



**TOWN OF MANSFIELD
TOWN COUNCIL MEETING
Monday, September 22, 2014
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.**

AGENDA

	Page
CALL TO ORDER	
ROLL CALL	
APPROVAL OF MINUTES	1
OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL	
REPORT OF THE TOWN MANAGER	
REPORTS AND COMMENTS OF COUNCIL MEMBERS	
OLD BUSINESS	
1. Community Water and Wastewater Issues (Item #3, 07-14-14 Agenda) (Oral Report)	
2. Storrs Center Update (Item #3, 09-08-14 Agenda) (Oral Report)	
NEW BUSINESS	
3. MRRA, Multi-family Trash & Recycle Rates	7
4. Scenic Road Alterations, Dog Lane and Gurleyville Road	17
5. Use of Code Red Community Notification System for Referendum Notice	47
QUARTERLY REPORTS (www.MansfieldCT.gov)	
REPORTS OF COUNCIL COMMITTEES	
DEPARTMENTAL AND ADVISORY COMMITTEE REPORTS (www.MansfieldCT.gov)	
PETITIONS, REQUESTS AND COMMUNICATIONS	
6. B. Coleman (9/8/14)	57
7. F. Torti re: University of Connecticut Health Center	59
8. J. Redmond re: Annual Halloween Party	61
9. CCM 2014 Election Campaign	63
10. Connecticut Water – In Your Community – September 2014	89
FUTURE AGENDAS	
EXECUTIVE SESSION	
11. Sale or purchase of real property, in accordance with CGS §1-200(6)(D)	
ADJOURNMENT	

REGULAR MEETING – MANSFIELD TOWN COUNCIL
September 8, 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

Ms. Raymond moved and Mr. Ryan seconded to approve the minutes of the August 22, 2014 special meeting as presented. The motion passed with all in favor except Ms. Raymond and Mr. Kochenburger who abstained. Mr. Shapiro moved and Mr. Marcellino seconded to approve the minutes of the August 25, 2014 meeting as presented. The motion passed unanimously.

III. PUBLIC HEARING

1. Mansfield Housing Code, Expansion of Rental Certification Zone

Brian Coleman, Centre Street, urged the Council not to support the proposed changes to the Mansfield Housing Code. (Statement attached)

Mayor Paterson closed the public hearing at 7:35 p.m.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Brian Coleman, Centre Street, commented on the opening of the Democratic Headquarters near campus and the proposed changes in the Mansfield Housing Code which he feels discriminates against students. (Statement attached, supplementary material to be included as a communication in the 9/22/2014 packet)

Arthur Smith, Mulberry Road, suggested citizens of each party should be involved in the Town Manager's evaluation process to show that the appointment is not political.

V. REPORT OF THE TOWN MANAGER

Town Manager Matt Hart reviewed his written report.

Mr. Ryan moved and Mr. Shapiro seconded to move Item 6, Connecticut Council of Small Towns Membership Invitation, as the next item of business.

The motion passed unanimously.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson extended congratulations to Fire Marshal Fran Raiola and the Fire Department for recently receiving the 2013 Life Safety Achievement Award. The Mayor also reminded those present that the annual Celebrate Mansfield will take place on September 21, 2014 and volunteers are still needed.

Ms. Moran commented on remarks made during public comment which suggested Democratic Council members are anti-student. Ms. Moran stated that she came to Town as a student, has housed students in her home over the years, and that the purpose of the regulations is to control the actions of some landlords, not students.

VII. OLD BUSINESS

2. Community/Campus Relations

The Town Manager reported that the Town/University Committee will be meeting on September 9, 2014 at 4:00 p.m. and updated members on the policing activities over the last few weekends. The Mayor noted the efforts of John Armstrong of Off-Campus Services and Town staff in working together to address neighborhood concerns.

3. Storrs Center Update

September 8, 2014

The Town Manager met with representatives from Middletown who toured the Storrs Center area and discussed the processes used in the development of the area.

4. UConn Landfill, Long-Term Monitoring Report
Informational, no action required.

5. Mansfield Housing Code, Expansion of Rental Certification Zone
Mr. Shapiro moved and Ms. Wassmundt seconded to place Item 5, Mansfield Housing Code, Expansion of Rental Certification Zone, on the agenda of the first meeting in October.
Motion passed unanimously.

VIII. NEW BUSINESS

6. Connecticut Council of Small Towns (COST) Membership Invitation
The Town Manager introduced Betsy Gara, the Executive Director of COST, who outlined the services the organization would offer to the Town. COST is an advocacy group which focuses on the needs of small towns.
Mr. Ryan moved and Ms. Moran seconded to join the Connecticut Council of Small Towns as soon as possible.
The motion passed unanimously.

7. Year End Budget Transfers & Appropriations for FY 2013/14
Mr. Ryan, Chair of the Finance Committee, moved effective September 8, 2014 to adopt the Yearend Budget Transfers and Appropriation for FY 2013/14, as presented by the Director of Finance in her correspondence dated September 8, 2014.
Motion passed unanimously.

8. Capital Projects Fund Closeouts/Adjustments
Mr. Ryan, Chair of the Finance Committee, moved effective September 8, 2014 to approve the adjustments to the Capital Projects fund, as presented by the Director of Finance in her correspondence dated September 3, 2014.
Motion passed unanimously.

9. Financial Statements Dated June 30, 2014
Mr. Ryan, Chair of the Finance Committee, moved to accept the Financial Statements dated June 30, 2014.
Motion passed unanimously.

IX. REPORTS OF COUNCIL COMMITTEES

Mr. Ryan reported the Finance Committee discussed a proposal by Blum Shapiro to provide an analysis of the Town's financial controls. The Committee will meet again next week and will bring their recommendation to the Council as a whole.

X. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered.

XI. PETITIONS, REQUESTS AND COMMUNICATONS

- 10. J. Hanley (08/27/14)
- 11. T. Long (09/02/14)
- 12. T. Luciano (09/01/14)

XII. FUTURE AGENDA

Town Manager Matt Hart clarified that UConn police now enforce Town public safety ordinances in the area around campus as part of the mutual aid agreement. Mr. Hart will provide information on the number of citations issued.

September 8, 2014

Ms. Moran moved and Mr. Kochenburger seconded to move into Executive Session to discuss the Town Manager Performance Review in accordance with Connecticut General Statute §1-200(6)(a)
Motion passed unanimously.

XIII. EXECUTIVE SESSION

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

Present: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Ryan, Shapiro, Wassmundt

The Council reconvened in regular session.

XIV ADJOURNMENT

Mr. Shapiro moved and Mr. Ryan seconded to adjourn the meeting at 9:10 p.m.

Motion to adjourn passed unanimously.

Elizabeth C. Paterson, Mayor

Mary Stanton, Town Clerk

September 8, 2014

September 8, 2014

Dear Town Council,

The existing rental ordinances that are going to be expanded town wide are unacceptable. They are discriminatory, intrusive and cause constitutional and economic harm to those who they are forced upon. They are targeted at students and those who rent to students. They make the broad assumption that all students and landlords are trouble to the community.

Ordinances are enacted by our town council, the legislative body of our municipal government. They are municipal laws that can be created at will and if unchallenged are a legal means for your town government to erode your civil rights bit by bit, piece by piece.

We already are a land of too many laws and ordinances, and have plenty of existing laws on the books to address the problems that arise in a college community. Students should be held responsible for their actions both on and off campus through complaints filed through residential life on a case by case basis not a broad stroked ordinance that victimizes innocent citizens of the community.

I urge the council vote no on the expansion and reconsider the existing rental certification ordinances.

Brian Coleman

Centre St

September 8, 2014

Dear Town Council,

I find it ironic, that on a night that you will be voting to expand ordinances directed at students in our neighborhoods that an article in the Daily Campus titled "Democratic Headquarters Set up Right off Campus" printed just last Friday should appear.

In the article it states that the Mansfield Democratic Town Committee officiated its 2014 headquarter on Thursday September 4th with a lot of fan fair from Congressman Joe Courtney and Lt. Governor Nancy Wyman. Also present was the DTC chair and council member Toni Moran and the University of Connecticut College Democrats, Yes college students!

This is the same group of people that are being discriminated against in the rental ordinances. Since the inception of the ordinances in 2006 students have been referred to by council democrats and other town officials over the years as trouble makers, nuisances, blight, transients and non-stake holders.

The Democratic Headquarters next to campus has been there several months and it appears that this ceremony was timed and directed at the college student voter, no doubt in mind.

What is the message students should get from all this? We really don't want you living in our neighborhoods but we want you to vote for us on November 4th.

Mansfield residents should wonder if their local interests are being represented fairly by the Democratic majority.

I don't know about you but I sure am getting mixed signals here.

Brian Coleman

Centre ST.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; John Carrington, Director of Public Works; Virginia Walton, Recycling Coordinator
Date: September 22, 2014
Re: MRRA, Multi-family Trash & Recycle Rates

Subject Matter/Background

The Solid Waste Advisory Committee (SWAC) and staff have been reviewing the Town's multi-family trash and recycle rates. Staff is pleased to present the following recommendations for the Town Council's consideration in its role as the Mansfield Resource Recovery Authority (MRRA).

Multi-family 64 and 96 Gallon Cart Service

The Town currently offers four different sizes of trash carts (20, 35, 64 and 96 gallons) for single-family service. Multi-family residential customers have the option to use either carts or dumpsters. For carts, until now the Town has only provided 20 gallon and 35 gallon service to multi-family customers. (Prior to automated collection service, higher service levels were determined by multiples of 35 gallon cans.) Recently a multi-family owner requested the 64 gallon trash service for his apartments. With the conversion to automated collection service, it makes sense to expand the multi-family options to include the 64 and 96 gallon carts. Consequently, we are requesting that the MRRA adopt rates for these two new service levels.

96 Gallon Cart Service Collected Six Times per Week

A new multi-family residence recently requested ten 96 gallon trash carts and six 96 gallon recycle carts, to be emptied six times per week. The trash collector is responsible for removing the carts from a trash room inside the building and rolling them to the truck. Since there is construction in that area, it is difficult to park the truck close to the storage room where the containers are kept, requiring more time than typical to service this location. The Town's contracted multi-family hauler is suggesting a charge of \$240 per month per trash cart for collection six times per week (the time to collect recyclables is built into this charge). This is a temporary arrangement for the duration of construction on the adjacent lot. Once construction is completed, the property owners will install a split compactor for trash and recyclables in place of the carts. At that time, a rate

will need to be established for compactor service. In the interim, we are requesting that the MRRA approve a rate for this temporary cart service.

8-Cubic-Yard Recycle Dumpster Service Collected Six Times per Week

The rate for the 8-cubic-yard recycle container collected six times per week is \$550 per month. At the time the rate was approved, it covered the trash collector's cost of \$546.83 per month. With a cost of living increase implemented last winter, the payment to the trash collector increased to \$552.30. This month a couple of apartments have requested this level of service. In order to cover the collection cost, staff is recommending that the MRRA increase the rate to \$590, which will be sufficient to cover a cost of living increase over a couple of years.

New Multi-Family Contract - Rates for 2, 4, 6 Cubic Yard Recycle Dumpsters and Trash Rates for Extra Collections

The Town of Mansfield recently bid the multi-family contract, which was awarded to Willimantic Waste Paper and will go into effect December 2014. Based on an evaluation of the bid prices, weekly collection rates do not need to be changed. The bid prices for extra collections, requested by multi-family residences on an as needed or on-demand basis, have increased, which will require an adjustment to the rates. The new contract offers the option of using recycle dumpsters of various sizes, in place of 96 gallon recycle carts. Consequently, the MRRA will need to approve new rates for 2, 4 and 6 cubic yard *recycle* dumpsters in addition to adjusted rates for the extra trash collections.

The Solid Waste Advisory Committee endorsed the proposed new fees at its July 10, 2014 and September 11, 2014 meetings.

Financial Impact

The Solid Waste Fund is a self-supporting enterprise fund, maintained by user fees and revenues generated from salvage and recycling efforts. The recommended trash fees are designed to recover direct and indirect costs (overhead). In order to encourage recycling, the proposed recycling container fees cover only direct costs with indirect expenditures supported by the enterprise fund. The extra dumpster collection service operates on an on-demand basis and carries an additional tipping fee to help capture associated costs.

Legal Review

The Town Attorney has reviewed previous proposals to modify the multi-family trash and recycling rates, and has found the modifications in keeping with the form and consistency of the current framework of the solid waste regulations. Since the proposed rates are additions to the current framework, staff has not asked the Town Attorney to review the modifications.

Recommendation

Staff is recommending that the Town Council in its role as the Mansfield Resource Recovery Authority add the following new multi-family services to the Town's solid waste regulations:

Resolved, by the Mansfield Resource Recovery Authority, to amend section A196-12(G) of the Mansfield Solid Waste Regulations as detailed below, which amendments shall be effective September 22, 2014.

Level of Service	Description	Monthly Fee
64 gallon service	Weekly automated refuse pickup of a 64-gallon cart per dwelling unit at a designated area for said cart Automated pickup of single-stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) at the same designated area every week Unlimited refuse pickup on the regular pickup day 1 week in the winter, as designated by the Town	\$25.25
96 gallon service	Weekly automated refuse pickup of a 96-gallon cart per dwelling unit at a designated area for said cart Automated pickup of single-stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) at the same designated area every week Unlimited refuse pickup on the regular pickup day 1 week in the winter, as designated by the Town	\$31.75

Level of Service	Description	Monthly Fee
96 gallon service (six times per week) - extra handling	Refuse pickup requiring extra handling of a 96-gallon cart six times per week	\$240.00
	Pickup of single-stream recycling (newspaper, magazines, corrugated cardboard, household cardboard, glass and metal food and beverage containers, plastic containers) six times per week that requires extra handling	
8-cubic-yard recycling container (six times/week)	Providing and emptying an 8-cubic-yard covered recycling container six times per week	\$550 \$590
2-cubic-yard recycling container (once/week)	Providing and emptying an 2-cubic-yard covered recycling container once per week	\$31.00
4-cubic-yard recycling container (once/week)	Providing and emptying an 4-cubic-yard covered recycling container once per week	\$62.00
6-cubic-yard recycling container (once/week)	Providing and emptying an 6-cubic-yard covered recycling container once per week	\$83.00

Level of Service	Description	Monthly Fee
Extra dumpster collections	2-cubic-yard dumpster	\$15.00 <u>\$35</u>
	4-cubic-yard dumpster	\$20.00 <u>\$45</u>
	6-cubic-yard dumpster	\$25.00 <u>\$55</u>
	8-cubic-yard dumpster	\$30.00 <u>\$65</u>
	10-cubic-yard dumpster	\$35.00 <u>\$75</u>

Attachments

- 1) Multi-family Trash & Recycle Collection Rates
- 2) Solid Waste Fund Expense and Revenue Statements

**Multi-Family Trash & Recycle Collection Rates
9-22-14**

New Service - Multi-family 64 & 96 Gallon Service

	Monthly Payment to Collector	Monthly Tipping Fee (1lb/gallon estimate)	Subtotal Expenses	Multi-Family Monthly Trash Service Rate
20 gal trash service	\$9.90	\$2.60	\$12.50	\$14.75
35 gal trash service	\$9.90	4.55	\$14.45	\$19.25
64 gal trash service	\$9.90	8.31	\$18.21	<u>\$25.25</u>
96 gal trash service	\$9.90	12.47	\$22.37	<u>\$31.75</u>
96 gal trash service - extra handling - 6x/wk	\$240.00	\$240 includes the tipping fee	\$240.00	<u>\$240.00</u>

Increase Rate - 8 Cubic Yard Recycle Dumpster Collected Six Times/Wk

	Current Monthly Payment to Collector	Current Monthly Rate	Proposed New Monthly Rate
8 cy recycle dumpster 6x/wk	\$552.30	\$550.00	<u>\$590.00</u>

New Service - 2, 4, 6 Cubic Yard Recycle Dumpsters

		New Contract - Monthly Payment to Collector	Proposed Monthly Rate
2 CY recycle dumpster	not applicable	\$25.34	<u>\$31.00</u>
4 CY recycle dumpster	not applicable	\$58.47	<u>\$62.00</u>
6 cy recycle dumpster	not applicable	\$79.72	<u>\$83.00</u>

Increase Rate - Extra Dumpster Collections*

Extra Collection for	Current Payment to Collector	New Contract Payment to Collector	Proposed Rate
2 cy dumpster	\$15.00	\$35.00	<u>\$35.00</u>
4 cy dumpster	\$20.00	\$45.00	<u>\$45.00</u>
6 cy dumpster	\$25.00	\$55.00	<u>\$55.00</u>
8 cy dumpster	\$30.00	\$65.00	<u>\$65.00</u>
10 cy dumpster	\$35.00	\$75.00	<u>\$75.00</u>

