community events.
- Print your policy on lease agreements, letters to residents, on utility bills, etc.
- Include a personal message to residents in recreation brochures, annual reports and catalogs.
- Include a written statement in rule books, coaching guides, and other materials distributed to athletic leagues.
- Use national campaigns such as Kick Butts Day or the Great American Smoke Out to distribute fact sheets on second hand smoke, promote cessation programs, and highlight tobacco-free parks policy.
- Post policies on municipal and school websites.
- Use public access channels, school television, or other media outlets.
- Remind staff by including a statement in personnel handbooks or other orientation materials.

Spreading the Word

Press Release Template

[city name] Celebrates Tobacco-Free Parks

[city name], CT— [city name] announced a new policy to promote the health of residents using city parks –a tobacco-free policy.

The occasion will be marked by a tree planting at [name] park. Representatives from _____ to prevent tobacco use, a local public health policy program will be planting a tree at the park on [date] at [time].

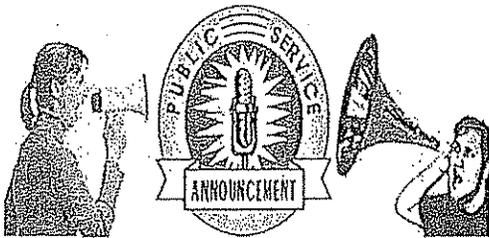


Source: Google Images

The policy affects all indoor and outdoor areas of the park, including parking lots. Tobacco users are welcome in the parks and can opt to either abstain, leave the grounds to smoke, or use nicotine lozenges while they're at the park. Policies like this preserve the right to clean air. While there is no legal right to smoke, the public does have a legal right to clean air. Secondhand tobacco smoke is a serious health hazard, and research has found that it is dangerous in outdoor areas too. There is no safe level of exposure to secondhand tobacco smoke.

About 50,000 – 60,000 nonsmokers die every year in the US because of secondhand tobacco smoke. Tobacco users who want to quit, can access many free services available through the Connecticut QUIT Line 1-800-QUIT-NOW.

Sample Public Address Announcement or Public Service Announcement



Source: Google Images

“As part of our effort to promote healthy lifestyles in our community, the [City name] Recreation Department would like to announce that all city parks and recreational facilities are now tobacco free! Chewing tobacco and smoking are not only deadly, but they also decrease lung power and weaken muscles, which leads to poor athletic performance. Exposure

to tobacco smoke can cause immediate illness and long term health consequences. So stay in top physical condition by enjoying our tobacco-free parks, and make the choice to be tobacco free!” For more information or to learn how to quit contact your local health department or health care provider .

Using Social Media

- 1) If your organization has a Facebook page, use it to promote messages that reinforce your decision to go tobacco free.
- 2) Use Twitter and re-tweeting messages (suggestions below)

Twitter is a social networking site (<http://www.twitter.com>). It offers a quick, inexpensive way to reach individuals and partners with timely health information and create a buzz (e.g., get people talking about a topic). Users send updates, or "tweets," that are 140 characters or less. Individuals can "follow" another user to see her/his updates.[15] To help your social media efforts, take time to browse Twitter content from the following three Twitter handles: @CDCTobaccoFree, @CDCObesity, and @MakingHealthEZ.



Source: Google Images

If you would like to use content from existing Twitter handles, it is recommended that you share as a "Re-Tweet" or "Modified Tweet".

- A *Re-Tweet* (RT) is when a tweet is shared without any changes. Twitter's Help Center has information on Re-Tweeting (<https://support.twitter.com/articles/20169873-how-to-retweet-a-tweet#>).
- A *Modified Tweet* (MT) is when a tweet is summarized or modified from someone else before sharing. If modifying a tweet, be sure not to change the tweet's intended message. Another option is to create a new tweet and give credit to the originator. [16][17]

Additionally, you may want to consider using relevant hashtags. Hashtags are key words or topics in a tweet. To create a hashtag, use the # symbol in front of a word or phrase. [18] CDC has a few hashtags on community health topics such as #BloodPressure, #Diabetes, #Smoking. A complete hashtag list can be found at <http://www.cdc.gov/socialmedia/Tools/Twitter-Hashtags.html>.

Social media tools, guidelines, and best practices for Twitter can be found at <http://www.cdc.gov/SocialMedia/Tools/guidelines>. For more information about this, contact your DCH Communication Technical Assistance provider or send an email to dchcommunicationteam@cdc.gov.

CDC Best Practices for Preventing Tobacco Use

Across the nation, cities and towns are making incredible strides to prevent tobacco use. For years, the U.S. National Preventive Council and the Centers for Disease Control and Prevention (CDC) have been evaluating what works on a local level. In 2010, an important set of recommendations based on these “best-practice or evidence-based” interventions was issued as part of the National Prevention Strategy.[19] Best practices for municipalities include:

- Encourage colleges and universities located in the community to adopt 100% smoke free policies.
- Make all community events (fairs, parades, farmers’ markets, etc.) smoke-free.
- Identify and monitor violation “hot spots”, where violators congregate.
- Consistently apply penalties (such as fees and/or fines) for citizens who violate tobacco/smoke free policies.
- Adopt a range of complementary anti-tobacco strategies, which includes aggressive media campaigns.
- Regulate point-of-sale tobacco displays, e.g., require the posting of health messages.
- Support a municipal ordinance to ban smoking in multi-unit housing.
- Educate housing providers about the benefits of smoke-free housing.
- Offer tax credits or other incentives for housing providers, to implement smoke/tobacco free policies.
- Regulate the sale of non-cigarette flavored tobacco products.
- Regulate the sale of tobacco products based on pack size.
- Regulate “roll your own” tobacco machines.
- Broaden the smoke/tobacco free base of support by collaborating with other health and wellness efforts, such as asthma programs and active living initiatives.
- Participate in state and local coalitions that promote anti-tobacco policies and smoking cessation programs.
- Target anti-smoking, anti-tobacco efforts at populations who are disproportionately exposed: children, African Americans, low income individuals and blue collar workers.
- Choose a variety of spokespersons to advocate for smoking policy reforms who are articulate, understand the issues and know what arguments the opposition will raise.