* Tipping fee is added at the time of billing

underline represents new rates

Jun-14					
Single Family Collection Expense & Revenue					
Budget Code	Collection-Related Budget Line Item	Total Budget \$	Expense to SF Collection (prorated by tonnage @ 62%)		
51117	Temp Payroll	2,500	1,550		
51201	Reg Payroll	97,550	60,450		
51605	PT Payroll	21,300	13,206		
52009	Benefits (SW fund only)	92,770	26,500		
52202	Travel Conf Fees	200	124		
52203	Memberships	150	93		
53119	LAN/WAN	10,000	6,200		
53122	Legal	1,000	620		
53201	Haz Waste	16,500	10,230		
53206	Recyc Cost	15,500	9,610		
53924	Advertise/Publicity	3,500	2,170		
53925	Printing	1,300	806		
53960	Other Purchases	9,200	5,704		
53926	Postage	3,540	2,195		
54301	Office Supplies	200	124		
54308	Computer Software	4,320	2,678		
54911	Other Program Supplies	750	465		
Annual Operating Expense =			142,725		
Number of Customers	Type of Service	Paid to Collector	Monthly Expense	Billed to Customers	Monthly Revenue
566	20 gal cart	9.90	\$5,603.40	16.00	9,056.00
1024	35 gal cart	9.90	\$10,137.60	22.75	23,296.00
552	64 gal cart	9.90	\$5,464.80	29.00	16,008.00
125	96 gal cart	9.90	\$1,237.50	35.75	4,468.75
178	MF 20 gal cart	9.90	\$1,762.20	14.75	2,625.50
148	MF 35 gal cart	9.90	\$1,465.20	19.25	2,849.00
2	MF 64 gal cart	9.90	\$19.80	25.25	50.50
0	MF 96 gal cart	9.90	\$0.00	31.75	0.00
10	MF 96 gal cart 6x/week - extra handling	10.00	\$100.00	240.00	2,400.00
Monthly Collection Cost =			\$25,791		60,753.75
Annual Collection Cost =			\$309,486		
Annual Tip Fee - 1430 tons/yr x \$60 =			\$85,800		
Annual Collection Expense =			\$395,286	Sale Recyclables	333.00
Prorated Annual Operating Expense (see above) =			\$142,725		
Total Expense =			\$538,011	Annual Revenue =	733,041.00
			Net Revenues over expenditure for SF Collection =		195,029.80

Multi-Family Collection Expense & Revenue					
Budget Code	Collection-Related Budget Line Item	Total Budget \$	Annual Expense (pro-rated at 38%)		
51117	Temp Payroll	2,500	950		
51201	Reg Payroll	97,550	37,050		
51605	PT Payroll	21,300	8,094		
52009	Benefits	92,770	16,200		
52202	Travel Conf Fees	200	76		
52203	Memberships	150	57		
53119	LAN/WAN	10,000	3,800		
53122	Legal	1,000	380		
53201	Haz Waste	16,500	6,270		
53206	Recyc Cost	15,500	5,890		
53924	Advertise/Publicity	3,500	1,330		
53925	Printing	1,300	494		
53960	Other Purchases	9,200	3,496		
53926	Postage	3,540	1,345		
54301	Office Supplies	200	76		
54308	Computer Software	4,320	1,642		
54911	Other Program Supplies	750	285		
Annual Operating Expense =			87,435		
Number of Dumpsters	Type of Service	Paid to Collector	Monthly Expense	Billed to Customers	Monthly Revenue
5	1 CY trash dumpster	\$25.34	\$126.70	\$72.50	\$362.50
38	2 CY trash dumpster	\$29.23	\$1,110.74	\$96.00	\$3,648.00
33	4 CY trash dumpster	\$58.47	\$1,929.51	\$181.50	\$5,989.50
15	6 CY trash dumpster	\$79.72	\$1,195.80	\$255.50	\$3,832.50
1	6 CY trash dumpster 2x/wk	\$154.48	\$154.48	\$478.50	\$478.50
0	8 CY trash dumpster	\$95.65	\$0.00	\$329.50	\$0.00
1	8 CY trash dumpster 2x/wk	\$184.77	\$184.77	\$616.00	\$616.00
0	8 CY trash dumpster 3x/wk	\$273.89	\$0.00	\$902.00	\$0.00
0	8 CY trash dumpster 5x/wk	\$451.12	\$0.00	\$1,485.00	\$0.00
5	8 CY trash dumpster 6x/wk	\$552.30	\$2,761.50	\$1,780.00	\$8,900.00
3	10 CY trash dumpster	\$106.27	\$318.81	\$419.00	\$1,257.00
153	Centralized recycling - 95 gallon	\$4.95	\$757.35	\$0.00	\$0.00
47	Individual recycling	\$4.95	\$232.65	\$0.00	\$0.00
20	2 CY recycle dumpster	\$25.34	\$506.80	\$31.00	\$620.00
5	4 CY recycle dumpster	\$58.47	\$292.35	\$62.00	\$310.00
3	6 cy recycle dumpster	\$79.72	\$239.16	\$83.00	\$249.00
	8 cy recycle dumpster	\$95.65	\$0.00	\$98.00	\$0.00
	8 cy recycle dumpster 2x/wk	\$184.77	\$0.00	\$190.00	\$0.00
0	8 cy recycle dumpster 3x/wk	\$273.89	\$0.00	\$280.00	\$0.00
0	8 cy recycle dumpster 4x/wk	\$363.00	\$0.00	\$370.00	\$0.00
	8 cy recycle dumpster 5x/wk	\$452.12	\$0.00	\$460.00	\$0.00
4	8 cy recycle dumpster 6x/wk	\$564.38	\$2,257.52	\$590.00	\$2,360.00
Monthly Collection Cost =			12,068.14		28,623.00
Annual Collection Cost =			144,817.68		
Annual Tip Fee - 1,000 tons/yr x \$60 =			60,000.00		
Annual Collection Expense =			204,817.68	Sale of Recyclables	45
Prorated Annual Operating Expense (see above) =			87,435.00		
Total Expense =			292,252.68	Annual Revenue =	344,016.00
Net Revenues over expenditure for MF Collection =					\$1,763.32

Transfer Station Expense & Revenue					
Budget Code	Transfer Station-Related Budget Line Item	Total Budget \$	Annual Expense Pro-rated to Transfer Sta		
51401	Reg Payroll	115,460	115,460		
51402	OT	1,000	1,000		
52009	Benefits (prorate 54% of 92,770)	92,770	50,100		
52206	Protective Clothing	100	100		
52207	Vacation	2,355	2,355		
53302	Equip Repair	1,750	1,750		
54510	Signs	250	250		
54511	Ground Supplies	200	200		
54604	Electric	3,300	3,300		
54701	Building Supplies	1,500	1,500		
54705	Hand Tools	100	100		
54808	Equip Parts	2,000	2,000		
56316	Deprec Equip	9,535	9,535		
	Annual Operating Expense=		187,650		
	Hauls & Tipping Fees				
53204	Trucking fees - 237 hauls x \$160	37,920			
	Tip Fees - refuse 30 tons/month x 12 x \$60	21,600	Monthly Revenue	9,600	
	Tip Fees -bulky waste 34 tons/month x 12 x \$75	30,600	Sale of Recycs	1,000	
	Annual Refuse/Bulky Waste Expense=	90,120			
	Prorated Annual Operating Expense (see above) =	187,650			
	Total Expense=	277,770	Annual Revenue =	127,200	
	Net Revenues over expenditure for Transfer Station =			-150,570.00	
	Annual Expense	Annual Revenue	Difference		
SF Collection	538,011.20	733,041.00	195,029.80		
MF Collection	292,252.68	344,016.00	51,763.32		
TF Operations	277,770.00	127,200.00	-150,570.00		
Total	1,108,033.88	1,204,257.00	96,223.12		

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Linda Painter, Director of Planning and Development; John Carrington, Director of Public Works; Mark Kiefer, Public Works Superintendent/Tree Warden
Date: September 22, 2014
Re: Scenic Road Alterations, Dog Lane and Gurleyville Road

Subject Matter/Background

The Connecticut Light and Power Company (CL&P) has requested authority to remove fourteen trees along Dog Lane between Willowbrook Road and Bundy Lane and eleven trees on Gurleyville Road between Bundy Lane and Codfish Falls Road. CL&P is requesting the removal of these trees to protect utility lines as part of a larger tree trimming project related to the 12J-5 circuit that serves Mansfield. These two roads form part of the 'backbone' of the circuit, a main transmission line that feeds local distribution lines. Damage to backbone lines can cascade to all of the associated local distribution lines. Attached please find a list of the trees that CL&P has requested approval to remove (list dated 8/27/2014) and the trees have been marked in the field. Additional descriptions of the trees can be found in the attached memos prepared by the Director of Planning and Development.

As both Dog Lane and Gurleyville Road are designated scenic roads, removal of healthy mature trees is considered an *alteration* pursuant to Section 155-6 of the Mansfield Code of Ordinances (see attached). As an alteration, these trees cannot be removed without approval from the Town Council. Under the ordinance, the Planning and Zoning Commission (PZC) is required to hold a public hearing on the request prior to the Town Council's consideration and then make a recommendation to the Council. If the PZC recommends against an alteration, a two-thirds vote of the Council is needed to approve the alteration request.

In accordance with this process, the PZC held public hearings on August 4, 2014 and September 3, 2014 regarding the proposed tree removal for both Dog Lane and Gurleyville Road. At the close of the public hearings, the PZC recommended the following:

- *Gurleyville Road.* The Commission found that the removal of trees as requested by CL&P would not significantly alter the scenic character of Gurleyville Road with the exception of the 30" Hickory located at 287 Gurleyville Road (identified as Tree #15 on the attached list). CL&P indicated that while the tree is located in the Utility Protection Zone, it could be trimmed; therefore, the Commission objected to its removal. The Commission also noted that as a condition of approving any tree removals, CL&P should be required to repair and/or restore any stone walls damaged during the removal process.
- *Dog Lane.* The Commission found that the removal of certain trees as requested by CL&P would not significantly alter the scenic character of Dog Lane, specifically trees identified on the attached list as numbers 1, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14. However, the Commission did object to the removal of the remaining trees on the list (numbers 2, 6, 8). CL&P indicated that two (numbers 2 and 6) could be trimmed in lieu of removal; tree number 8 is a healthy dual leader oak located at a bend in the road and as such is a prominent tree. The Tree Warden has indicated that while the upper canopy of this tree could be trimmed, removal of one of the leaders would destabilize the tree and create a hazard. He indicated that he would work with CL&P on the extent of trimming if the tree is retained. The Commission also noted that as a condition of approving any tree removals, CL&P should be required to repair and/or restore any stone walls damaged during the removal process.

If the Town Council approves the removal of the trees, the Town's Tree Warden would then post the trees pursuant to the process outlined in Connecticut General States Section 23-59 (see attached). Under this process, the Tree Warden would conduct a separate public hearing and make a determination if the Town received objections to the removal of the trees. In accordance with Connecticut General Statutes Section 16-234, CL&P has the ability to appeal a Town denial of tree removal to the Public Utilities Regulatory Authority (PURA) for a final determination.

It should also be noted that while reviewing an initial list of trees to be removed by CL&P, the Town's Tree Warden deemed several trees within the right-of-way to be hazards. Pursuant to Section 155-6(C) of the Scenic Road Ordinance, removal of dead, diseased, damaged or dangerous trees is considered routine maintenance and does not require Town Council approval. Accordingly, the hazardous trees have been removed by the CL&P contractor as ordered by the Tree Warden and are not included in the formal CL&P application. Due to the level of trimming activity and scrutiny on Dog Lane, the Tree Warden conducted a further review of trees within the Dog Lane right-of-way and identified ten additional trees that will need to be removed due to their hazardous condition. As these trees are not related to utility protection, the Town will bear the cost of the tree removal; the removal is expected to occur within the next few weeks.

Recommendation

If the Town Council concurs with the PZC's recommendations, the following motions would be in order:

Move, effective September 22, 2014, to authorize CL&P to remove the trees along Gurleyville Road identified as numbers 16-25 on the 8/27/2014 list, subject to the condition that CL&P repair and/or restore any stone walls damaged during the removal process. This action is taken based on a finding that the loss of these trees will not significantly impact the scenic character of the road. CL&P shall not be authorized to remove tree number 15 as CL&P has indicated that the tree can be trimmed instead of removed, an alteration that will have less impact on the scenic character of the road than the proposed removal.

Move, effective September 22, 2014, to authorize CL&P to remove the trees along Dog Lane identified as numbers 1, 3, 4, 5, 7, 9, 10, 11, 12, 13, and 14 on an 8/27/2014 list, subject to the condition that CL&P repair and/or restore any stone walls damaged during the removal process. This action is taken based on a finding that the loss of these trees will not significantly impact the scenic character of the road. CL&P shall not be authorized to remove tree numbers 2 and 6 as CL&P has indicated that these trees could be trimmed in lieu of removal, an alteration that will have less impact on the scenic character of the road than the proposed removal. CL&P shall not be authorized to remove tree number 8 as the removal of this tree would significantly impact the scenic character of the road.

Attachments

- 1) List of trees to be removed (dated August 27, 2014)
- 2) Planning and Zoning Commission memo dated September 16, 2014
- 3) Section 155-6, Mansfield Code of Ordinances
- 4) Excerpts from Connecticut General Statutes
- 5) Linda Painter memos dated 7/31/2014, 8/1/2014, 8/28/14, and 9/3/14
- 6) August 4, 2014 correspondence from Michael Soares, 99 Dog Lane
- 7) August 9, 2014 petition from Dog Lane property owners

CL&P Proposed Tree Removals 1215 Circuit Scenic Roads - Mansfield *

8/27/2014

Tree #	Address	Diameter	Species	Description	Ownership	Permission
1	79 Dog Lane	24"	Ash	Pole# 3422-3423	Town	Yes
2	79 Dog Lane	30"	Ash	Pole# 3422-3423 **	Private	Yes
3	79 Dog Lane	18"	Hickory	Pole# 3422-3423, Leaning heavy toward Rd	Town	Yes
4	79 Dog Lane	18"	Sugar Maple	Pole# 3424-3423	Private	Yes
5	98 Dog Lane	24"	White Oak	Pole# 917-3425	Town	Yes
6	98 Dog Lane	24"	Red Oak	Pole# 917-3425 **	Town	Yes
7	98 Dog Lane	24"	Ash	Pole# 917-3425 good condition, touching wires	Town	Yes
8	127 Dog Lane	30"	Oak (dual)	Pole# 912 Dual Leader Oak @ rd edge	Town	Yes
9	127 Dog Lane	24"	Sugar Maple	Pole# 912	Town	Yes
10	149 Dog Lane	18"	Red Maple	Pole #909-910 leaning toward rd	Private	Yes
11	149 Dog Lane	18"	Sugar Maple	Pole #910-911	Private	Yes
12	149 Dog Lane	12"	Elm	Pole #5002-909	Town	Yes
13	Int. Dog Ln/Bundy	18"	Red Maple	Pole #908	Private	Yes
14	Int. Dog Ln/Bundy	18"	Pine	Pole #908	Private	Yes
15	287 Gurleyville	30"	Hickory	Pole #1711 **	Town	Yes
16	287 Gurleyville	20"	Red Pine	Pole #1711-1710	Private	Yes
17	287 Gurleyville	24"	Red Pine	Pole# 1711-1710	Private	Yes
18	287 Gurleyville	30"	White Pine	Pole# 1711-1710	Private	Yes
19	(Wooded) Gurleyville	24"	Oak	Pole #1684-1682	Private	Yes
20	(Wooded) Gurleyville	20"	Oak	Pole #1684-1682	Private	Yes
21	(Wooded) Gurleyville	20"	Hemlock	Pole #1689-1688	Private	Yes
22	(Wooded) Gurleyville	24"	Hemlock	Pole #1689-1688	Private	Yes
23	217 Gurleyville	30"	Ash	Pole #1694 - 1693	Town	Yes
24	217 Gurleyville	36"	Pine	Pole #1694 - 1693	Town	Yes
25	217 Gurleyville	40"	White Pine	Pole#1693 (added since first hearing per landowner discussion)	Private	Yes (added)
* Trees Identified in or near Utility Protection Zone. Should be removed due to specie, closeness, lean etc.						
** Trees Identified in Utility Protection Zone that could be trimmed						



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, September 16, 2014
Re: Scenic Road Alterations, Dog Lane and Gurleyville Road

At a meeting held on 9/3/14, the Mansfield Planning and Zoning Commission adopted the following motion:

“to communicate to the Town Council that the Planning and Zoning Commission has no objection to removal of the trees on Gurleyville Road as requested by the Connecticut Light and Power Company as the removal of these trees will not significantly alter the scenic character of Gurleyville Road provided that any stone walls damaged during the removal be repaired/restored:

- Trees #16 through #25 as appeared on an 8-27-14 list.

The Commission does object to the removal of the following tree as requested by Connecticut Light and Power as the loss of this tree would negatively impact the scenic character of Gurleyville Road:

- Tree #15 as it appeared on an 8-27-14 list.”

At a meeting held on 9/15/14, the Mansfield Planning and Zoning Commission adopted the following motion:

“to communicate to the Town Council that the Planning and Zoning Commission objects to the removal of the following trees on Dog Lane as identified on an 8/27/2014 list provided by Connecticut Light and Power as the loss of these trees would negatively impact the scenic character of Dog Lane:

- Tree #2 – Ash at 79 Dog Lane
- Tree #6 – Red Oak at 98 Dog Lane
- Tree #8 – Dual Leader Oak at 127 Dog Lane

The Commission has no objection to removal of the remaining trees identified for removal on Dog Lane per the 8/27/2014 list as the removal of these trees will not significantly alter the scenic character of the road provided that any stone walls damaged during the removal be repaired/restored.”

Chapter 155. SCENIC ROADS

§ 155-6. Alterations or improvements.