Local Resources and Cessation Services

Eastern Highlands Health District
4 South Eagleville Road
Mansfield, CT 06268
Contact Rita Kornblum at
kornblumrl@ehhd.org
www.ehhd.org

North Central District Department of Health
31 North Main Street
P.O. Box 1222
Enfield, CT 06083-1222
Phone: 860-745-0383
www.ncdhd.org

American Lung Association of Connecticut
www.lung.org/stop-smoking
1-800-LUNGUSA or [1-800-586-4872](tel:1-800-586-4872)

State of Connecticut Quit Line
1-800-QUIT-NOW

State and National Resources

- **Connecticut Department of Public Health – Tobacco Use Prevention and Control Program**
Phone: 860-509-8251, dphtobacco@ct.gov or go to: www.ct.gov/dph/tobacco
- **Campaign for Tobacco-Free Kids:** www.tobaccofreekids.org
- **CDC Tobacco Free Sports Initiative:** www.cdc.gov/tobacco/sports/index.htm
- **Tobacco-Free Youth Recreation:** www.tobaccofreeparks.org
- **Tobacco-Free Parks: For a Healthy Community** – policy implementation resources from Minnesota such a model policies, fact sheets, policy guides and examples of signage. Available at: <http://www.tobaccofreeparks.org/materials.html>
- **Model Ordinances:** www.changelabsolutions.org/landing-page/secondhand-smoke
- **Smoke Free Coalition one pager:**
www.nycsmokefree.org/sites/default/files/wysiwyg/docs/Citywide/vol_0a_factsheet_nyc_5.17.2013.pdf
- **Partnership for Prevention – Smoke-Free Policies: Establishing a Smoke-Free Ordinance to Reduce Exposure to Secondhand Smoke in Indoor Worksites and Public Places - An Action Guide.** (October, 2007), Washington, DC: www.prevent.org
- **U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health [2006].**
www.Surgeongeneral.gov/library/secondhandsmoke

-
- **American Lung Association.** Secondhand Smoke Fact Sheet:
www.lungusa.org/site/pp.asp?c=dvLUK900E&b=35422
 - **National Cancer Institute.** Secondhand Smoke: Questions and Answers. Available at:
www.cancer.gov/cancertopics/factsheet/Tobacco.ETS

Community Health Action Response Team (CHART) Partner Organizations

- Eastern Highlands Health District
- North Central District Health Dept.
- American Lung Association, NE.
- Central AHEC
- Visiting Nurse and Health Services of CT
- VNA East
- ECHN Women's Services
- ERASE
- NECASA
- Mansfield Advocates for Children
- Coventry STEPS
- Chaplin CREW
- Scotland School Readiness
- Stafford Early Childhood Collaborative
- Vernon Youth Services
- Bolton Recreation
- Coventry Parks & Recreation
- Ashford Recreation
- Tolland Parks & Recreation
- UConn Club Sports Program
- Mansfield Parks & Recreation and Social Services
- Willington Recreation and Youth, Family & Social Services

References

- [1] "Get the Facts - no-smoke.org." [Online]. Available: <http://www.no-smoke.org/getthefacts.php>. [Accessed: 04-Apr-2014].
- [1] "Tobacco Free Parks - Policy Implementation Guide." [Online]. Available at: http://api.ning.com/files/rF76kE4CL0MAFpzNKJi8-0INPdnF1IOLxllVxMrL1o2qsFHJ7tps9jH3UbZO7zfjHwGOPu6GpLnJAHmjVGjVJv2SYAvtiAsf/TobaccoFreeParks_PolicyImplementationGuide_Final.pdf [Accessed: 04-Apr-2014].
- [3] Florida Department of Health, "Tobacco Affects us All," *Tobacco Affects us All*, 2014. [Online]. Available: <http://www.tobaccofreeflorida.com/Contents-13/Tobacco-Free-Beaches-and-Parks/>. [Accessed: 04-Apr-2014].
- [4] Connecticut Department of Public Health, "DPH: Tobacco Use Prevention & Control Program," 2014. [Online]. Available: http://www.ct.gov/dph/cwp/view.asp?a=3137&q=388060&dphNav_GID=1841. [Accessed: 04-Apr-2014].
- [5] Connecticut Department of Public Health, "DPH: Adults and Tobacco," 2013. [Online]. Available: <http://www.ct.gov/DPH/cwp/view.asp?a=3137&q=388052&dphNav=%7C>. [Accessed: 04-Apr-2014].
- [6] Lake County Health Department and Community Health Center, "Tobacco Free Lake County Smoke Free Laws and Policies." [Online]. Available: <http://health.lakecountyiil.gov/Population/Pages/Tobacco-Free-Lake-County-Smoke-Free-Laws-and-Policies.aspx>. [Accessed: 04-Apr-2014].
- [7] Centers for Disease Control and Prevention, "CDC - Fact Sheet - Health Effects of Secondhand Smoke - Smoking & Tobacco Use," 2014. [Online]. Available: http://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/health_effects/. [Accessed: 04-Apr-2014].
- [8] "CigaretteLitter.Org - The Facts About Cigarette Butts and Litter - Cigarette Litter." [Online]. Available: <http://www.cigarettelitter.org/index.asp?PageName=Home>. [Accessed: 03-Apr-2014].
- [9] "Ocean Conservancy: Homepage." [Online]. Available: <http://www.oceanconservancy.org/>. [Accessed: 03-Apr-2014].
- [10] "Keep Australia Beautiful Victoria - Sustainability Victoria." [Online]. Available: <http://www.sustainability.vic.gov.au/kabv>. [Accessed: 03-Apr-2014].
- [11] "US Environmental Protection Agency." [Online]. Available: <http://www.epa.gov/>. [Accessed: 03-Apr-2014].
- [12] Office on Smoking and Health (US), *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. Atlanta (GA): Centers for Disease Control and Prevention (US), 2006.
- [13] Stanford University, "Exposure to secondhand tobacco smoke in outdoor settings a risk, study shows," 02-May-2007. [Online]. Available: <http://news.stanford.edu/news/2007/may9/smoking-050907.html>. [Accessed: 03-Apr-2014].
- [14] A. Bronstein, D. Spyker, L. Cantilena, B. Rumack, and R. Dart, "2011 Annual Report of the American Association of Poison Control Centers' National Poison Data System (NPDS): 29th Annual Report," 2012.
- [15] Centers for Disease Control and Prevention, "CDC - Social Media Tools for Consumers and Partners - Twitter," 2014. [Online]. Available: <http://www.cdc.gov/socialmedia/tools/twitter.html>. [Accessed: 04-Apr-2014].
- [16] Groves, J, "RT, MT, HT, via: The Importance of Giving Credit on Twitter," 2011. [Online]. Available: <http://socialmediacertificate.net/2011/02/rt-mt-ht-via-the-importance-of-giving-credit-on-twitter/>. [Accessed: 04-Apr-2014].
- [17] Groves, J, "MT on Twitter: The ever-evolving social medium," 2011. [Online]. Available: <http://socialmediacertificate.net/2011/08/mt-on-twitter-the-ever-evolving-social-medium/>. [Accessed: 04-Apr-2014].

-
- [18] Twitter Help Center, "Using hashtags on Twitter," 2014. [Online]. Available: <http://support.twitter.com/articles/49309-using-hashtags-on-twitter#>. [Accessed: 04-Apr-2014].
- [19] U.S. Department of Health and Human Services, "National Prevention Strategy," 2011. [Online]. Available: <http://www.surgeongeneral.gov/initiatives/prevention/strategy/>. [Accessed: 04-Apr-2014].

This toolkit was developed by Shayla Ranmal, North Central District Department of Health, Jordana Frost and Rita Kornblum from Eastern Highlands Health District with content substantially modeled after with permission from the ACHIEVE New London County Coalition.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager
Date: August 25, 2014
Re: Use of Town Attorney Policy

Subject Matter/Background

The Town Council recently appointed Attorney Kevin Deneen of O'Malley, Deneen, Leary, Messina & Oswecki as Town Attorney. Staff and the Personnel Committee have documented the practice that will be used by employees and the Council when Town Attorney services are needed. While the policy is largely administrative in nature, Section IIIC specifically addresses how Council members may utilize Town Attorney services. As such, the Personnel Committee reviewed this policy at its July 21st and August 18th meetings and offered suggestions on the draft policy. At its August 18, 2014 meeting, the Personnel Committee endorsed the draft policy as presented.

Recommendation

While the Town Manager normally executes administrative policies, this policy does have a section (Section IIIC) that specifically applies to Council members. As a result, the Manager is seeking an endorsement from the Town Council on this policy prior to his executing the document. If the Town Council endorses this policy as presented the following motion is in order:

Move, to endorse the Use of Town Attorney Policy that will be executed by the Town Manager and take effect on September 1, 2014.

Attachments

- 1) Draft Use of Town Attorney Policy



TOWN OF MANSFIELD
POLICY MEMORANDUM - DRAFT

To: All Town Employees
From: Matthew W. Hart, Town Manager
Date: September 1, 2014 (Original)
Subject: Use of Town Attorney Policy

I. Purpose

This administrative policy is meant to provide guidance and procedures on the use of Town Attorney Services. Town Attorney services include but are not limited to: general legal advice; formal legal opinions; policy and ordinance development; review of contracts and agreements; dispute resolution; and representation of the Town in various litigation matters.

II. Effective Date

This policy shall be effective immediately and shall remain in effect until revised or rescinded.

III. Authorization Process

A. New Items. When a staff member has a new legal item that requires review by the Town Attorney, they must first seek written authorization from their department director or assistant department director in the department director's absence, and the Town Manager or Assistant Town Manager in the Town Manager's absence, in that order. Once full written authorization has been received, the staff member may contact the Town Attorney directly. The Town Manager or Assistant Town Manager in the Town Manager's absence may initiate and seek legal advice on a matter(s) without a Council directive or staff request if the matter(s) is in the best interest of the Town.

B. Ongoing Items. Once full authorization has been received for the open legal item, staff members may contact the Town Attorney directly. The Town Manager and Assistant Town Manager should be copied on electronic communications. Staff members are expected to use the Town Attorney services in a responsible manner. If an open legal item does not initially begin as litigation, but turns into a litigation matter, the staff member must immediately notify their department director or assistant department director in the department director's absence and the Town Manager and Assistant Town Manager. Litigation matters are generally billed to the Town on a per hour basis. As such, staff members are again expected to utilize the Town Attorney Services in a responsible manner.

C. Council Members. Per contract with the Town Attorney, only the Chair of the Personnel Committee shall have direct access to the Town Attorney and only for matters related to the Town Manager's employment. Should Council seek legal advice or assistance on other matters, they will agree by motion or consensus in open session of Council. The Council may also request legal advice in executive session, in accordance with state law. Those requests will then be handled on the Council's behalf by the Town Manager or his/her designee. Should

Council committees/sub-committees seek legal advice or assistance on matters, they will agree by motion or consensus in open session of the committee/sub-committee. Committees/subcommittees may also request legal advice in executive session, in accordance with state law. Those requests will then be handled on the Council's behalf by the Town Manager or his/her designee. For example, the Town Manager may direct the staff member assigned to the requesting Committee to follow through on the assignment.

IV. Review of Use of Town Attorney Services

The Town Manager or his/her designee will review all invoices submitted by the Town Attorney for accuracy and usage. Discrepancies or areas of concern will be addressed by the Town Manager's Office. Examples include legal items that did not receive full authorization or excessive use of Town Attorney services by a staff member.

V. Exceptions

Exceptions to this policy may only be authorized by the Town Manager when the circumstances warrant or when an emergency arises and full authorization was not immediately received prior to seeking counsel. Any such exception to this policy should be documented.