- A. Except as provided in Subsections C, D and E hereof; any person, corporation and/or town agency may petition the Planning and Zoning Commission to alter or improve a scenic road designated under this chapter, and the Planning and Zoning Commission shall, after public hearing in accordance with § 155-5A above, forward the same with its recommendation thereon to the Town Council for action pursuant to Subsection B hereof. This review process shall constitute compliance with the referral requirements of Section 8-24 of the Connecticut General Statutes.
- B. Any highway which has been designated as a scenic road under this chapter may be altered or improved, including but not limited to widening of the right-of-way or traveled portion of the highway, paving, changing the grade, straightening, removing of stone walls or removing of mature trees, only upon approval by the Town Council by a simple majority if recommended by the Planning and Zoning Commission under Subsection A above or by a two-thirds (2/3) vote if not so recommended. The Council shall record in its minutes the reasons for such approval or denial.
- C. Emergency, routine and minor maintenance on any highway which has been designated as a scenic road under this chapter shall be continued by the town without the necessity of Council vote, review by the Planning and Zoning Commission or public hearing. Such work shall include the removal of dead, diseased, damaged or dangerous trees and branches of trees; trimming of the tree branches that encroach on the traveled portion of the highway below the height needed to allow school buses, emergency vehicles and town road maintenance vehicles to pass; trimming or removal of brush and removal of boulders or other obstacles that encroach on the traveled portion of the road; necessary trimming for utility lines; trimming of brush to enhance and protect scenic views, stone walls and mature trees; correction of drainage problems; striping, graveling, filling, retreatment, including but not limited to overlay paving and chipsealing and repair of existing roadway surfaces; grading; snowplowing; sanding; and emergency repairs to said road in the case of a natural disaster making it impassable or unsafe for public travel.
- D. Alterations or improvements.

- (1) Any highway which has been designated as a scenic road under this chapter may be altered or improved, including but not limited to widening of the right-of-way or traveled portion of the highway, paving, changing the grade, removal of the stone walls, ledge or boulders, installation of drainage facilities, straightening or removal of vegetation, including mature trees, provided that the Planning and Zoning Commission determines that said alterations or improvements are necessary to protect and promote public safety in conjunction with the approval of a new driveway, a new highway or a new subdivision or other land use development that is accessed by the subject scenic road and is under the Planning and Zoning Commission's regulatory jurisdiction. Any alteration or improvement to a scenic road shall not be approved unless a public hearing has been held on the subject project.
 - (2) Any alterations or improvements authorized by this section shall be the minimum necessary to address safety issues associated with the new driveway, highway or land use development, and any approved alteration or improvement shall be designed to minimize impacts on the scenic characteristics of the subject scenic road. No alteration or improvement shall be approved by the Planning and Zoning Commission until potential alternative solutions have been considered thoroughly. Stone wall relocations and reconstructions, the planting of new trees, shrubs or flowers, the installation of underground utilities and other mitigating measures may be required by the Planning and Zoning Commission in conjunction with its authorization of alterations or improvements to scenic roads.
- E. Scenic highway designations shall in no way interfere with normal agricultural operations as determined by the Connecticut Commissioner of Agriculture.

EXCERPTS FROM CONNECTICUT GENERAL STATUTES

Sec. 23-59. Powers and duties of wardens. The town or borough tree warden shall have the care and control of all trees and shrubs in whole or in part within the limits of any public road or grounds and within the limits of his town or borough, except those along state highways under the control of the Commissioner of Transportation and except those in public parks or grounds which are under the jurisdiction of park commissioners, and of these the tree warden shall take the care and control if so requested in writing by the park commissioners. Such care and control shall extend to such limbs, roots or parts of trees and shrubs as extend or overhang the limits of any such public road or grounds. The tree warden shall expend all funds appropriated for the setting out, care and maintenance of such trees and shrubs. The tree warden shall enforce all provisions of law for the preservation of such trees and shrubs and of roadside beauty. The tree warden shall remove or cause to be removed all illegally erected signs or advertisements, placed upon poles, trees or other objects within any public road or place under the tree warden's jurisdiction. The tree warden may prescribe such regulations for the care and preservation of such trees and shrubs as the tree warden deems expedient and may provide therein for a reasonable fine for the violation of such regulations; and such regulations, when approved by the selectmen or borough warden and posted on a public signpost in the town or borough, if any, or at some other exterior place near the office of the town or borough clerk, shall have the force and effect of town or borough ordinances. Whenever, in the opinion of the tree warden, the public safety demands the removal or pruning of any tree or shrub under the tree warden's control, the tree warden may cause such tree or shrub to be removed or pruned at the expense of the town or borough and the selectmen or borough warden shall order paid to the person performing such work such reasonable compensation therefor as may be determined and approved in writing by the tree warden. Unless the condition of such tree or shrub constitutes an immediate public hazard, the tree warden shall, at least ten days before such removal or pruning, post thereon a suitable notice stating the tree warden's intention to remove or prune such tree or shrub. If any person, firm or corporation objects to such removal or pruning, such person, firm or corporation may appeal to the tree warden in writing, who shall hold a public hearing at some suitable time and place after giving reasonable notice of such hearing to all persons known to be interested therein and posting a notice thereof on such tree or shrub. Within three days after such hearing, the tree warden shall render a decision granting or denying the application, and the party aggrieved by such decision may, within ten days, appeal therefrom to the superior court for the judicial district within which such town or borough is located. The tree warden may, with the approval of the selectmen or borough warden, remove any trees or other plants within the limits of public highways or grounds under the tree warden's jurisdiction that are particularly obnoxious as hosts of insect or fungus pests.

(1949 Rev., S. 3497; 1957, P.A. 13, S. 83; February, 1965, P.A. 614, S. 3; 1969, P.A. 768, S. 250; P.A. 76-436, S. 463, 681; P.A. 78-280, S. 1, 127; P.A. 84-146, S. 15; P.A. 85-216; P.A. 00-106, S. 2.)

* * * * *

Sec. 16-234. Conducting vegetation management; notice to abutting property owners. Changing location of, erecting or placing wires, conductors, fixtures, structures or apparatus over, on or under any highway or public ground; rights of adjoining proprietors. (a) As used in this section:

(1) "Utility" means a telephone, telecommunications, electric or electric distribution company, each as defined in section 16-1;

(2) "Utility protection zone" means any rectangular area extending horizontally for a distance of eight feet from any outermost electrical conductor or wire installed from pole to pole and vertically from the ground to the sky;

(3) "Hazardous tree" means any tree or part of a tree that is (A) dead, (B) extensively decayed, or (C) structurally weak, which, if it falls, would endanger utility infrastructure, facilities or equipment;

(4) "Vegetation management" means pruning or removal of trees, shrubs or other vegetation that pose a risk to the reliability of the utility infrastructure, and the retention of trees and shrubs that are compatible with the utility infrastructure. Until such time as the Department of Energy and Environmental Protection issues standards for identifying such compatible trees and shrubs, the standards and identification of such compatible trees and shrubs shall be as set forth in the 2012 final report of the State Vegetation Management Task Force; and

(5) "Pruning" means the selective removal of plant parts to meet specific goals and objectives, when performed according to current professional tree care standards.

(b) A utility may perform vegetation management within the utility protection zone to secure the reliability of utility services by protecting overhead wires, poles, conductors or other utility infrastructure from trees and shrubs, parts of trees and shrubs or other vegetation located within the utility protection zone.

(c) (1) In conducting vegetation management, no utility shall prune or remove any tree or shrub within the utility protection zone, or on or overhanging any highway or public ground, without delivering notice to the abutting property owner. Notice shall be considered delivered when it is (A) mailed to the abutting property owner via first class mail, (B) delivered, in writing, at the location of the abutting property, or (C) simultaneously conveyed verbally and provided in writing to the abutting property owner. A utility shall deliver such notice to the abutting property owner if (i) pursuant to subparagraph (A) or (B) of this subdivision, at least fifteen business days before the starting date of any such pruning or removal, and (ii) pursuant to subparagraph (C) of this subdivision, at any time before any such pruning or removal, provided no utility may start such pruning or removal unless (I) the objection period pursuant to subdivision (2) of this subsection has been met, or (II) such property owner affirmatively waives, in writing, the right to object.

(2) The notice shall indicate that (A) objection to pruning or removal shall be filed in writing with the utility and either the tree warden of the municipality or the Commissioner of Transportation, as appropriate, not later than ten business days after delivery of the notice, and (B)

the objection may include a request for consultation with the tree warden or the Commissioner of Transportation, as appropriate.

(3) If no objection is filed by the abutting property owner in accordance with subdivision (2) of this subsection, the utility may prune or remove the trees or shrubs for which notice of pruning or removal has been delivered.

(4) If the abutting property owner files an objection pursuant to subdivision (2) of this subsection, the tree warden of the municipality or the Commissioner of Transportation, as appropriate, shall issue a written decision as to the disposition of the tree or shrub not later than ten business days after the filing date of such objection. This decision shall not be issued before a consultation with the abutting property owner if such a consultation has been requested. The abutting property owner or the utility may appeal the tree warden's decision to the Public Utilities Regulatory Authority within ten business days after the tree warden's decision. The authority shall hold a hearing within sixty business days of receipt of the abutting property owner's or utility's written appeal of the tree warden's decision and shall provide notice of such hearing to the abutting property owner, the tree warden and the utility. The authority may authorize the pruning or removal of any tree or shrub whose pruning or removal has been at issue in the hearing if it finds that public convenience and necessity require such action.

(5) When an objection has been filed pursuant to subdivision (2) of this subsection, no tree or shrub subject to the objection shall be pruned or removed until a final decision has been reached pursuant to subdivision (4) of this subsection.

(d) No utility shall be required to provide notice pursuant to subsection (c) of this section if the tree warden of the municipality or the Commissioner of Transportation, as appropriate, authorizes, in writing, pruning or removal by the utility of a hazardous tree within the utility protection zone or on or overhanging any public highway or public ground. Nothing in this subsection shall be construed to require a utility to prune or remove a tree.

(e) No utility shall be required to obtain a permit pursuant to subsection (f) of section 23-65 or provide notice under subsection (c) of this section to prune or remove a tree, as necessary, if any part of a tree is in direct contact with an energized electrical conductor or has visible signs of burning. Nothing in this subsection shall be construed to require a utility to prune or remove a tree.

(f) No utility shall exercise any powers which may have been conferred upon it to change the location of, or to erect or place, wires, conductors, fixtures, structures or apparatus of any kind over, on or under any highway or public ground, without the consent of the adjoining proprietors or, if such company is unable to obtain such consent, without the approval of the Public Utilities Regulatory Authority, which shall be given only after a hearing upon notice to such proprietors. The authority may, if it finds that public convenience and necessity require, authorize the changing of the location of, or the erection or placing of, such wires, conductors, fixtures, structures or apparatus over, on or under such highway or public ground.

(1949 Rev., S. 5645; P.A. 75-486, S. 1, 69; P.A. 77-614, S. 162, 610; P.A. 80-482, S. 102, 348; P.A. 11-80, S. 1; P.A. 13-298, S. 60.)



Department of Planning and Development

Date: July 31, 2014
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *lmp*
Subject: Alterations to Dog Lane (File #1010-5) and Gurleyville Scenic Roads (File #1010-8)

The Connecticut Light and Power Company (CL&P) has requested the removal of several trees along Dog Lane between Willowbrook Road and Bundy Lane and on Gurleyville Road between Bundy Lane and Codfish Falls Road. As these are both designated scenic roads, healthy mature trees cannot be removed without approval from the Town Council. Prior to Town Council consideration, the Planning and Zoning Commission is required to hold a public hearing on the request and make a recommendation to the Council. If the Council approves removal of trees, the trees would be posted by the Tree Warden, and if objections were received, a separate public hearing would be held. Under state regulations, CL&P has the ability to appeal a Town denial of tree removal to PURA for a final determination.

Dog Lane

The electric utility lines are a main feeder circuit for a large portion of northern Mansfield. CL&P is requesting removal of several trees to increase protection for the existing power lines. This request is not without precedent; CL&P made a similar request in 2000. At that time, the PZC found that the removal of approximately 20 trees would not affect the scenic character of Dog Lane.

Dog Lane was designated as a scenic road in 1992. The justification submitted as part of the application for scenic road designation includes the following description: "The houses along Dog Lane are for the most part well set back from the road and fit harmoniously into a natural setting of great beauty. The narrow roadway is bordered by mature trees on both sides: indeed well-established woodlands extend back from the roadway down its whole length, these woodlands being cleared only for the twelve well-separated dwellings and their adjoining lawns and gardens. Stone walls are found on both sides of Dog Lane, some of them very handsome and very carefully maintained."

Mark Kiefer, the Town's Tree Warden, has inspected each of the trees that CL&P is requesting to remove for purposes of protecting utility lines. Pursuant to the Town's scenic road ordinance, the removal of "dead, diseased, damaged or dangerous trees and branches of trees" is considered to be emergency, routine and minor maintenance and is therefore allowed without PZC review, public hearing or Town Council approval. In accordance with these provisions, there are six trees along Dog Lane that the Tree Warden has deemed hazards that will be removed in addition to any trees for which the Council authorizes removal through this process.

In addition to the thirteen trees identified in CL&P's request and the six trees that the Tree Warden has deemed hazards and ordered removed, there are two trees, one at 56 and one at 127 Dog Lane that were flagged but not included in CL&P's application. These trees should be added to the original thirteen requested by CL&P for a total of fifteen trees that require Town Council authorization for removal. To provide a clear picture of the total number (21) and location of trees that may be removed along Dog Lane, the following table identifies all trees, both healthy and hazardous, that are proposed for removal on Dog Lane. Trees for which Town Council authorization is needed prior to removal are shown in bold.

Address/Location	Tree Description/ Condition	Notes
56 Dog Lane (across the street)	18" Hickory Tree in fair condition but close to road.	Should be removed for vehicle safety and has been scarred by Town Plow Truck.
79 Dog Lane	18" Ash with 50% die back	Deemed a hazard by Tree Warden- to be removed
	24" Ash in good condition	
	30" Ash in good condition (private tree)	
	18" Hickory in fair condition but very close to road with lean >15 degrees.	Should be removed for vehicle safety and a lean of >15 degrees is considered a hazard
	18" Maple (private tree)	
85 Dog Lane	24" Ash – dead	Deemed a hazard by Tree Warden- to be removed
	24" Hemlock – diseased with 30% die back	Deemed a hazard by Tree Warden- to be removed
98 Dog Lane	30" Birch dual leader with rotted root flair	Deemed a hazard by Tree Warden- to be removed
	24" Oak-good condition	
	24" Oak-good condition	
	24" Ash-good condition but touching power lines	
112 Dog Lane	30" Birch with hazardous lean toward road	Deemed a hazard by Tree Warden- to be removed
	24" Maple dual leader-dead	Deemed a hazard by Tree Warden- to be removed
127 Dog Lane	30" dual leader Oak at road edge	Dangerous to motor vehicles
	18" Maple in good condition	
149 Dog Lane	18" Maple with 15+ degree lean toward road (private tree)	
	18" Maple with 15+ degree lean toward road (private tree)	
	12" Elm in fair condition	
Intersection of Bundy and Dog Lane	18" Maple in fair condition (private tree)	
	18" Pine in fair condition (private tree)	

*8-24 Referral: Four Corners Sanitary Sewer System
July 31, 2014*

Gurleyville Road

At the time of this memo, the Tree Warden had not yet completed his inspection of the trees proposed for removal along Gurleyville Road. A supplement to this memo will be provided for those trees in advance of Monday's meeting.



Department of Planning and Development

Date: August 1, 2014
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director 
Subject: Alterations to Dog Lane (File #1010-5) and Gurleyville Scenic Roads (File #1010-8)

This report supplements my memo of July 31, 2014.

Gurleyville Road

Gurleyville Road was designated as a scenic road in 2011. The justification submitted as part of the application for scenic road designation includes the following description: “. . .soon after its intersection with Bundy Lane, Gurleyville Road hedges downhill rather steeply through forest alongside a now-cascading Robert’s Brook toward the Fenton River. At the Fenton are ruins of a historic silk mill, the crossing of the much-used Nipmuck Trail, and the historic Gurleyville Cemetery, where generations of Gurleys, Chaffees, Conants, and other notable Mansfield families are buried. Just past the cemetery is the former Button Box antique shop, in earlier times a mother-of-pearl button factory, now an art gallery and school. From there an avenue of tall pines leads into Gurleyville, one of Mansfield’s designated historic villages, where its former town hall (#310), tavern (#309), stagecoach horse barn (#304) and general stores (673 Chaffeerville Road and 1 Codfish Falls Road) still stand largely as they were.”

Mark Kiefer, the Town’s Tree Warden, has inspected each of the trees that CL&P is requesting to remove for purposes of protecting utility lines. Pursuant to the Town’s scenic road ordinance, the removal of “dead, diseased, damages or dangerous trees and branches of trees” is considered to be emergency, routine and minor maintenance and is therefore allowed without PZC review, public hearing or Town Council approval. In accordance with these provisions, there are sixteen (16) trees along Gurleyville Road that the Tree Warden has deemed hazards that will be removed in addition to any trees for which the Council authorizes removal through this process. Twelve of these hazardous trees are located just south of the intersection of Gurleyville and Codfish Falls, and are included in the description above

Eleven (11) of the trees that CL&P has requested authority to remove are in good condition and required Town Council approval; these trees are identified in the application. To provide a clear picture of the total number (27) and location of trees that may be removed along Gurleyville Road, the following table identifies all trees, both healthy and hazardous, that are proposed for removal. Trees for which Town Council authorization is needed prior to removal are shown in bold.