DRAFT

PAGE
BREAK



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Cherie Trahan, Director of Finance; Christine Gamache, Collector of Revenue, Amy Meriwether, Accounting Manager
Date: August 25, 2014
Re: Transfer of Foreclosed Property to Property Tax Suspense Book

Subject Matter/Background

Attached please find the proposed transfer of uncollected taxes to the property tax suspense book in the amount of \$2,362.75. Following the death of the mobile home owner, Jensen's mobile home park foreclosed on the home and auctioned it off as abandoned. As advised by Attorney Adam Cohen of the law firm of Pullman & Comley, who handles tax sales and similar matters for the Town, the judgment that was recorded terminates the Town's tax liens but does not extinguish the delinquent taxes. Since there are no surviving family members or estate to pay the tax, Attorney Cohen advises that the Council move these items to the suspense list now. This action would eliminate the need for the Town to send delinquent or lien notices regarding the subject property that are essentially non-collectible.

The Finance Committee will review this item at its meeting on Monday evening.

Recommendation

If the Finance Committee wishes to recommended approval of the transfers, the following motion would be in order:

Move, effective August 25, 2014, to transfer \$2,362.75 in uncollected property taxes to the Mansfield Property Tax Suspense Book, as recommended by the Collector of Revenue.

Attachments

- 1) Process Suspense Report, dated July 3, 2014

Process Suspense Report

TOWN OF MANSFIELD Date: 07/03/2014 Time: 15:45:45
 Condition (s): Year: , Type: 01 - RE, Order: Bill Number, Total Only: No, Recap by Dist: No

Bill #	Dst	Name	Code	Reason	Date	Town Due/Susp	Dist Due/Susp	Sewer Due/Susp	Total
2010-01-0004738	0	URQUHART LORRAINE EST OF REAL ESTATE			07/03/2014	704.36			704.36
		# Of Acct: 1							
YR : 2010		TOTAL : 1				704.36			
2011-01-0004781	0	URQUHART LORRAINE EST OF REAL ESTATE			07/03/2014	798.50			798.50
		# Of Acct: 1							
YR : 2011		TOTAL : 1				798.50			
2012-01-0004743	0	JENSEN'S INC REAL ESTATE			07/03/2014	821.74			821.74
		# Of Acct: 1							
YR : 2012		TOTAL : 1				821.74			
2013-01-0004730	0	JENSEN'S INC REAL ESTATE			07/03/2014	38.15			38.15
		# Of Acct: 1							
YR : 2013		TOTAL : 1				38.15			
Grand Total: 4						2,362.75			



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Cherie Trahan, Director of Finance; Amy Meriwether, Accounting Manager
Date: August 25, 2014
Re: WPCA, FY 2013/14 UConn Water and Sewer Budget

Subject Matter/Background

Attached is the proposed UConn water and sewer budget for FY 2013/14. The budget is based on actual water/sewer billings from New England Water Utility Services (NEWUS) for the period July 2, 2013 – April 8, 2014, as adjusted for prior year estimates.

The Finance Committee will review this item at its meeting on Monday evening.

Financial Impact

The proposed budget anticipates a reduction from FY 2012/13 billings primarily due to a duplication of charges to the four customers on the new pump station. UConn billed these customers directly for the period July 1, 2012 – June 30, 2013. In addition, \$25,211 in pump station capital and operating costs will be allocated to all customers in future budgets.

Recommendation

If the Town Council acting as the Water Pollution Control Authority (WPCA) approves the budget as proposed, the following motion would be in order:

Move, effective August 25, 2014, to adopt the FY 2013/14 UConn Water and Sewer budget as prepared by town staff.

Attachments

- 1) UConn Water and Sewer Enterprise Fund Estimated Budget
- 2) UConn Water and Sewer Enterprise Fund Comparison of Proposed Billing by Customer

TOWN OF MANSFIELD
UCONN WATER/SEWER ENTERPRISE FUND ESTIMATED BUDGETS

	2012/13 <u>Actual</u>	2013/14 <u>Proposed</u>
OPERATING REVENUES:		
Water/Sewer Charges	<u>\$110,184</u>	<u>\$84,938</u>
Total Operating Revenues	110,184	84,938
OPERATING EXPENSES:		
Pump Station Maintenance	4,845	20,366
Consultants		-
Water/Sewer Billings	91,533	94,640
Purchased Services & Supplies	3,721	5,110
Depreciation	<u>9,563</u>	<u>9,560</u>
Total Operating Expenses	<u>109,662</u>	<u>129,676</u>
Operating Income/(Deficit)	522	(44,738)
Retained Earnings, July 1	<u>317,472</u>	<u>317,994</u>
Retained Earnings, June 30	<u><u>\$317,994</u></u>	<u><u>\$273,256</u></u>

Notes:

UConn billed the 4 new customers directly in FY 2012/13, therefore we need to adjust their current billing for the duplication of \$15,591.

New Capital and operating pump station costs to be allocated to customers in future budgets, costs to date \$25,211.

UCONN WATER/SEWER FUND
COMPARISON OF PROPOSED WATER/SEWER BILLING
BY CUSTOMER 13/14 VERSUS ACTUAL 12/13

Account	FY 2012/13 Budget	FY 2013/14 Preliminary Budget	FY 2012/13 Adjustment	FY 2013/14 Proposed Budget	Budget Increase/ (Decrease)	%
Wrights A - Sewer Only	3,547	3,258	(925)	2,333	(\$1,214)	-34.2%
Wrights B - Sewer Only	1,009	1,023	(52)	971	(\$38)	-3.8%
Holinko - Sewer Only	12,257	11,213	(1,329)	9,884	(\$2,373)	-19.4%
Señior Center - Water and Sewer	1,216	1,115	(314)	801	(\$415)	-34.1%
Total Town of Mansfield	18,029	16,609	(2,620)	13,989	(4,040)	-22.4%
Wrights A - Water Only	3,463	3,169	(889)	2,280	(\$1,183)	-34.2%
Wrights B - Water Only	1,075	1,089	(44)	1,045	(\$30)	-2.8%
Holinko - Water Only	12,273	11,484	(1,191)	10,293	(\$1,980)	-16.1%
Total Mansfield Housing Authority	16,811	15,742	(2,124)	13,618	(3,193)	-19.0%
Mansfield Retirement Comm. (Juniper Hill) Water and Sewer	20,396	20,632	(752)	19,880	(\$516)	-2.5%
Mansfield Retirement Co-op (Glen Ridge) Water and Sewer	14,579	14,157	(1,261)	12,896	(\$1,683)	-11.5%
Center for Rehabilitation and Nursing Water and Sewer	26,393	23,413	(2,024)	21,389	(\$5,004)	-19.0%
Courtyard Condos	8,051	9,053	(8,051)	1,002	(\$7,049)	-87.6%
Post Office	911	535	(911)	(376)	(\$1,287)	-141.3%
University Plaza	5,140	7,532	(5,140)	2,392	(\$2,748)	-53.5%
Weeks Trailer Park	1,489	1,637	(1,489)	148	(\$1,341)	-90.1%
Total All Accounts	111,799	109,310	(24,372)	84,938	(26,861)	-24.0%

PAGE
BREAK

August 8, 2014

TO THE MANSFIELD TOWN COUNCIL

This letter is in strong support and continuation of the Mansfield Swap Shop. This service is desperately needed in this town most especially as the town seniors and students transfer from one living environment to another.

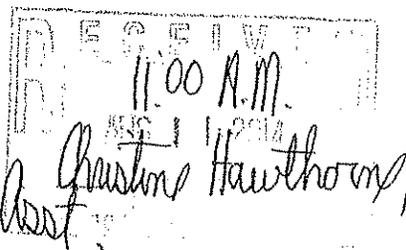
Over the years that our family has lived in Mansfield, we have used this service extensively. To be honest my husband always found more items that he "needed" than goods we brought to the shop. My children learn to share toys, games and books with others-they learned that what is old and boring to one is an exciting discovery to another.

The Swap Shop reflects the goals of this town: TO REDUCE, REUSE, RECYCLE!!!! Please continue your support of this important program.

Sincerely,



Patricia Hempel



RECEIVED
11:00 A.M.
AUG 11 2014
Christine Hawthorne,
Asst.

Print

Close

Swap Shop

From: **Saul Nesselroth** (snesselroth7882@charter.net)
Sent: Thu 7/24/14 11:11 AM
To: TownCouncil@mansfieldct.org

Council People, Please vote funds necessary to save the Swap Shop. In addition to helping save many items from going into landfill, it has been an important social service provider.

Thank you

Saul Nesselroth
157 Hillyndale Rd
Storrs/Mansfield, CT 06268

Untitled Message

charles prewitt [cprewittsr@yahoo.com]

Sent: Thursday, July 24, 2014 2:20 PM

To: Town Council

Keep the swap shop open.

Charles Prewitt Sr.

[Print](#)

[Close](#)

Swap shop

From: **Janet Jones** (456jjones@gmail.com)
Sent: Tue 7/08/14 9:06 AM
To: Betsy Paterson (betsy_paterson@hotmail.com)

Hi Betsy,

I really want to keep the Swap Shop. I think it is a great resource for everyone in town, rich and poor.

Will this be discussed publicly again? Should I write a letter? Should I speak before Council? If letter, to whom? What is the time line on it?

Thanks for all you do ... and continue to do....and continue to do.....

Hugs, Janet

[Print](#)

[Close](#)

Swap Shop

From: **Leslie Turner** (leslieturn3@gmail.com)

Sent: Mon 7/28/14 4:51 AM

To: TownCouncil@mansfieldct.org

Dear Council Members,

Please act to preserve the valuable asset of the Swap Shop at the Mansfield Transfer Station. I know SO MANY families who may not have been able to afford brand new items for their children, as they out grew sports equipment, toys, etc. Raising an only-child, many of the items my child outgrew, were still in wonderful condition. By donating these items to the Swap Shop, I was able to provide other children with toys, etc. in almost-perfect condition.

One of the things that makes Mansfield a wonderful and practical place to live is our famed Swap Shop. Don't dismantle a fine operation!

~Leslie

Swap Shop

Swap Shop

tulay luciano [tulayluciano@yahoo.com]

Sent: Friday, July 25, 2014 12:45 PM

To: Town Council; Town Mngr

Dear Councilors:

\$10.000 pay proposal: If we start paying to a volunteer, we may end up paying to the others. In Mansfield, there are so many volunteers who have been putting so many hours in volunteer works. Some of them are highly skilled, some of them involve risk to their lives. Are we ready to create a complex situation which does not exist now?

Job description: What is the town's liability whether the person is a volunteer or paid person? What is the job description of this volunteer position, kind of distributor of the donated items and what else? Volunteer or not, it is better to write a job description for this volunteer position, so that in future, there will not be any dispute or complications.

I would rather leave the things as they are. We have so much things going on in the town and its government. I do not want the attention is diverted from them.

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

[Print](#)

[Close](#)

Keep the Swap Shop open

From: **Brian Anderson** (banderson@Council4.org)

Sent: Thu 7/24/14 5:34 PM

To: 'TownCouncil@mansfieldct.org' (TownCouncil@mansfieldct.org)

To the Members of the Mansfield Town Council

July 24, 2014

Dear Mansfield Town Council Members,

I have recently heard a disturbing report that members of the Mansfield Town Council are considering closing down the swap shop at the town dump. I urge you to keep the swap shop open. In these days of a global warming crisis, it is vital for us to take every local step that we can to conserve and re-use. Many valuable items that can be re-used will simply end up in the dump, without a swap shop. This is particularly true in a university town. When students vacate campus and their apartments they often leave re-usable appliances, furniture and other things behind. Much of this ends up in the swap shop. Let's keep this environmentally friendly, pro-consumer town service going. Thank you for your consideration.

Brian Anderson

23 Ridge Road

Mansfield, CT 06268

Swap Shop

Swap Shop

JoAnn Robinson [joann.louiser@gmail.com]

Sent: Friday, August 15, 2014 11:32 AM

To: Town Council

Our family loves the Swap Shop. We take our grandkids shopping there several times a year and we use it to donate a few good-condition items. This is such a valuable asset to our green community. Why would you consider doing away with it?