Address/Location	Tree Description/ Condition	Notes
301 to 293	12 Red Pines	Deemed a hazard by the Tree Warden to be removed
287 Gurleyville (art studio)	30" Hickory-Good Condition	
	20" Red Pine(Private Tree)-Good Condition	
	24" Red Pine (Private Tree)-Good Condition	
	30" White Pine (Private Tree)-Good Condition	
Across From Torrey Preserve	24" Red Oak (Private Tree)-Good Condition	
	24" Poplar	Deemed a hazard by the Tree Warden to be removed
Across from 234	36" Oak	Deemed a hazard by the Tree Warden to be removed
Wooded Section of Gurleyville located between the intersection of Bundy Lane and 217 Gurleyville Road (west side of road, owned by UCONN)	24" Oak (Private Tree)-Good Condition	
	20" Oak (Private Tree)-Good Condition	
	20" Hemlock (Private Tree)-Good Condition	
	24" Hemlock (Private Tree)-Good Condition	
217 Gurleyville	30" Ash-Good Condition	
	36" Pine-Good Condition	
Bundy Lane Intersection	30" Maple	Deemed a hazard by the Tree Warden to be removed
	6" Cherry	Deemed a hazard by the Tree Warden to be removed

Summary

CL&P is requesting approval to remove 15 trees on Dog Lane and 11 trees on Gurleyville Road. Other trees that have been deemed hazards by the Town's Tree Warden will also be removed; however, the removal of these trees is permitted under the Town's scenic road ordinance and does not require review by the PZC, a public hearing or Town Council approval.

The trees along Dog Lane for which CL&P has requested authorization to remove are spread out along approximately 0.6 miles of road and are not expected to significantly impact the scenic character of the road.

Of the proposed healthy trees to be removed, the 30" dual-leader oak at 127 Dog Lane is the most significant due both to its size and location at a curve in the road; however, it is these factors that also make the tree dangerous to motor vehicles travelling on the road as identified by the Tree Warden.

With regard to Gurleyville road, the most significant impact to the scenic road designation will be in the area where twelve red pines are being removed due to their hazardous condition, as these are part of the 'avenue of tall pines that lead into Gurleyville.' However, as noted, the removal of these trees is not within the Commission's or Council's purview. Of the other trees to be removed on Gurleyville, the loss of the trees at 287 Gurleyville (Fenton River Studio) would be the most noticeable to people heading east due to the curvature of the road and the relatively low density of trees in that area. Removing these trees would open up views to the art studio property, but their loss would not necessarily result in a significant impact overall to the character of the road. The eleven trees under consideration as part of the current application are spread out along 0.85 miles of roadway and if removed, will not have a significant impact on the scenic character of the road.

Several of the trees to be removed are located near stone walls; any approval motion should include a recommendation that CL&P be required to repair/restore any stone walls damaged as part of the tree removal process.

To assist the Commission, I have prepared three draft motions for your use for each scenic road. Option A would be a report indicating no objections to removal of any of the trees requested by CL&P; Option B would be a report indicating no objection to removal of certain trees; and Option C would be a report indicating objection to removal of any trees as requested.

DRAFT MOTIONS-SCENIC ROAD ALTERATION-DOG LANE (FILE #1010-5)

OPTION A: MOTION INDICATING NO OBJECTION TO REMOVAL OF ANY TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to the removal of fifteen trees along Dog Lane as requested by the Connecticut Light and Power Company as the loss of these trees will not significantly alter the scenic character of Dog Lane provided that any stone walls damaged during the removal be repaired/restored.

OPTION B: MOTION INDICATING OBJECTIONS TO REMOVAL OF CERTAIN TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to removal of the following trees on Dog Lane as requested by the Connecticut Light and Power Company as the removal of these trees will not significantly alter the scenic character of Dog Lane provided that any stone walls damaged during the removal be repaired/restored:

▪

The Commission does object to the removal of the following trees as requested by Connecticut Light and Power as the loss of these trees would negatively impact the scenic character of Dog Lane:

▪

OPTION C: MOTION INDICATING OBJECTION TO REMOVAL OF ALL TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission objects to the removal of fifteen trees along Dog Lane as requested by the Connecticut Light and Power Company as the loss of these trees would negatively impact the scenic character of Dog Lane.

DRAFT MOTIONS-SCENIC ROAD ALTERATION-GURLEYVILLE ROAD (FILE #1010-8)

OPTION A: MOTION INDICATING NO OBJECTION TO REMOVAL OF ANY TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to the removal of eleven trees along Gurleyville Road as requested by the Connecticut Light and Power Company as the loss of these trees will not significantly alter the scenic character of Gurleyville Road provided that any stone walls damaged during the removal be repaired/restored.

OPTION B: MOTION INDICATING OBJECTIONS TO REMOVAL OF CERTAIN TREES
IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to removal of the following trees on Gurleyville Road as requested by the Connecticut Light and Power Company as the removal of these trees will not significantly alter the scenic character of Gurleyville Road provided that any stone walls damaged during the removal be repaired/restored:

▪

The Commission does object to the removal of the following trees as requested by Connecticut Light and Power as the loss of these trees would negatively impact the scenic character of Gurleyville Road:

▪

OPTION C: MOTION INDICATING OBJECTION TO REMOVAL OF ALL TREES IDENTIFIED
IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission objects to the removal of eleven trees along Gurleyville Road as requested by the Connecticut Light and Power Company as the loss of these trees would negatively impact the scenic character of Gurleyville Road.



Department of Planning and Development

Date: August 28, 2014
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *LMP*
Subject: Alterations to Dog Lane (File #1010-5) and Gurleyville Scenic Roads (File #1010-8)

This report supplements my memos of July 31, 2014 and August 4, 2014.

On August 4, 2014, the PZC opened a public hearing on the proposed removal of several trees by Connecticut Light and Power (CL&P) on Dog Lane and Gurleyville Road. CL&P is requesting authority to remove the trees to increase protection for utility lines. In accordance with the Town's scenic road ordinance, the removal of healthy, mature trees from a scenic road requires approval from the Town Council after a public hearing is held by the Commission. In addition to tree removal, CL&P will also be conducting extensive trimming to meet Utility Protection Zone (UPZ) requirements; trimming for this purpose is an authorized activity under the scenic road ordinance and does not require Town Council approval. Trimming for Dog Lane has since been completed and trimming on Gurleyville Road is underway.

The Commission continued the hearing due to discrepancies in information presented. CL&P was requested to repost the trees proposed for removal, using different color tape for trees that require approval from the Town Council and the hazardous trees that the Town's Tree Warden had ordered removed. Additionally, the Commission requested that CL&P update the list of trees to be removed to be consistent with trees identified by the Tree Warden and their contractor, and provide evidence of owner consent.

Pursuant to those requests, CL&P reposted all of the trees to be removed in two different colors on August 11th. Subsequent to the reposting, all of the hazardous trees were removed during the week of August 18th. In addition to the trees initially identified as hazardous in my July 31st memo regarding Dog Lane, on final inspection prior to removal the Tree Warden noticed additional rot on the back of an 18-inch Hickory tree across from 56 Dog Lane; that tree was also ordered removed as a hazard.

On August 27th, CL&P submitted a revised list of trees for proposed removal, which is attached to this memo. In his cover memo, Stephen Child indicated that two trees have been added to the list for removal: one at 217 Gurleyville Road at the request of the property owner, which was the large tree discussed at the public hearing; and one at 127 Dog Lane that inadvertently been left off of the previous submission. CL&P has also indicated that they have obtained owner consent for all removals; however, as these consents are not public documents, they are unable to provide copies without obtaining consent of each owner. The revised listing does indicate that they have received consent from each owner, and CL&P will have copies of consents with them at the meeting if there is a question raised on a particular property.

The following table identifies the trees to be removed and includes notes from the Town's Tree Warden with regard to condition of the trees. CL&P is requesting approval to remove eleven (11) trees from Gurleyville Road and fourteen (14) trees from Dog Lane.

Address/Location	Tree Description/ Condition	Notes
Trees Proposed for Removal on Dog Lane		
79 Dog Lane	24" Ash in good condition	
	30" Ash in good condition (private tree)	CL&P has indicated this tree could be trimmed instead of removed
	18" Hickory in fair condition but very close to road with lean >15 degrees.	Should be removed for vehicle safety and a lean of >15 degrees is considered a hazard
	18" Maple (private tree)	
98 Dog Lane	24" White Oak-good condition	
	24" Red Oak-good condition	CL&P has indicated this tree could be trimmed instead of removed
	24" Ash-good condition but touching power lines	
127 Dog Lane	30" dual leader Oak at road edge	Dangerous to motor vehicles;
	18" Maple in good condition	
149 Dog Lane	18" Maple with 15+ degree lean toward road (private tree)	
	18" Maple with 15+ degree lean toward road (private tree)	
	12" Elm in fair condition	
Intersection of Bundy and Dog Lane	18" Maple in fair condition (private tree)	
	18" Pine in fair condition (private tree)	
Trees Proposed for Removal on Gurleyville Road		
287 Gurleyville (art studio)	30" Hickory-Good Condition	CL&P has indicated this tree could be trimmed instead of removed
	20" Red Pine(Private Tree)-Good Condition	
	24" Red Pine (Private Tree)-Good Condition	
	30" White Pine (Private Tree)-Good Condition	
Wooded Section of road located between the intersection of Bundy Lane and 217 Gurleyville (west side of road, owned by UCONN)	24" Oak (Private Tree)-Good Condition	
	20" Oak (Private Tree)-Good Condition	
	20" Hemlock (Private Tree)-Good Condition	
	24" Hemlock (Private Tree)-Good Condition	

Address/Location	Tree Description/ Condition	Notes
Trees Proposed for Removal on Gurleyville Road		
217 Gurleyville	30" Ash-Good Condition	
	36" Pine-Good Condition	
	40" White Pine	Added at the request of the landowner

Summary

The fourteen (14) trees along Dog Lane for which CL&P has requested authorization to remove are spread out along approximately 0.6 miles of road and are not anticipated to have a significant impact on the scenic character of the road. As part of the revised request, CL&P has indicated that the 30-inch Ash at 79 Dog Lane and the 24-inch Red Oak at 98 Dog Lane could be trimmed rather than removed; however, their preference for utility line protection is to remove the trees. Of the proposed healthy trees to be removed, the 30" dual-leader oak at 127 Dog Lane is the most significant due both to its size and location at a curve in the road; however, it is these factors that also make the tree dangerous to motor vehicles travelling on the road as identified by the Tree Warden. Correspondence has been received from Michael Soares, 99 Dog Lane (letter dated August 4, 2014), requesting that no good or healthy trees less than 3 feet from the road surface be removed. A copy of his letter is included in the meeting packet.

Of the trees to be removed on Gurleyville, the loss of the trees at 287 Gurleyville (Fenton River Studio) would be the most noticeable to people heading east due to the curvature of the road and the relatively low density of trees in that area. Removing these trees would open up views to the art studio property, but their loss would not necessarily result in a significant impact overall to the character of the road. As with the two trees on Dog Lane, CL&P has indicated that the 30-inch hickory on this property could be trimmed rather than removed. The eleven (11) trees under consideration as part of the current application are spread out along 0.85 miles of roadway and if removed, will not have a significant impact on the scenic character of the road.

Several of the trees to be removed are located near stone walls; any approval motion should include a recommendation that CL&P be required to repair/restore any stone walls damaged as part of the tree removal process.

To assist the Commission, I have prepared three draft motions for your use for each scenic road. Option A would be a report indicating no objections to removal of any of the trees requested by CL&P; Option B would be a report indicating no objection to removal of certain trees; and Option C would be a report indicating objection to removal of any trees as requested.

DRAFT MOTIONS-SCENIC ROAD ALTERATION-DOG LANE (FILE #1010-5)

OPTION A: MOTION INDICATING NO OBJECTION TO REMOVAL OF ANY TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to the removal of fourteen trees along Dog Lane as requested by the Connecticut Light and Power Company as the loss of these trees will not significantly alter the scenic character of Dog Lane provided that any stone walls damaged during the removal be repaired/restored.

OPTION B: MOTION INDICATING OBJECTIONS TO REMOVAL OF CERTAIN TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to removal of the following trees on Dog Lane as requested by the Connecticut Light and Power Company as the removal of these trees will not significantly alter the scenic character of Dog Lane provided that any stone walls damaged during the removal be repaired/restored:

▪

The Commission does object to the removal of the following trees as requested by Connecticut Light and Power as the loss of these trees would negatively impact the scenic character of Dog Lane:

▪

OPTION C: MOTION INDICATING OBJECTION TO REMOVAL OF ALL TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission objects to the removal of fourteen trees along Dog Lane as requested by the Connecticut Light and Power Company as the loss of these trees would negatively impact the scenic character of Dog Lane.

DRAFT MOTIONS-SCENIC ROAD ALTERATION-GURLEYVILLE ROAD (FILE #1010-8)

OPTION A: MOTION INDICATING NO OBJECTION TO REMOVAL OF ANY TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to the removal of eleven trees along Gurleyville Road as requested by the Connecticut Light and Power Company as the loss of these trees will not significantly alter the scenic character of Gurleyville Road provided that any stone walls damaged during the removal be repaired/restored.

OPTION B: MOTION INDICATING OBJECTIONS TO REMOVAL OF CERTAIN TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission has no objection to removal of the following trees on Gurleyville Road as requested by the Connecticut Light and Power Company as the removal of these trees will not significantly alter the scenic character of Gurleyville Road provided that any stone walls damaged during the removal be repaired/restored:

▪

The Commission does object to the removal of the following trees as requested by Connecticut Light and Power as the loss of these trees would negatively impact the scenic character of Gurleyville Road:

▪

OPTION C: MOTION INDICATING OBJECTION TO REMOVAL OF ALL TREES IDENTIFIED IN THE CL&P REQUEST

_____ MOVES, _____ SECONDS to communicate to the Town Council that the Planning and Zoning Commission objects to the removal of eleven trees along Gurleyville Road as requested by the Connecticut Light and Power Company as the loss of these trees would negatively impact the scenic character of Gurleyville Road.

CL&P Proposed Tree Removals 12J5 Circuit Scenic Roads - Mansfield *

8/27/2014

Tree #	Address	Diameter Specie	Description	Ownership	Permission
1	79 Dog Lane	24" Ash	Pole# 3422-3423	Town	Yes
2	79 Dog Lane	30" Ash	Pole# 3422-3423 **	Private	Yes
3	79 Dog Lane	18" Hickory	Pole# 3422-3423, Leaning heavy toward Rd	Town	Yes
4	79 Dog Lane	18" Sugar Maple	Pole# 3424-3423	Private	Yes
5	98 Dog Lane	24" White Oak	Pole# 917-3425	Town	Yes
6	98 Dog Lane	24" Red Oak	Pole# 917-3425 **	Town	Yes
7	98 Dog Lane	24" Ash	Pole# 917-3425 good condition, touching wires	Town	Yes
8	127 Dog Lane	30" Oak (dual)	Pole# 912 Dual Leader Oak @ rd edge	Town	Yes
9	127 Dog Lane	24" Sugar Maple	Pole# 912	Town	Yes
10	149 Dog Lane	18" Red Maple	Pole #909-910 leaning toward rd	Private	Yes
11	149 Dog Lane	18" Sugar Maple	Pole #910-911	Private	Yes
12	149 Dog Lane	12" Elm	Pole #5002-909	Town	Yes
13	Int. Dog Ln/Bundy	18" Red Maple	Pole #908	Private	Yes
14	Int. Dog Ln/Bundy	18" Pine	Pole #908	Private	Yes
15	287 Gurleyville	30"Hickory	Pole #1711 **	Town	Yes
16	287 Gurleyville	20" Red Pine	Pole #1711-1710	Private	Yes
17	287 Gurleyville	24" Red Pine	Pole# 1711-1710	Private	Yes
18	287 Gurleyville	30" White Pine	Pole# 1711-1710	Private	Yes
19	(Wooded) Gurleyville	24" Oak	Pole #1684-1682	Private	Yes
20	(Wooded) Gurleyville	20" Oak	Pole #1684-1682	Private	Yes
21	(Wooded) Gurleyville	20" Hemlock	Pole #1689-1688	Private	Yes
22	(Wooded) Gurleyville	24" Hemlock	Pole #1689-1688	Private	Yes
23	217 Gurleyville	30" Ash	Pole #1694 - 1693	Town	Yes
24	217 Gurleyville	36" Pine	Pole #1694 - 1693	Town	Yes
25	217 Gurleyville	40" White Pine	Pole#1693 (added since first hearing per landowner discussion)	Private	Yes (added)
* Trees identified in or near Utility Protection Zone. Should be removed due to specie, closeness, lean etc.					
** Trees Identified in Utility Protection Zone that could be trimmed					



Department of Planning and Development

Date: September 3, 2014.
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *LMP*
Subject: Alterations to Dog Lane (File #1010-5) Scenic Road

This report supplements my memos of July 31, 2014, August 4, 2014 and August 28, 2014.

As noted in my August 28th memo, several trees deemed hazardous by the Tree Warden were removed from Dog Lane the week of August 18th. These eleven trees were identified based on a review of trees requested for removal by CL&P to meet utility protection standards; it was not a thorough review of all trees within the Town's right-of-way. Due to the level of tree trimming and removal activity on Dog Lane, last week the Tree Warden began the process of evaluating all trees within the Town right-of-way to determine if there are other hazardous trees that need to be removed. Based on his initial review, the Tree Warden estimates that approximately 1 dozen additional trees will need to be removed in the coming weeks due to their hazardous condition. He asked that I relay this information to the Commission so that you understand the magnitude of tree removal as you consider the pending request from CL&P.

In summary, once removal of additional hazardous trees is completed over the next few weeks, over 20 trees will have been removed from Dog Lane, not including the fourteen trees that are part of the CL&P request.

To: Mansfield PZC
From: Michael Soares
Date: August 4, 2014
Re: Tree removal on Dog Lane, with respect to Mansfield's scenic road ordinance

For full disclosure, I want to share that I am a member of Mansfield's Open Space & Preservation Committee, Conservation Commission, and newly formed Water Advisory Board.

I would like to comment on the "good" or "healthy" trees that have been selected for removal on Dog Lane. I request that any "good" or "healthy" trees deemed not hazardous by the tree warden to be left standing.