JoAnn Robinson and Dave Russell

126 Bundy Lane

Storrs, CT

From: tulay luciano <tulayluciano@yahoo.com>
Sent: Friday, July 25, 2014 1:22 PM
To: Town Council; Town Mngr
Subject: RFP: Impact analysis of NextGen Connecticut

Dear Town Manager Hart and Mansfield Town Council Members:

Does the following quote below from the above mentioned RFP cover NextGen Ct's impact on our town and surrounding towns' natural resources and environment? If not, please consider adding the proper wording in the proposal. I do believe that the NextGen project will impact whole town and its surroundings. Please consider rephrase the section again.

"However, the Town also foresees an impact to municipal services and quality of life in certain neighborhoods and areas of the community,"

I am disappointed how the town council has treated this subject poorly so far. My special thanks to Town Manager Hart and the Councilors Shapiro and Raymond, who urged the town council towards an impact study long time ago.

Respectfully,
Tulay Luciano
808 Warrenville Rd.
Mansfield Ctr. 06250

PAGE
BREAK

[Print](#)[Close](#)

walking paths

From: **Gene Salorio** (gsalorio@mindspring.com)
Sent: Tue 7/15/14 10:25 AM
To: John.Carrington@MansfieldCT.org
Cc: TownCouncil@mansfieldct.org; PublicWorks@MansfieldCT.org

Dear Mr Carrington and Mansfield Transportation Advisory Committee

The new pedestrian path on North Eagleville Road is a first-rate improvement. Overall, I think the efforts over the past several years to make Mansfield more walkable and bikeable, and especially to increase safety for walking and biking activities by getting these off the roads, are excellent. I congratulate the town for making these improvements.

May I please suggest three additions? None of these is a major project and all would add significant benefits by connecting existing pedestrian paths to each other.

1. Connect the pedestrian walkway on North Eagleville Road to the pedestrian walkway on Separatist Road. This could be done either on Separatist Road itself (the portion from the intersection of Separatist and Hunting Lodge Extension to the intersection of Separatist and North Eagleville) or on Hunting Lodge Extension between Separatist and North Eagleville. Doing either of these would make it possible to walk directly from the intersection of Separatist and South Eagleville Road all the way to Route 44 and 4 Corners without having to walk on the street.
2. Extend the pedestrian path on South Eagleville Road (that now ends at Maple Road) to connect with the pedestrian path on Separatist Road that ends at South Eagleville Road. I know this has been discussed before.

Doing #1 and #2 would complete a terrific loop: from Town Hall up South Eagleville to Separatist, along Separatist (and possibly Hunting Lodge Extension) to North Eagleville, along North Eagleville to Hunting Lodge, along Hunting Lodge past the corner with Goodwin School and up Birch Road to Route 44, and along Route 44 to 4 Corners. Following a slightly different route through UConn it also would be possible to walk off road from Mansfield Downtown to 4 Corners.

3. Extend the new pedestrian path on North Eagleville past Northwood Apartments and Southwood Road (which has many walkers) down to Bone Mill Road. This could be completed pretty easily thru the woods there, even inside the watercourse to avoid wetlands issues. North Eagleville road is heavily travelled and has zero visibility coming round the sharp turn where Bone Mill Road comes in. I regularly see walkers and runners (and teams of runners probably from EO Smith or UConn) coming down North Eagleville to run through the ravine. Bone Mill Road is lightly travelled so no need for a separate pedestrian path on it, but there's a real safety issue for runners and

pedestrians and bikers on North Eagleville Road along the section of the road between the top of the hill at Northwood Apartments and where Bone Mill Road comes in.

And I note that doing #3 in conjunction with #1 and #2 would make it possible to walk and bike safely all the way from Town Hall and Mansfield Downtown to the Depot Campus. I'm not generally pro-development and I don't want to turn Mansfield into a city, but I'm very much in favor of improvements that get people out of cars by making it easier and safer for kids, students, seniors and everyone else to walk and bike around town and enjoy the beautiful area where we all live. That's good for all of us.

Thanks for your consideration. Please let me know if you have any questions

Gene Salorio
gsalorio@mindspring.com
860-487-4378

We work on keeping you informed.

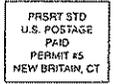
As construction of the Interstate Reliability Project (IRP) continues, Connecticut Light and Power Company (CL&P) is preparing to install overhead wires on the transmission structures.

You will be notified by our field Project Outreach Team prior to helicopter use on or near your property. The helicopter flights are scheduled to begin in August and continue through late 2014.

Learn more about helicopter wire stringing by reading the enclosed information. If you have further questions, please call 1.866.99.NEWS (63397) or visit our website at www.NEWSprojects.com.



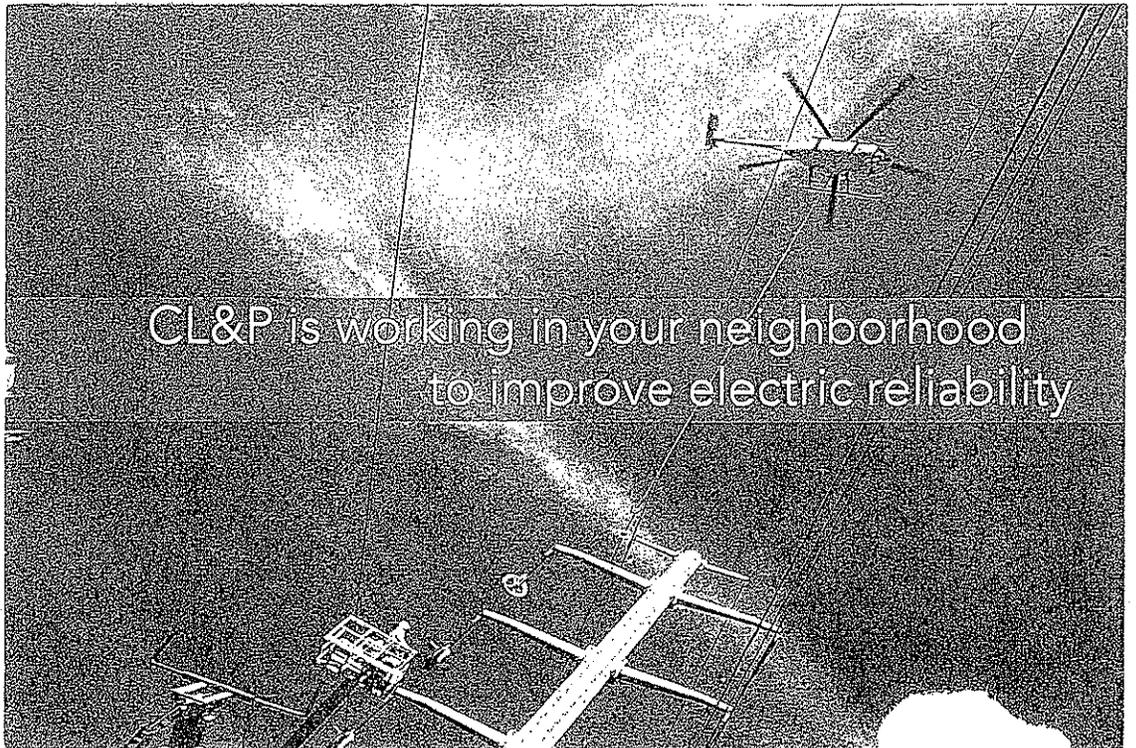
Connecticut Light and Power
P.O. Box 270, Hartford, CT 06141-0270



2/568 *****AUTO**SCH 5-DIGIT 06268
Town of Mansfield Attn: Matt Hart, Town Mgr
Or Current Resident
4 S Eagleville Rd
Storrs, CT 06268-2574



This mailing is paid for by CL&P customers. © HP07141M



More information about the wire stringing process

With the new structures in place, the next step in the construction process is to install the wire ("conductor"). The wire stringing operation requires equipment at each end of the section being strung. Wire is pulled between these "pulling sites" through stringing blocks (pulleys) at each structure. These pulling sites are set up at various intervals along the right-of-way, typically one to three miles apart. Specific pulling sites are determined close to the time the stringing activity takes place. CL&P's Project Outreach Team notifies property owners about the sites chosen at that time. Once the wire is strung, the stringing blocks are removed and the wire clipped into its final hardware attachment. Helicopters may be used to facilitate wire stringing operations. You will be notified by our field Project Outreach Team prior to helicopter use near your property. Note that alternate ground methods will still need to be employed in some areas where helicopters cannot be used. Provided below are some commonly asked questions about this process:

What are the advantages of using a helicopter?

Helicopters provide a safe and less intrusive way to string transmission wire that has been widely used for many years in the United States and around the world. Reduced ground-level activities means fewer impacts to property owners and environmentally sensitive areas. Also, using helicopters dramatically decreases the amount of time needed for the wire stringing operations.

What exactly will the helicopter carry?

The helicopter will transport workers, tools and materials used during the wire stringing process. It will also be used to fly out a guide rope which serves as a lead line for the pulling wire that pulls the conductor onto the transmission structure.

Where will the helicopter land?

Windham Airport in Windham, CT, is the primary location where the helicopter will take off from at the beginning of the work day and land at the end of the work day; however, there may be multiple landing and re-fueling zones in other local areas as well. Nearby residents and businesses located near these alternate sites will be notified by our Project Outreach Team.

How will this affect my home or property?

Some noise is expected as the helicopter flies over the right-of-way. Water trucks may be used to control dust that could be generated when the helicopter accesses the lower arms of shorter transmission structures. For safety reasons, access to the right-of-way will be restricted when the helicopter is flying over the right-of-way and during the pulling operation.

What are the hours of operation?

Wire stringing operations will occur in accordance with established work hours as ordered by the Connecticut Siting Council, between 7 a.m. and 7 p.m., Monday through Saturday. The helicopter is expected to fly for only a few hours during this time period. Absent unusual circumstances, no work will be conducted on Sundays or holidays. Should there be a need to work outside of the specified work hours near your property, you will be notified in advance by our Project Outreach Team.



Connecticut
Light & Power
A Northeast Utilities Company

NEEWS

Interstate
Reliability Project

If you have questions, please call our Project hotline at 1.866.99.NEWS (63397) or visit our website at www.NEWSprojects.com.



August 15, 2014

Item #13

Ms. Elizabeth C. Paterson
Mayor, Town of Mansfield
4 South Eagleville Road
Mansfield, CT 06268

Subject: Public Awareness and Education Program

Dear Mayor Paterson:

On behalf of the Connecticut Natural Gas Company (CNG), I want to invite you to a Public Awareness and Education Program. This same letter is being sent to key municipal officials in each of the towns and cities we serve.

Serving 27 towns, CNG operates approximately 2000 miles of gas distribution mains and approximately 120,500 services (see attached map). These pipelines deliver natural gas in a safe, quiet, reliable, and efficient manner throughout the service territory for residential, commercial, and industrial use. CNG operates under the Federal Office of Pipeline Safety (OPS) and Connecticut Public Utilities Regulatory Authority (PURA) Gas Pipeline Safety Unit standards with direct PURA oversight.

CNG has many safety programs in place and is committed to a comprehensive public safety program. The greatest risk to underground pipelines is accidental damage during excavation.

In order to protect our natural gas pipelines and other underground facilities, it is critical that people use the One-Call system prior to **any** excavation related activities on public and private property. In Connecticut, the Call Before You Dig (CBYD) Center was established to protect public safety with regard to excavations by providing a communications link between excavators, public agencies and public utilities by serving as the central clearinghouse for all underground facility work. In fact, there are Connecticut State laws and regulations requiring its use. Essentially, all of our local cities and towns support CBYD by requiring a CBYD mark-out request number as a pre-requisite to issuing a street opening permit.