In particular, I strongly request that **no "good" or "healthy" trees less than three (3) feet from the road surface be removed.** This includes even small-diameter trees in this area. It is my opinion that these trees adjacent to the road greatly improve the safety for residents, recreators (walkers, bikers, etc.), and drivers on these scenic roads. A prime example is a 4-inch DBH sugar maple growing at the sharp turn in Dog Lane, where the road goes around 127 Dog Lane. This maple is on the north side of the road and about a foot from a fieldstone stood on its end at the corner. As I know from my own experience walking and driving here, it is narrow and requires that one has go slowly. I consider that to be an asset and want it preserved, as the ordinance suggests.

If such "good" or "healthy" trees are selected for removal by the utility, I ask that the contractor hired by the utility be directed with such trees to prune only branches in close proximity to or above the electrical lines.

I would also like to comment on an event sometime last year, when two large trees were cut down on Dog Lane (located at approximately 123 Dog Lane and across the road from 127's easternmost driveway). Both were mature, native hardwoods established in the forest's canopy, and each had multiple trunks of at least 14-inch DBH (diameter at breast height). Equally as important, these trees were along the road side, and like similar trees on all of Mansfield's designated scenic roads, they aided in forcing drivers to proceed more cautiously. While both trees had some die-back, the majority of them were healthy (this is my opinion as someone with some training in forestry). I could not – and still cannot – determine why the town removed these trees and was disappointed. Once I learned about our scenic road designation and this procedure which is currently underway, I was more disappointed and concerned. These trees, precisely the kind protected by the scenic road ordinance, were removed with no posting, notification of Dog Lane's residents, nor public hearing such as this. It leads to think that the town's tree warden was also not notified of those removals. In light of those events, I am encouraged this tree removal project has followed the procedure and given me and other town residents an opportunity to comment.

Thank you.
Michael Soares
99 Dog Lane
Mansfield, CT

Date: August 9, 2014

To: Town of Mansfield Planning & Zoning Committee

RE: Proposed application by CL&P to remove trees along Dog Lane

WHEREAS the Town of Mansfield Scenic Roads Ordinance (Chapter 155) states:

- scenic roads "shall be free of intensive vehicular traffic"
- scenic road criteria includes "bordered by mature trees or stone walls along a majority of its length"

WHEREAS §155-6D(2) states:

[text underlined for emphasis]

"Any alterations or improvements authorized by this section shall be the minimum necessary to address safety issues associated with the new driveway, highway or land use development, and any approved alteration or improvement shall be designed to minimize impacts on the scenic characteristics of the subject scenic road. No alteration or improvement shall be approved by the Planning and Zoning Commission until potential alternative solutions have been considered thoroughly. Stone wall relocations and reconstructions, the planting of new trees, shrubs or flowers, the installation of underground utilities and other mitigating measures may be required by the Planning and Zoning Commission in conjunction with its authorization of alterations or improvements to scenic roads."

WHEREAS the proposed application by CT L&P includes trees that are healthy and could therefore be trimmed instead of removed, and have been identified as such by the town's Tree Warden.

WHEREAS written concurrence from residents along Dog Lane for tree removal on their property ought NOT to be construed as consent for the removal of all trees along the road, including many that are between properties and owned by the town.

WHEREAS Dog Lane does not have a sidewalk for much of its length yet is heavily used by pedestrians and bikers, including students from E.O. Smith and UConn, and new residents taking occupancy in Storrs Center. The generous canopy and the presence of mature trees along the border of Dog Lane have the dual benefit of slowing traffic for pedestrians and deterring drivers from seeking an alternative exit from Storrs Center.

We, the undersigned, recommend the following:

- 1) Mansfield P&Z commission reject CL&P's application for removal of town-owned healthy trees on Dog Lane, and instead allow CL&P to perform trimming of these trees, with input from the Town's Tree Warden on the extent of trimming needed;
- 2) Mansfield P&Z commission should permit CL&P to remove any privately-owned healthy tree on Dog Lane if the owner gives consent (or has already given consent) to CL&P for its removal;
- 3) As suggested in §155-6D(2), replacement trees should be planted following the necessary removal of trees in order to minimize impacts on the scenic characteristic of Mansfield's scenic roads. A municipal tree planting program should be piloted to meet the pressure of maintaining Mansfield's beauty and livability as both the town and university continue to grow.

Print Name	Signature	Address
Michael Sorres + Jeff Martin		99 Dog Lane
Marie Cantino & Peter Millman		122 Dog Lane
Mark & Alison Kohan		127 Dog Lane
Janeet Wild & James Wild		128 Dog Lane
Nat Moyzila		112 Dog Lane
Jane Moyzila		
Veronica Helgans		123 Dog Lane
Elaine Fay-Coelho		98 Dog Lane
Carl Coelho		

Print Name

Signature

Address

ALAN REVERING

Alan Reving

117 DOG LANE

PAGE
BREAK



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Linda Painter, Director of Planning and Development; John Carrington, Director of Public Works
Date: September 22, 2014
Re: Use of Code Red Community Notification System for Referendum Notice

Subject Matter/Background

Public Act 13-247 allows municipalities to use a community notification system to remind voters of the time and location of an upcoming referendum. A community notification system is defined as a system that is available to all residents of a municipality and one which allows residents to opt to be notified. The recently implemented Code Red system qualifies under this definition.

The notification sent using this system may include the time and location of the referendum, the ballot question and any previously authorized explanatory text describing the subject of the referendum. No other information can be distributed using this system. Authorization from the chief elected official of the municipality to use a community notification system for this purpose is required per the Act.

With the upcoming referendum on the Four Corners Sanitary Sewer Project, staff recommends that the Council authorize use of the Code Red system to send out a reminder in advance of the referendum date.

Recommendation

If the Town Council concurs with this recommendation, the following motion would be in order:

Move, effective September 22, 2014, to authorize the Mayor to approve use of the Code Red community notification system to send a notification in the week preceding November 4, 2014 to remind residents of the time and location of the upcoming bond referendum on the Four Corners Sanitary Sewer Project. The notice distributed may also include the ballot question and explanatory text as prepared by the Town Clerk and approved by the Town Attorney.

Attachments

- 1) Changes to the Referendum Law Regarding Automated Calling Systems
- 2) Four Corners Sanitary Sewer Project Ballot Question and Explanatory Text
- 3) Policy for Use of Code Red System



Changes to the Referendum Law Regarding Automated Calling Systems

(Effective July 1, 2013)

The rules have changed for school administrators that utilize automated calling systems to remind parents and students about referenda. In the past, the law permitted such school-wide systems to be used for the purpose of sending time, date and place reminders concerning referenda to parents and students. As of July 1, 2013, superintendents and other school officials will no longer be permitted to use automated calling systems in this way.

Public Act 13-247 enacts restrictions for the use of such automated calling systems when referenda are pending. Now, only *community notification systems*—and not systems that reach only a subset of the entire community—are permitted to be used for the limited purposes of reminding voters of the time and location of upcoming referenda, the ballot question itself, and any previously authorized explanatory text describing the subject matter of the question. Community notification systems are defined as systems that are available *to all residents of a municipality* and permit any resident to opt to be notified. Under the new law, only the chief elected official of the municipality can authorize the use of such a system for this purpose.

Other than as authorized by this Public Act, no one may use municipal funds to send an unsolicited communication to a group of residents (such as the parents of school children) regarding a referendum via electronic mail, text, telephone or other electronic or automated means for the purpose of reminding or encouraging such residents to vote in a referendum. This prohibition does not apply to regularly published newsletters or similar publications.

As in the past, the use of public funds to advocate for a certain result in a referendum is strictly prohibited during the pendency of the referendum. A referendum is considered pending when all of the necessary legal conditions have been satisfied to require the publication of a warning (notice) that a referendum question will be submitted to a vote on a certain date.

For further reference, please see Connecticut General Statutes § 9-369b, as amended by Public Act 13-247. Questions should be directed to the State Elections Enforcement Commission (860-256-2940), or to local town attorneys.

Text of Amendment to General Statutes 9-369b (from P.A. 13-247)

Sec. 501. Section 9-369b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2013):

(a) (1) Except as provided in ~~[subsection (b)]~~ subdivision (2) of this ~~[section] subsection~~, any municipality may, by vote of its legislative body, authorize the preparation and printing of concise explanatory texts of local proposals or questions approved for submission to the electors of a municipality at a referendum. In a municipality that has a town meeting as its legislative body, the board of selectmen shall, by majority vote, determine whether to authorize an explanatory text or the dissemination of other neutral printed material. Thereafter, each such explanatory text shall be prepared by the municipal clerk, subject to the approval of the municipal attorney, and shall specify the intent and purpose of each such proposal or question. Such text shall not advocate either the approval or disapproval of the proposal or question. The municipal clerk shall cause such question or proposal and such explanatory text to be printed in sufficient supply for public distribution and shall also provide for the printing of such explanations of proposals or questions on posters of a size to be determined by said clerk. At least three such posters shall be posted at each polling place at which electors will be voting on such proposals or questions. Any posters printed in excess of the number required by this section to be posted may be displayed by said clerk at the clerk's discretion at locations which are frequented by the public. The explanatory text shall also be furnished to each absentee ballot applicant pursuant to subsection (d) of section 9-140. ~~[Except as provided in subsection (d) of this section, no expenditure of state or municipal funds shall be made to influence any person to vote for approval or disapproval of any such proposal or question.]~~ Any municipality may, by vote of its legislative body and subject to the approval of its municipal attorney, authorize the preparation and printing of materials concerning any such proposal or question in addition to the explanatory text if such materials do not advocate the approval or disapproval of the proposal or question. ~~[This subsection shall not apply to a written, printed or typed summary of an official's views on a proposal or question, which is prepared for any news medium or which is not distributed with public funds to a member of the public except upon request of such member.]~~

~~[(b)]~~ (2) For any referendum called for by a regional school district, the regional board of education shall authorize the preparation and printing of concise explanatory texts of proposals or questions approved for submission to the electors of a municipality at a referendum. The regional school board of education's secretary shall prepare each such explanatory text, subject to the approval of the regional school board of education's counsel, and shall undertake any other duty of a municipal clerk, as described in ~~[subsection (a)]~~ subdivision (1) of this ~~[section] subsection~~.

(3) For purposes of this subdivision, "community notification system" means a communication system that is available to all residents of a municipality and permits any resident to opt to be notified by the municipality via electronic mail, text, telephone or other electronic or automated means of community events or news. At the direction of the chief elected official of a municipality, a municipality that maintains a community notification system may use such system to send a notice informing residents of an upcoming referendum to all residents enrolled in such system. Such notice shall be limited to (A) the time and location of such referendum, (B) a statement of the question as it is to appear on the ballot at the referendum, and (C) if applicable, the explanatory text approved in accordance with subdivision (1) or (2) of this subsection. Any such notice shall not advocate the approval or disapproval of the proposal or question or attempt to influence or aid the success or defeat of the referendum. Other than a notice authorized by this subdivision, no person may use or authorize the use of municipal funds to send an unsolicited communication to a group of residents regarding a referendum via electronic mail, text, telephone or other electronic or automated means for the purpose of

reminding or encouraging such residents to vote in a referendum, provided such prohibition shall not apply to a regularly published newsletter or similar publication.

(4) Except as specifically authorized in this section, no expenditure of state or municipal funds shall be made to influence any person to vote for approval or disapproval of any such proposal or question or to otherwise influence or aid the success or defeat of the referendum. The provisions of this subdivision shall not apply to a written, printed or typed summary of any official's views on a proposal or question, which is prepared for any news medium or which is not distributed with public funds to a member of the public except upon request of such member.

[[c)] (b) The State Elections Enforcement Commission, after providing an opportunity for a hearing in accordance with chapter 54, may impose a civil penalty on any person who violates [subsection (a) or (b) of] this section by authorizing an expenditure of state or municipal funds for a purpose which is prohibited by [subsection (a) of] this section. The amount of any such civil penalty shall not exceed twice the amount of the improper expenditure or one thousand dollars, whichever is greater. In the case of failure to pay any such penalty imposed under this subsection within thirty days of written notice sent by certified or registered mail to such person, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to pay the penalty imposed. Notwithstanding the provisions of sections 5-141d, 7-101a and 7-465, any other provision of the general statutes, and any provision of any special act or charter, no state or municipal officer or employee shall be indemnified or reimbursed by the state or a municipality for a civil penalty imposed under this subsection.

[[d)] (c) Any municipality may provide, by ordinance, for the preparation and printing of concise summaries of arguments in favor of, and arguments opposed to, local proposals or questions approved for submission to the electors of a municipality at a referendum for which explanatory texts are prepared under subsection (a) [or (b)] of this section. Any such ordinance shall provide for the establishment or designation of a committee to prepare such summaries, in accordance with procedures set forth in said ordinance. The members of said committee shall be representatives of various viewpoints concerning such local proposals or questions. The committee shall provide an opportunity for public comment on such summaries to the extent practicable. Such summaries shall be approved by vote of the legislative body of the municipality, or any other municipal body designated by the ordinance, and shall be posted and distributed in the same manner as explanatory texts under subsection (a) of this section. Each summary shall contain language clearly stating that the printing of the summary does not constitute an endorsement by or represent the official position of the municipality.

TOWN OF MANSFIELD

*Explanatory Text – November 4, 2014 Referendum
Prepared by Mary L. Stanton, Mansfield Town Clerk
in accordance with C.G.S. § 9-369b*

“SHALL THE TOWN OF MANSFIELD APPROPRIATE \$9,000,000 FOR THE FOUR CORNERS SANITARY SEWER PROJECT, AND AUTHORIZE THE ISSUE OF BONDS, NOTES AND OTHER OBLIGATIONS TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAIDED FROM GRANTS (ESTIMATED NET PROJECT COST OF \$6,000,000)?”

If approved at referendum, the resolution will appropriate NINE MILLION DOLLARS (\$9,000,000) for costs related to the design, construction, installation and permitting of a 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, and related equipment and appurtenances. The appropriation may be spent for design, construction and installation costs, demolition costs, land or easement acquisition costs, equipment, materials, site improvements, study costs, grant application costs, permitting costs, engineering and other consultants’ fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing.

This resolution adopted by the Mansfield Town Council at its meeting held on September 2, 2014 shall be submitted to a referendum vote of electors of the Town and persons qualified to vote in town meeting who are not electors **to be held on Tuesday, November 4, 2014 between the hours of 6:00 a.m. and 8:00 p.m.** in conjunction with the election to be held on that date, in the manner provided by the Mansfield Town Charter and the Code of Ordinances, and the Connecticut General Statutes. The full text of the resolution as approved by the Town Council is on file and available for public inspection in the office of the Town Clerk, Audrey P. Beck Building, 4 South Eagleville Road in Storrs, during normal business hours.

Electors shall vote on the question at their respective polling places. Voters who are not electors shall vote on the question at the following location: Registrars of Voters Office, Audrey P. Beck Building, 4 South Eagleville Road in Mansfield. Application for an absentee ballot should be made to the Town Clerk’s office.



TOWN OF MANSFIELD POLICY MEMORANDUM

To: All Town Employees & Citizens
From: Matthew W. Hart, Town Manager *M. W. Hart*
Date: September 18, 2014
Subject: Use of the Town's Emergency Notification System

I. Purpose

The purpose of this policy is to provide clarification and guidance regarding the use of the Town's emergency notification system (ENS). It is the goal of the Town of Mansfield to utilize the notification system as a means to disseminate information about significant incidents and events where the timely notification of an effected population or geographic area of the Town is essential or highly desirable, such as a natural, man-made or technological disaster. The emergency notification system may also be used to disseminate other urgent and important community information

II. Emergency Notifications, Urgent Notifications, & Community Information

Some examples of the various types of incidents or events where the ENS may be highly effective in notifying our citizens include the following:

Public Safety

- Major Fires
- Terrorism threats
- Bomb threats
- Bio-Terrorism /Nuclear hazard threats
- Chemical spills
- Gas leaks
- HAZMAT emergencies
- Hostage situations
- Prisoner escape warning
- Missing person(s)
- Evacuation notices
- Drinking water contamination
- Viral outbreaks

Administration

- Town government information of an urgent nature to citizens
- Key budget, referendum, and election dates
- Special events
- Programs

Environmental (Natural Disasters)

- Inclement weather closings and delays
- Fires
- Floods & water safety alerts
- Shelter facilities and comfort stations

Public Works

- Road paving
- Utility outages
- Street closings
- Public notifications
- Street sweeping
- Parking bans

A. Notification and Authorization Process

Each Department that uses the system shall designate a liaison(s) who will be trained on how to use the system. Duplication is encouraged in the event that the primary liaison is unavailable.

Each Department that will potentially use the system shall be provided with a password and subaccount of the master Town account.

i. External Notification Uses

All messages using the Emergency Town-Wide List (storms, chemical spill, etc.) require the approval of either the Town Manager or the Emergency Management Director or their respective designee(s) when serving in an acting capacity.

In certain emergency situations, authorized Fire-Rescue Emergency Incident Commanders (IC) are authorized to initiate usage of the ENS system when necessary in management of incidents occurring in the Town of Mansfield. The Emergency Management Director or his/her designee when serving in an acting capacity shall be notified as soon as practicable once the IC has directed utilization of the system.

All non-emergency phone and/or sms text messages to members of the public require the approval of the Town Manager or his/her designee when serving in an acting capacity.

Non-emergency email messages to those who subscribe to Department-specific lists can be sent by Departments that have completed training and have been granted access to lists relevant to their Department. The Town Manager, Emergency Management Director, and Department Heads or their respective designee(s) when serving in an acting capacity, are authorized to approve instances in which the system is used for said lists. Department Heads can identify specific staff with permission to send authorized messages. Departments should take care not to make excessive use of email notifications.

ii. Internal Notification Uses

All non-emergency phone, sms text, and/or email messages to members of a Department's own staff can be sent by Departments that have completed training and have been granted access to lists relevant to their Department. The Town Manager, Department Heads or their respective designee(s) when serving in an acting capacity are authorized to approve instances in which the system is used for internal departmental lists. Department Heads can identify specific staff with permission to send authorized messages. Departments should take care not to make excessive use of notifications.

B. Prohibited Use

Content of the information provided will not include vulgar, obscene, or other inappropriate language, photographs, or graphics. ENS shall not be used for private or personal activity, political messages, or improper or erroneous messages.

III. Citizen Complaints

Citizen complaints regarding the use of the system shall be referred to the Emergency Management Director and/or Department Head responsible for the message in question for the purpose of review and when appropriate, investigation and/or resolution.

IV. System Troubleshooting

System performance issues are the responsibility of the Information Technology Department and Emergency Management and should be forwarded to those departments for resolution with the vendor.

PAGE
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Democratic headquarter set up right off-campus

STUDENT DEMOCRATS FLOCK TO AID CAMPAIGNS

By Fatir Qureshi

CAMPUS CORRESPONDENT

The Mansfield Democratic Town Committee (DTC) officiated its 2014 campaign headquarters at the University Plaza, on Thursday.

Many students currently involved in the University of Connecticut College Democrats (UCD) see this as a great opportunity to help campaign for candidates in their party.

"It means that club members can head down on weekends or their spare time and work extremely closely with campaign staff, and having a centralized location means more communication and teamwork," said UCD President and 3rd semester political science and economics major Marissa Piccolo, who also copy edits for The Daily Campus.

This will allow students to have a broader impact in state politics.

"It really helps engaging students from campus in being active especially at the state level," State Representative Gregg Haddad said. "In several important races the College Democrats and other progressive groups have made a significant impact in elections."

Planning for the setup of the office began during the summer, and the chosen location was converted from an old tanning salon.

"This headquarters is part of a coordinated campaign, all Democratic candidates running for local office, Gregg Haddad, Joe Courtney and Gov.

Malloy, will use this headquarters for campaigning." Chair of the Mansfield city town council Toni Moran, said.

The opening of the campaign was presided over by several Connecticut politicians including tenant Governor Nancy Wy. Congressman Joe Courtney.

"Looking at the young UConn here it's just great to see how tradition renews itself with so much blood," Courtney said.

Courtney went on to praise for their past involvement in students to vote and volunteer hours canvassing.

He also discussed the importance of youth involvement in the process.

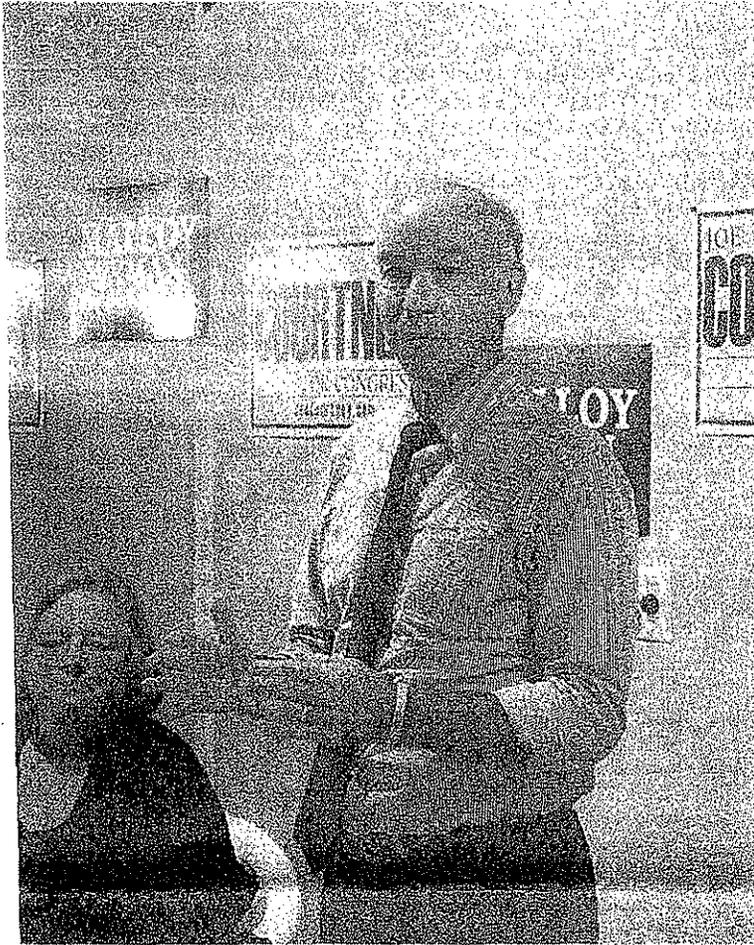
"You guys have a skill set about the future of elections. a real opportunity for you guys up at campaigns and really run around guys much older than Courtney said.

The lieutenant governor also the College Democrats and we extoll the importance of civic ment.

She specifically informed people that they are the future should work towards it accordingly.

"Young people coming out important. We have seen the movement forward. We have seen the movement forward," Wyma

The Democratic headquarters remain active until November, close after the 2014 elections a



Joe Courtney praises and talks with University of Connecticut College Democrats.

PHOTO BY KELLY HUBER/THE DAILY CAMPUS

submitted by Brian Coleman 9/8/14 Council Meeting

TS & ENTERTAINMENT

No student fees used for \$150,000 Jay Leno performance

PAGE
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University of Connecticut Health Center

Item #7

Frank M. Torti, M.D., M.P.H.
Executive Vice President for
Health Affairs
Dean, School of Medicine

August 18, 2014

Matthew W. Hart, Town Manager
Audrey P Beck Municipal Building
4 S. Eagleville Road,
Mansfield, CT 06268

Dear Mr. Hart:

The summer has been a busy one and as I look back on all that we have accomplished and all that is happening around the Health Center, I want to take a moment to thank you for your support.

In particular I want to thank you for taking time out of your busy day to join us for the ribbon cutting ceremony in Storrs on June 26th. The opening of our new Storrs Center is the beginning of exciting days for UConn Health. It will enable us to bring the expertise of our Health Center to our friends and colleagues in Eastern Connecticut.

I look forward to seeing you at future events hosted by UConn Health. Please know, if I can be of service to you in any way, please do not hesitate to call on me.

Sincerely,

Frank M. Torti, MD, MPH

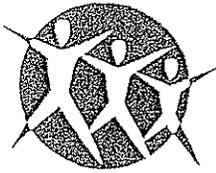
Great to meet you!

An Equal Opportunity Employer

Suite AG087
263 Farmington Avenue, Mail Code 1920
Farmington, Connecticut 06030

Telephone: (860) 679-2594
email: ftorti@uchc.edu

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Mansfield
Community
Center

Town of Mansfield
Parks and Recreation
Department



Item #8

Jared Redmond
Recreation Coordinator

10 South Eagleville Road
Storrs/Mansfield, Connecticut 06268
Tel: (860) 429-3015 Fax: (860) 429-9773
Email: jared.redmond@mansfieldcc.org
Website: www.mansfieldcc.com

9/8/14

Dear Possible Donor:

Mansfield Parks and Recreation would like to invite you to participate in this year's Annual Halloween Party by becoming a sponsor. This party is a free of charge community event made possible by the Town of Mansfield, the Parks and Recreation Department and by donations from people like you.

This Annual Halloween Party usually brings over 500 people, making it a true community event. There are several levels of sponsorship; details for each can be found on the enclosed "Halloween Party Donor" form.

Sponsors will:

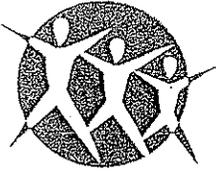
- **Be announced during the event**
- **Have their names, phone numbers, addresses and/or websites listed in the Halloween Party Program**
- **Have their names listed as a donors in our winter brochure (mailed to 22,000 homes and on our website)**

For a more personal connection with the community, you can receive all of these benefits while sponsoring a Trick-A-Trunk: decorating your vehicle and handing out candy as children trick-or-treat around our parking lot; this is a great way to advertise your business while connecting with the community. If you would like to contribute to this year's event please complete and return the form or email the information to jared.redmond@mansfieldct.org by Friday, October 3, 2014.

Thank you for your time and consideration in supporting this program. If you have any questions, please call 429-3015x6107 or email me at the address listed above. I'll be happy to arrange pick up of contributions that cannot be mailed. I look forward to hearing from you. Thank you in advance for your support.

Sincerely,

Jared Redmond
Recreation Coordinator



**Mansfield
Community
Center**

**Town of Mansfield
Parks and Recreation
Department**



*Jared Redmond
Recreation Coordinator*

10 South Eagleville Road
Storrs/Mansfield, Connecticut 06268
Website: www.mansfieldcc.com

HALLOWEEN PARTY DONATION

Trick-A-Trunk Sponsor

This is a fun and interactive way to support and participate at the event (10/25 from 5:00-6:30pm)! Hand out treats (you supply) from your decorated car trunk to costumed children as they trick-or-treat around the Community Center parking lot. You may advertise your business, dress up, decorate your car, etc. You will have your businesses name; phone number and/or website listed on the Halloween Party Program and have your name listed as a donor in our winter brochure that is mailed to 22,000 homes and on our website.

Gold Level Sponsor: \$100 or more

You/your business will be announced during the event, will have your name, phone number, address and/or website listed on Halloween Party program and have your name listed as donor in our winter brochure that is mailed to 22,000 homes and on our website.

Silver Level Sponsor: \$50-99

You/your businesses name, phone number and/or website listed on Halloween Party Program.

Bronze Level Sponsor: up to \$49

You/your businesses name will be listed on the Halloween Party Program.

Spirit Sponsor

This is for those who cannot attend, but would like to support the event in an alternative way. We are happy to accept donations such as candy, decorations, game prizes (such as gift certificates or products), free raffle baskets, etc. You will have your/your businesses name listed on the Halloween Party Program and may receive additional benefits according to monetary value based on the sponsorship levels above (please provide an estimated value so you can be included in the additional benefits).

Please indicate in response by email, phone, fax or mail:

Yes, I am interested in supporting this event, but would like more information

Yes, I would like to make a contribution of: _____

Yes, I would like to participate in Trick-A-Trunk.

Phone: (860) 429-3015 ext. 6107

Fax: (860) 429-9773

Email: jared.redmond@mansfieldct.org

Contact Person: _____

Business Name: _____

Business Address: _____

Phone #: _____ Fax #: _____

Website: _____



2014 Election Campaign

Connecticut Conference of Municipalities

The Voice of Local Government

September 9, 2014

To: CCM-Member Mayors, First Selectmen, Town/City Managers
From: Ron Thomas, Director of Public Policy and Advocacy
Bob Labanara, State Relations Manager
CC: Council Chairs, Board of Finance Chairs
Re: CCM's *Candidate Bulletins*, the Election, and You

CCM needs your help.

Enclosed is the first in a series of *Candidate Bulletins* CCM has sent to all candidates for state and federal office in Connecticut. These *Candidate Bulletins* are an important element of CCM's "Election 2014 Campaign."

This series of bulletins will discuss a wide range of public policy issues of concern to towns and cities. CCM is sending these bulletins to candidates, the CCM membership, the media, and others throughout the election campaign.

The bulletins are intended to assist candidates -- incumbents and challengers alike -- in developing public policy positions favorable to the interests of towns and cities.

In order for CCM's Candidate Bulletins to have maximum impact, municipal officials need to echo the bulletins' themes back home.

CCM suggests the following ways for you to *underscore the message of these Candidate Bulletins*:

1. **Schedule a meeting or meetings with the various candidates.** (Consider involving your local legislative body if you can achieve consensus positions on issues.) Take this opportunity to educate the candidates on the intergovernmental issues critical to your municipality, seek their *positions* on these issues -- *don't let them waffle!*
 - *Also enclosed is a list of questions for candidates for state office* -- please use them as a guide.
2. **Use the print and electronic media in your area to get the municipal message out,** to inform the general public and specialized audiences such as business and service groups.
3. **Develop a process now to maximize the accountability of your state (and federal) legislative delegation to your community.** This process should involve face-to-face meetings at least twice a year. Ask the state (and federal) legislative candidates seeking to represent your municipality to agree to participate in this process if elected.
4. **Create and exploit opportunities to highlight the important relationship between state (and federal) legislative actions and their impacts on your municipality's tax rate and ability to deliver needed services.**

If you have any questions on these *Candidate Bulletins*, or need additional information on state-local issues, please contact Ron Thomas (rthomas@ccm-ct.org) or Bob Labanara (rlabanara@ccm-ct.org) at (203) 498-3000.

Enclosures (2)



2014 Election Campaign

Connecticut Conference of Municipalities

The Voice of Local Government

Questions For Candidates

CCM encourages you to meet with candidates for state offices and ask them for commitments on specific issues of interest to your community. Some sample questions are listed below.

1.) Municipal Aid

While the recently adopted budget increased municipal aid for this year, funding has been trending downward in real dollar terms. This has put increased pressure on the property tax. What would you do to help boost education and non-education aid to towns and cities?

2.) Property Tax Relief

Connecticut is one of the most property tax dependent states in the nation to fund public services, particularly education. What would you do to change that?

3.) Relief From Education Costs

Education costs are the biggest part of every municipality's budget – over 70% in some towns. Special education costs in particular are skyrocketing. What would you do *next year* to relieve pressures on property taxpayers from growing education costs?

Do you support state takeover of the costs and administration of special education?

4.) Mandates Relief

What mandates relief measures (general government and education) do you support?

Do you support enactment of a prohibition on the imposition of new unfunded or underfunded mandates without a 2/3 vote of each chamber of the General Assembly? Why or why not?

5.) Regional Cooperation

What should the State do to encourage more regional and intermunicipal cooperation?

* * *

For more information, please contact Ron Thomas (rthomas@ccm-ct.org) or Bob Labanara (rlabanara@ccm-ct.org) at (203) 498-3000.

CCM Candidate Bulletin

2014



2014 Election Campaign

**Property Taxes in Connecticut:
How Over-Reliance Thwarts
Towns' Ability to Provide
Essential Services**



THE STATE LEGAL COUNSEL

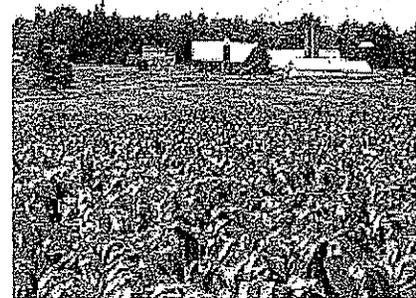
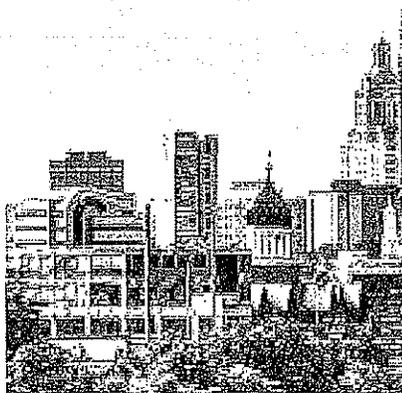
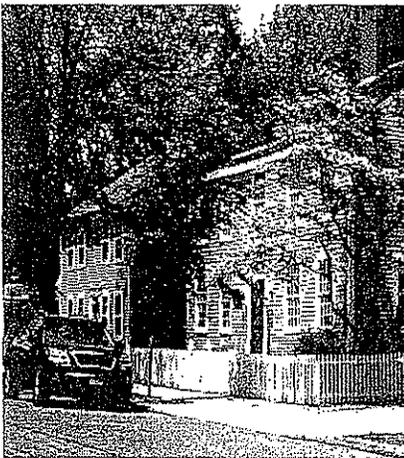
September 2014

CCM Candidate Bulletin

September 2014



Property Taxes in Connecticut: How Over-Reliance Thwarts Towns' Ability to Provide Essential Services



September 2014

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900 Chapel Street, 9th Floor, New Haven, Connecticut 06510-2807
Phone: (203) 498-3000 Fax: (203) 562-6314
Website: www.ccm-ct.org



Property Taxes in Connecticut: How Over-Reliance Thwarts Towns' Ability to Provide Essential Services

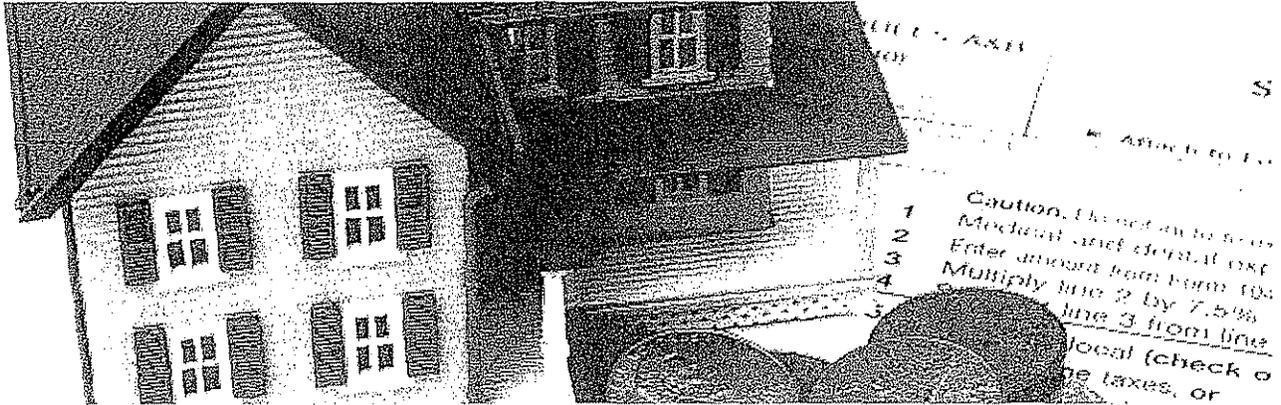


Table of Contents

INTRODUCTION.....