I would also like to point out several key elements of our public safety program:

- An Emergency Plan has been developed and is on file with the PURA that outlines corporate actions and responses to various kinds of gas emergencies that could occur. Mock drills are conducted at least annually to test and critique our emergency training and response.
- Training courses on natural gas operations and emergencies are offered to local fire departments and other emergency personnel.

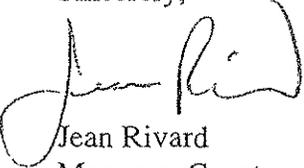
- A dedicated gas leak/emergency phone number (1-860-246-5325) is manned around the clock and emergency service technicians are on duty for emergency or leak response.
- Ongoing gas safety bill inserts to all our customers on different safety aspects of natural gas, including an annual "Scratch & Sniff" insert to make sure customers recognize the smell of a natural gas leak.
- Ongoing programs of planned leak surveys of our gas system, various inspection programs, and a replacement program to upgrade our gas facilities.

As part of our expanded 2014 outreach efforts for gas safety awareness and education we would like to plan a meeting at CNG with both municipal officials and emergency response personnel from your town.

As an active participant, if you have any particular topics or issues you would like covered at these meetings please get in touch with us so that we may include them on the agenda. Feel free to call me at 860-727-3048 with any additional questions. The enclosed websites are also a source for additional information.

- American Gas Association (Public Relations/Pipeline Safety) - www.aga.org
- Call Before You Dig (Connecticut) - www.cbyd.com
- Common Ground Alliance - www.commongroundalliance.com
- National Pipeline Mapping System - www.npms.rspa.dot.gov
- Northeast Gas Association (Public Awareness) - www.northeastgas.com
- Office of Pipeline Safety - www.ops.dot.gov
- Public Utilities Regulatory Authority - www.state.ct.us/pura
- Transportation Safety Institute - www.tsi.dot.gov
- Connecticut Natural Gas Corporation - www.cngcorp.com
- Southern Connecticut Gas Company - www.soconngas.com

Sincerely,

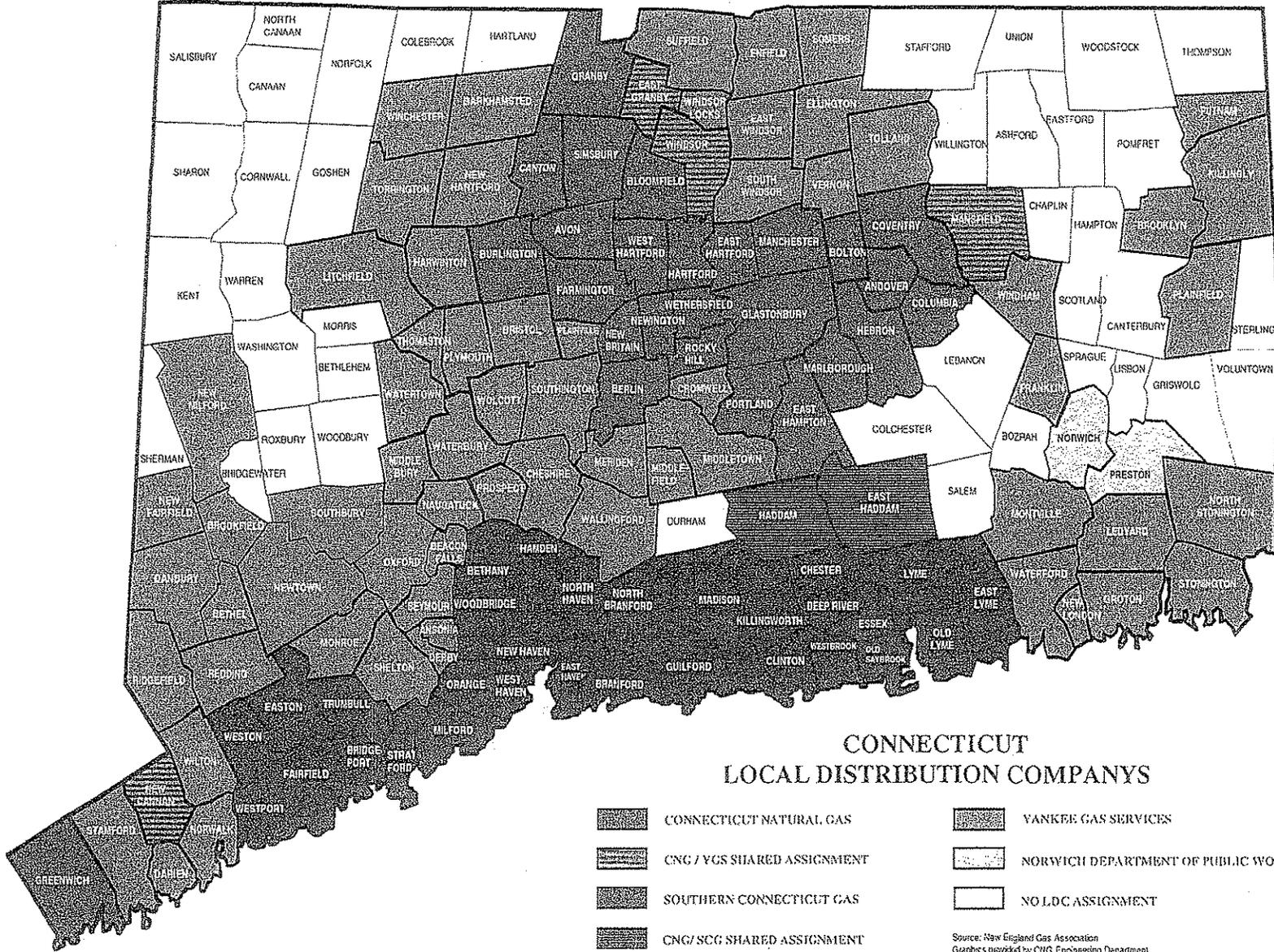


Jean Rivard
Manager, Construction and Maintenance

JR/sj
Enclosure

State of CONNECTICUT

NATURAL GAS LDC TOWN ASSIGNMENTS



PAGE
BREAK