PROPERTY TAX DEPENDENCE.....

WHY IS CT SO RELIANT ON THE PROPERTY TAX?

 The Uncertainty of Intergovernmental Revenue

 State Aid to Municipalities: The Realities

 Key Non-Education Aid

 Education Aid

 Desparities Among Towns and Cities.....

HOW CAN WE REDUCE MUNICIPAL DEPENDENCE ON THE PROPERTY TAX?

 Education Finance Reform.....

 Restore State Revenue Sharing.....

 Fully Fund PILOT Reimbursements.....

 Intermunicipal and Regional Collaboration.....

 Mandates Reform

If you have any questions concerning this CCM policy report, or for more information, please contact Ron Thomas (rthomas@ccm-ct.org) or George Rafael (grafael@ccm-ct.org) of CCM at (203) 498-3000.

Property Taxes in Connecticut: How Over-Reliance Thwarts Towns' Ability to Provide Essential Services

INTRODUCTION

Towns and cities in Connecticut are responsible for providing the majority of public services in our state: preK-12 education; public safety; roads and other infrastructure; elderly and youth services; other social services; recreation; and wastewater treatment, among others. They must do so while meeting numerous mandates, often underfunded or unfunded, from both the federal and state governments.

Funding for these critical local public services can come from various sources, including taxes, user fees and charges, revenue sharing, and state and federal aid. In Connecticut, however, there is one revenue source that provides the majority of local funding – the property tax. A property-tax dependent system only works fairly if two conditions exist: (1) the property and income wealth of a community can generate enough property tax revenue at a reasonable cost to taxpayers to meet the need for public services; or (2) state aid is sufficient to fill local revenue gaps. For many communities in our state, neither condition exists.

It is increasingly clear that the over-reliance on the property tax is inadequate for funding local government services in Connecticut, particularly preK-12 public education, and is no longer advisable nor sustainable.

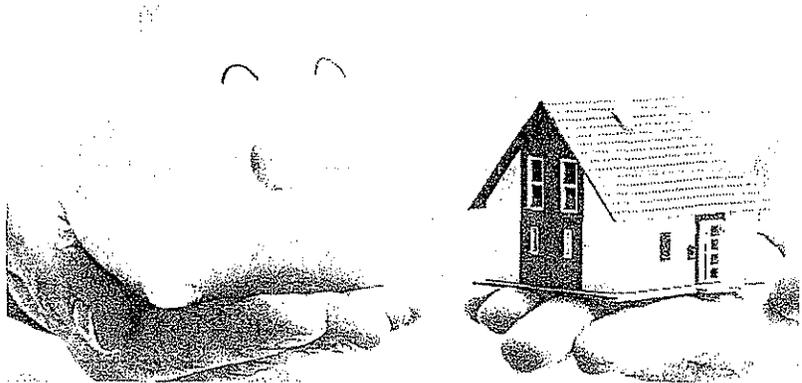
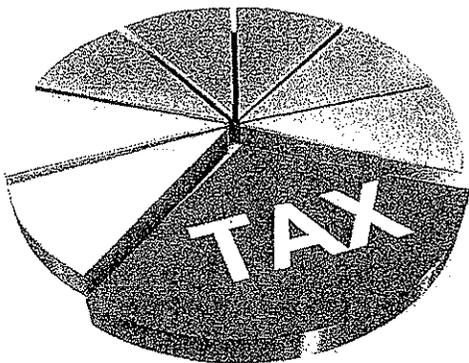
What worked in 1814 doesn't work in 2014.

PROPERTY TAX DEPENDENCE

The property tax is the single largest tax on residents and businesses in our state. The property tax is income-blind and profit-blind. It is due and payable whether a resident has a job or not, or whether a business turns a profit or not.

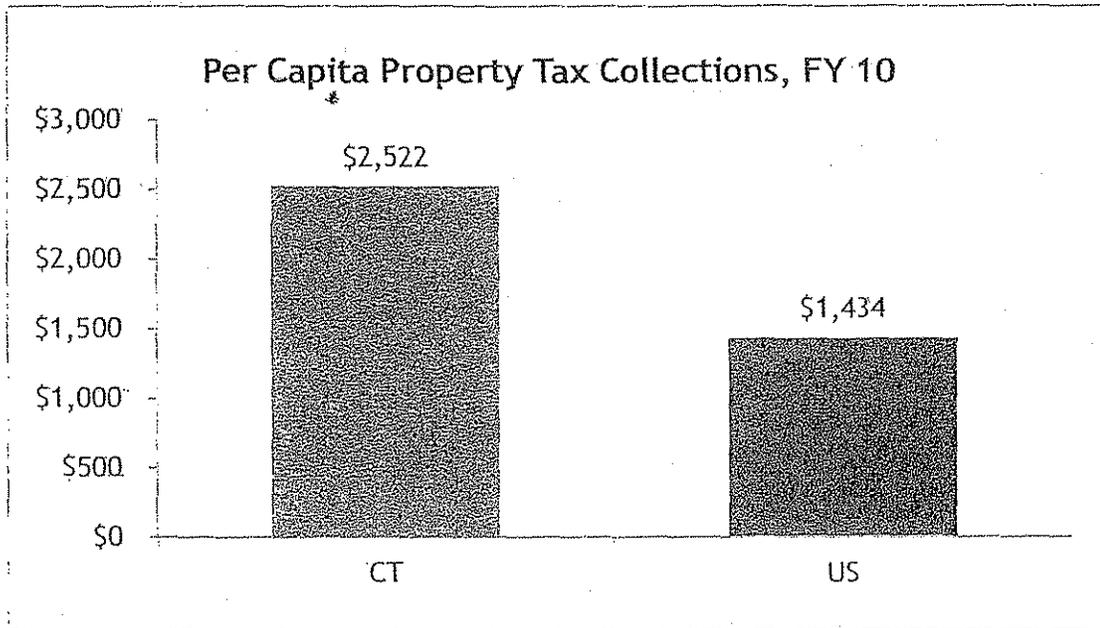
The property tax levy on residents and businesses in Connecticut was \$9.22 billion in 2012.¹

The per capita property tax burden in Connecticut is \$2,522, an amount that is almost twice the national average of \$1,434 - and 3rd highest in the nation. Connecticut ranks 8th in property taxes paid as a percentage of median home value (1.70 percent for Connecticut vs. 1.14 percent for the US).²



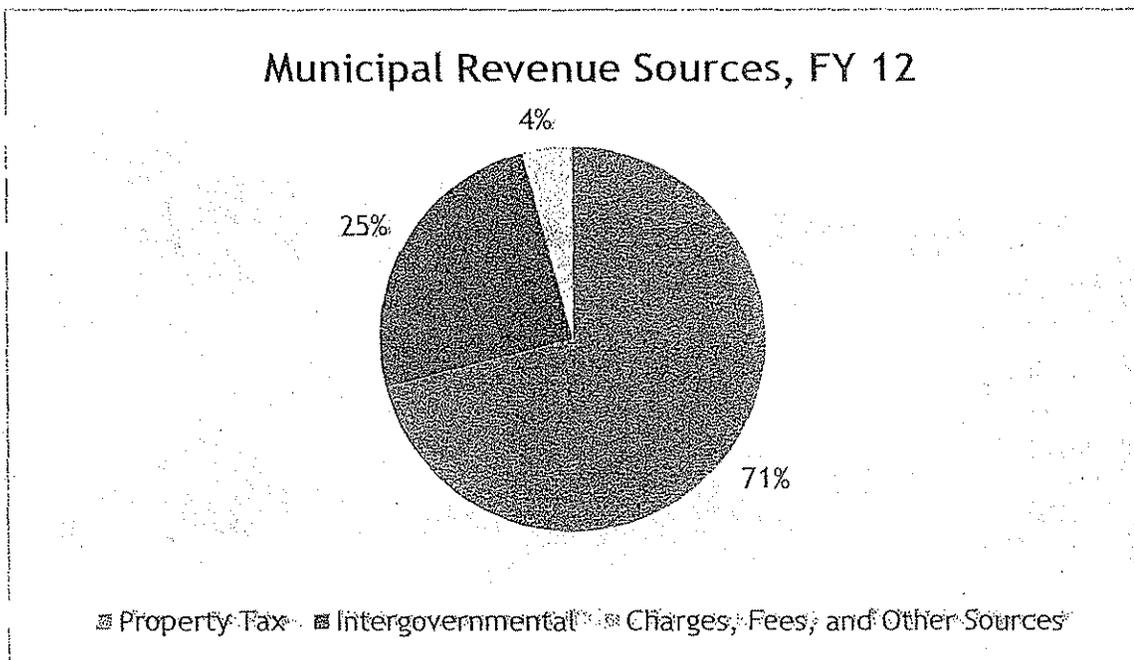
¹ OPM, *Municipal Fiscal Indicators*, 2008-2012.

² Tax Foundation, 2010 Data.



Source: Tax Foundation, latest data available.

Statewide, 71 percent of municipal revenue comes from property taxes. Most of the rest, 25 percent, comes from inter-governmental revenue, mostly in the form of state aid. Some Connecticut municipalities are almost totally dependent on property taxes to fund local government. Fifteen towns depend on property taxes for at least 90 percent of all their revenue. Another 50 municipalities rely on property taxes for at least 80 percent of their revenue.³



Source: OPM, *Municipal Fiscal Indicators*, 2008-2012.

³ OPM, *Municipal Fiscal Indicators*, 2008-2012.

Connecticut is more dependent on property taxes to fund local government than any other state in the nation.⁴

Connecticut is the most reliant state in the nation on property taxes to fund preK-12 public education.⁵ That means that the educational opportunity of a child in our state is directly tied to the property tax wealth of the community in which he or she lives.

Property Tax Facts:

- Connecticut's biggest state-local tax
- Regressive: Income/profit blind
- Property and income wealth vary widely from town to town in Connecticut
- Connecticut is more dependent on it than any other state.
- Biggest tax on Connecticut businesses.
- 71% of all municipal revenue
- Primary funder of PreK-12 public education in Connecticut

The property tax accounts for 37 percent of all state and local taxes paid in our state. In FY 12, Connecticut businesses paid over \$700 million in state corporate income taxes, but over \$1 billion in local property taxes.⁶

WHY IS CONNECTICUT SO RELIANT ON THE PROPERTY TAX?

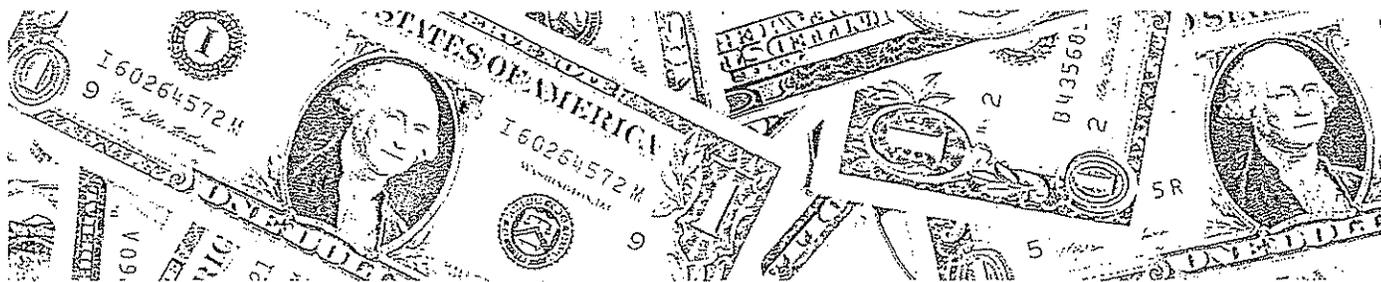


The revenue options available to Connecticut towns and cities are limited by state statute. The property tax is the only tax over which municipalities have significant authority. Municipalities can levy a conveyance tax on real estate transactions, but that tax rate is set by the State and provides a relatively small amount of revenue.

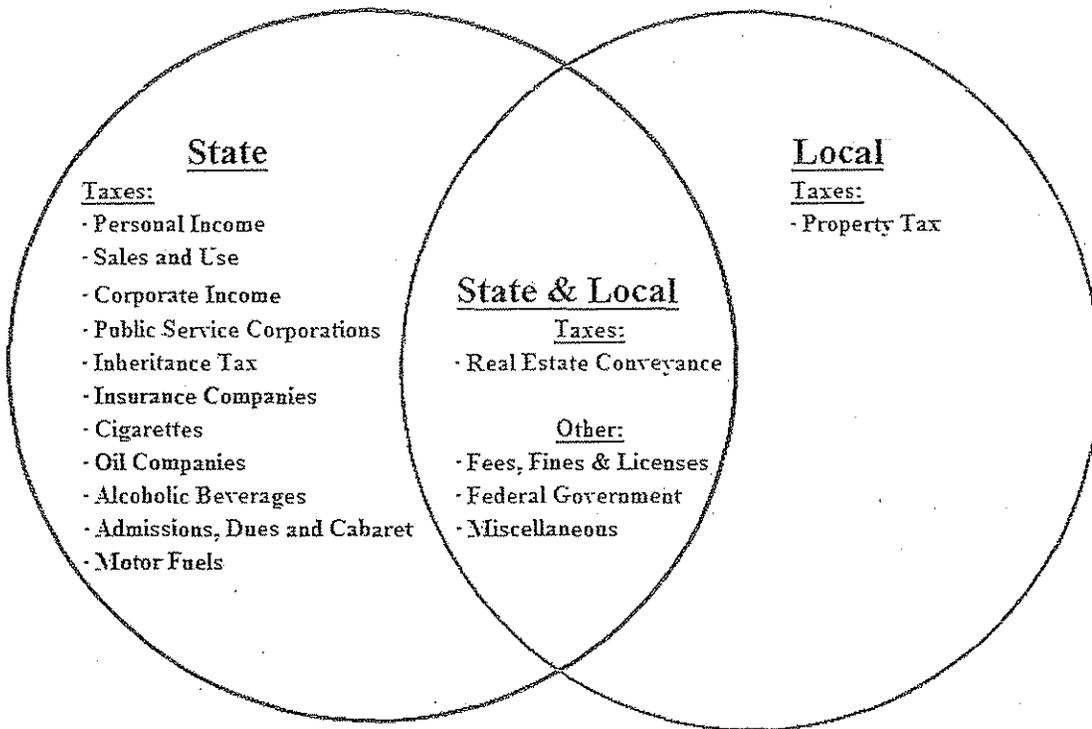
⁴ Based on data from the US Census Bureau and the Tax Foundation.

⁵ US Census Bureau, *Public Elementary-Secondary Education Finances*, 2012.

⁶ CCM estimate.



OWN-SOURCE REVENUE IN CT



Source: CCM 2014.

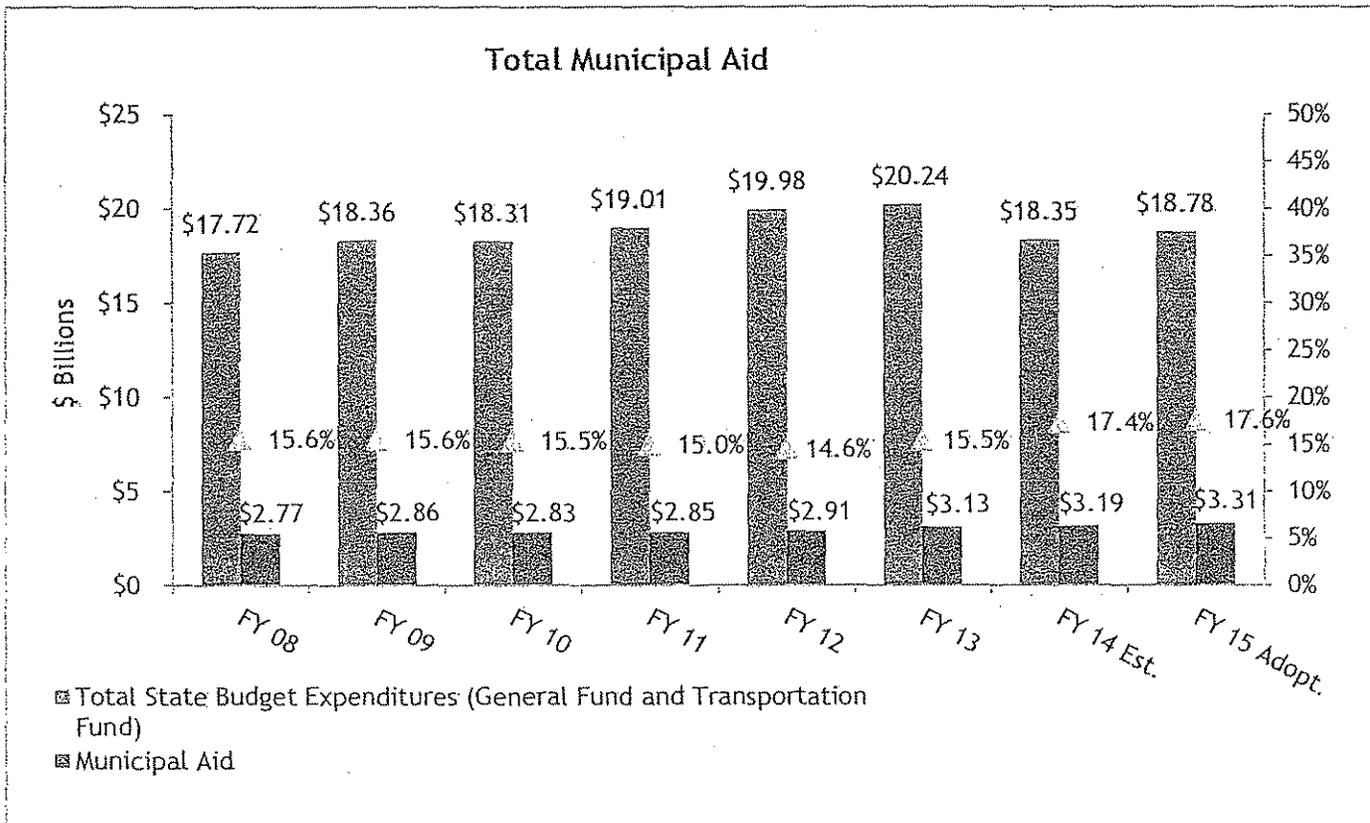
Similarly, municipalities can levy user fees and charges to cover some of the costs of providing services. These are again limited by state law and cannot be used to raise revenue, only to cover necessary costs.

All of this means that, in terms of generating own-source revenue, Connecticut towns and cities are effectively restricted to the regressive and antiquated property tax.

The Uncertainty of Intergovernmental Revenue

After the property tax, the largest revenue source for municipalities is intergovernmental revenue. These payments from the federal and state governments account for about 25 percent of all local revenue, with the vast majority coming from the State. There are significant issues with federal and state funding, however, that increase Hometown Connecticut's reliance on property taxes.

Federal revenues to municipalities often come in the form of competitive grants. The nature of these grants means that funding isn't consistent from year to year, and towns and cities can't rely on that funding as a steady stream of revenue. Add to that the dire fiscal condition of the federal government, and the outlook for consistent and dependable federal funding is anything but positive.



Source: Adopted state budgets; CCM.

Note: Total state budget expenditures are reduced starting in FY 14 due to the removal of the federal share of the Medicaid appropriation totaling approximately \$2.8 billion.

State Aid to Municipalities: The Realities

The State provides \$3.3 billion in education and non-education aid to towns and cities out of a more than \$18.8 billion state budget. This accounts for more than 20 percent of all local revenue. While it represents a substantial amount of money, this funding has failed to keep up with the rising costs of and greater demands for local public services, particularly education services.

Non-education aid is now only about 15 percent of state aid to municipalities. The other 85 percent comes in the form of education aid.⁷

Let's take a look at some of the larger state grant programs starting with non-education aid.

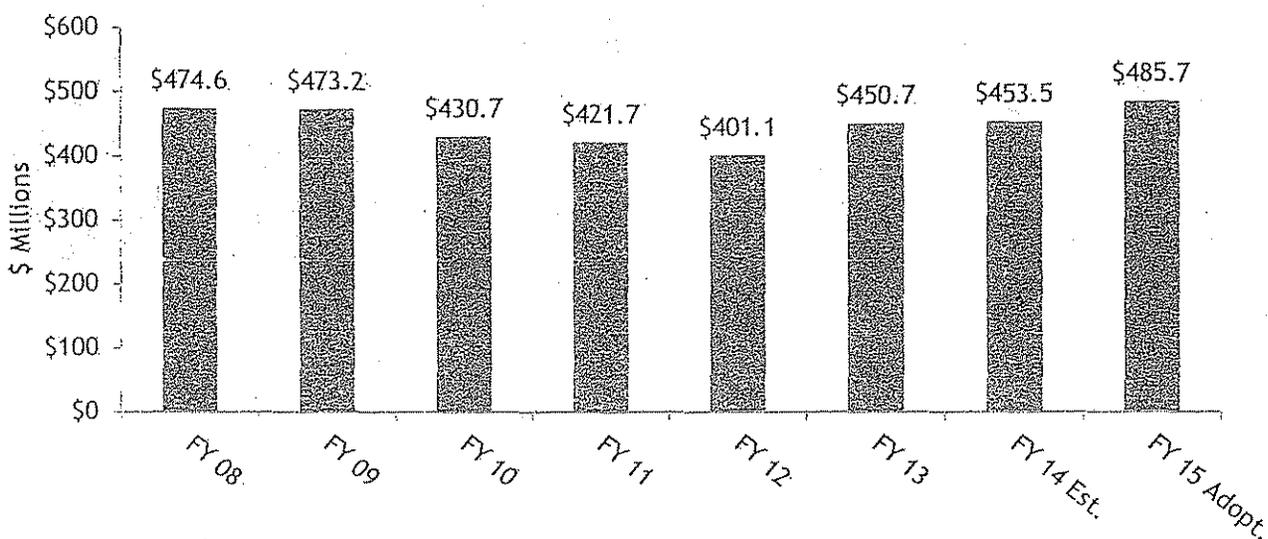
Key Non-Education Aid

The amount of non-education aid to municipalities has fluctuated dramatically over the years.



⁷ CCM calculation based on FY 15 State Budget.

Total Non-Education Aid



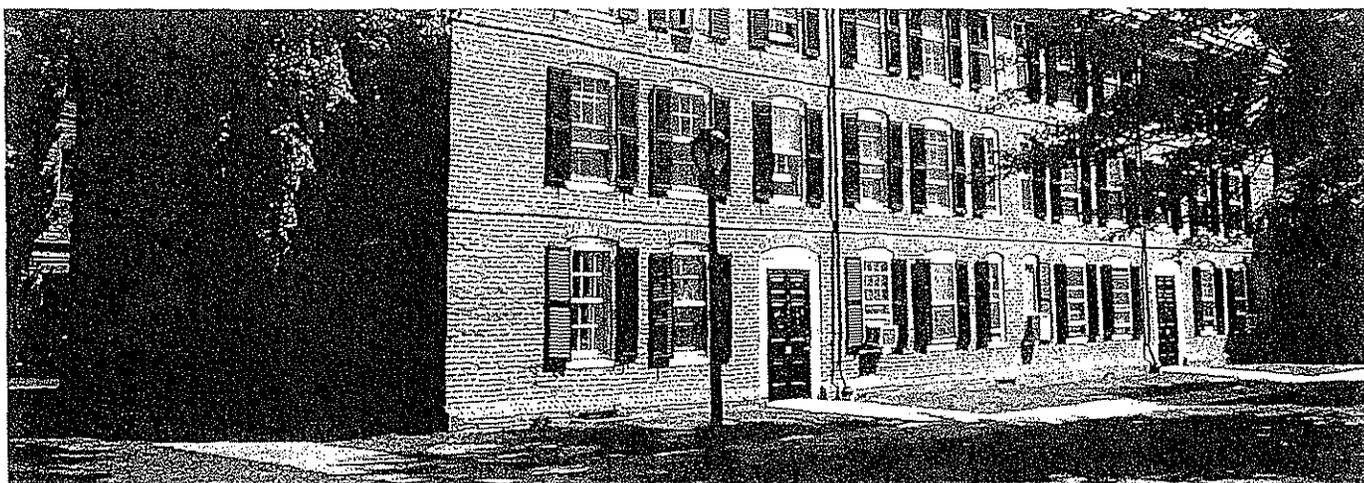
Source: Adopted state budgets; CCM.

Non-education aid to municipalities is \$485.7 million in FY 15, only 15 percent of total state aid to towns and cities.⁸

PILOT: Private Colleges & Hospitals

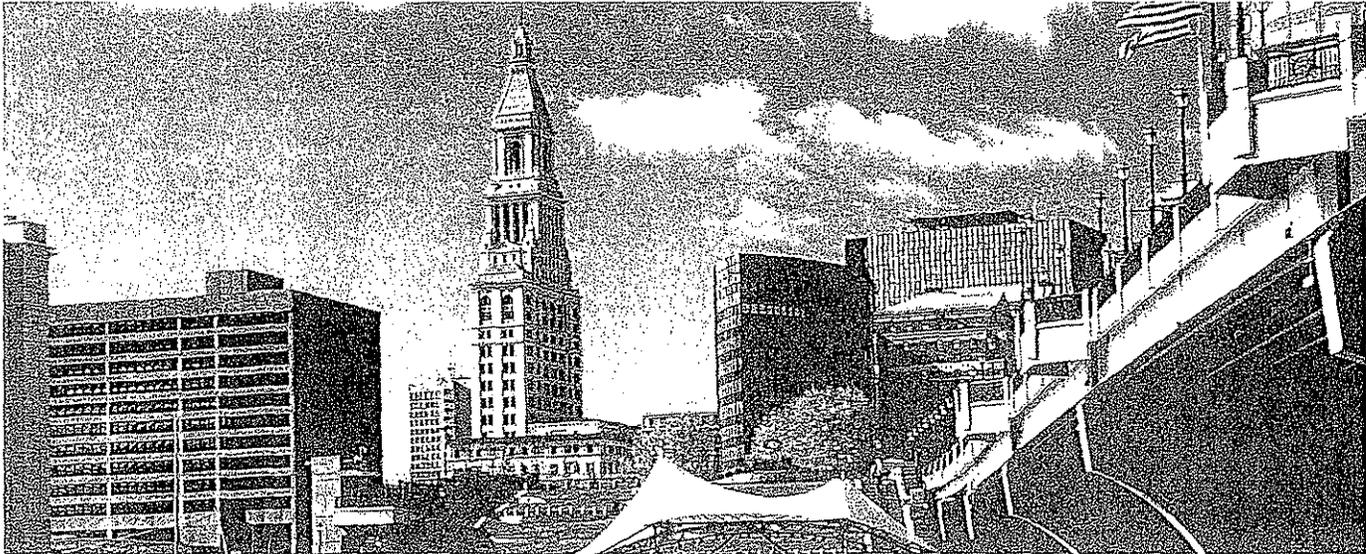
Municipalities receive payments in lieu of taxes (PILOTs) from the State as partial reimbursement of lost property taxes on state-owned and on private college and hospital property. The payments are provided to offset a portion of the lost revenue from state-mandated tax exemptions on this property. This lost revenue totals about \$660 million.⁹

The reimbursement rate for tax-exempt private college and hospital property is supposed to be 77 percent. It is actually 35 percent.

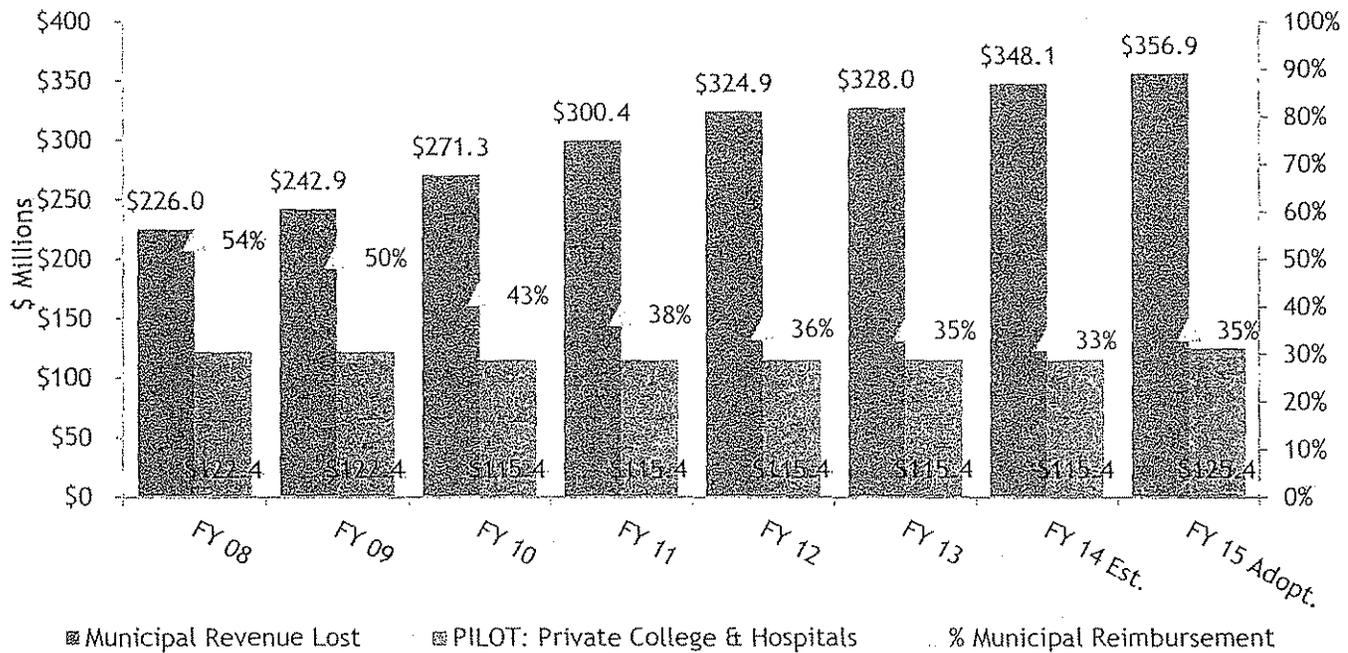


⁸ CCM calculation based on FY 15 State Budget.

⁹ CCM estimate. PILOT reimbursements cover only *real* property and do not include revenue lost from state-mandated exemptions on *personal* property.



PILOT: Private College and Hospital Property



Source: Adopted state budgets; CCM.

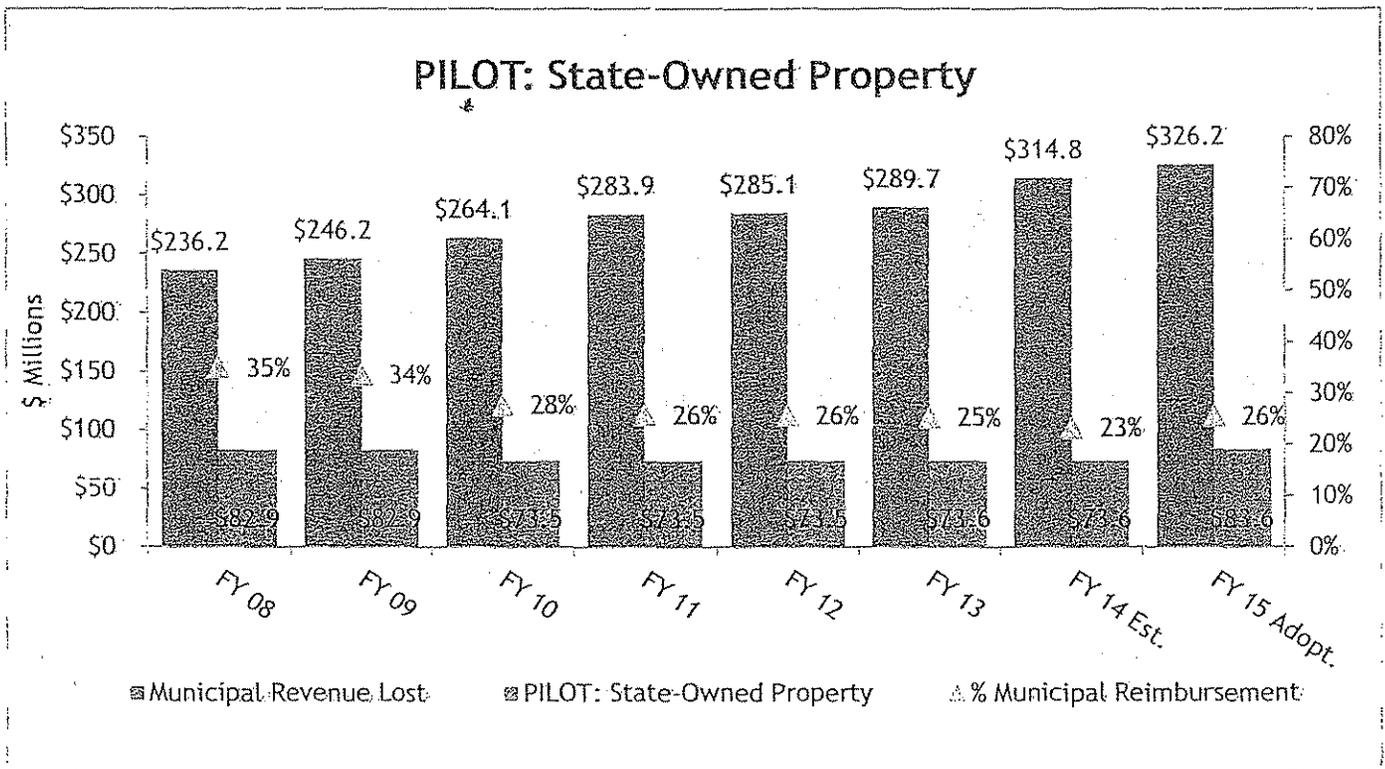
Note: This includes only revenue lost on real property and not additional revenue lost on personal property.

PILOT: State-Owned Property

Similarly, the reimbursement rate for most state-owned property is supposed to be 45 percent. It is actually 26 percent.

The actual reimbursement rates are lower due to statutes that allow the amount of the PILOT reimbursements to be reduced on a pro-rated basis when state appropriations are not sufficient. In addition, these PILOT reimbursements cover only real property and do not include revenue lost from state-mandated exemptions on personal property.

Many of our poorer towns and cities host the most tax-exempt property.



Source: Adopted state budgets; CCM.

PILOT: MME – State Commitment Severed

The State mandates that qualified machinery and equipment is exempt from local property taxes. Under the PILOT for manufacturing machinery and equipment (PILOT MME) program, the State was supposed to provide reimbursement to towns and cities in an amount equal to 80 percent of the revenue lost as a result of property tax exemptions. After several years of underfunding the program, the PILOT MME program was eliminated in 2011 and towns and cities lost \$50 million in reimbursement.

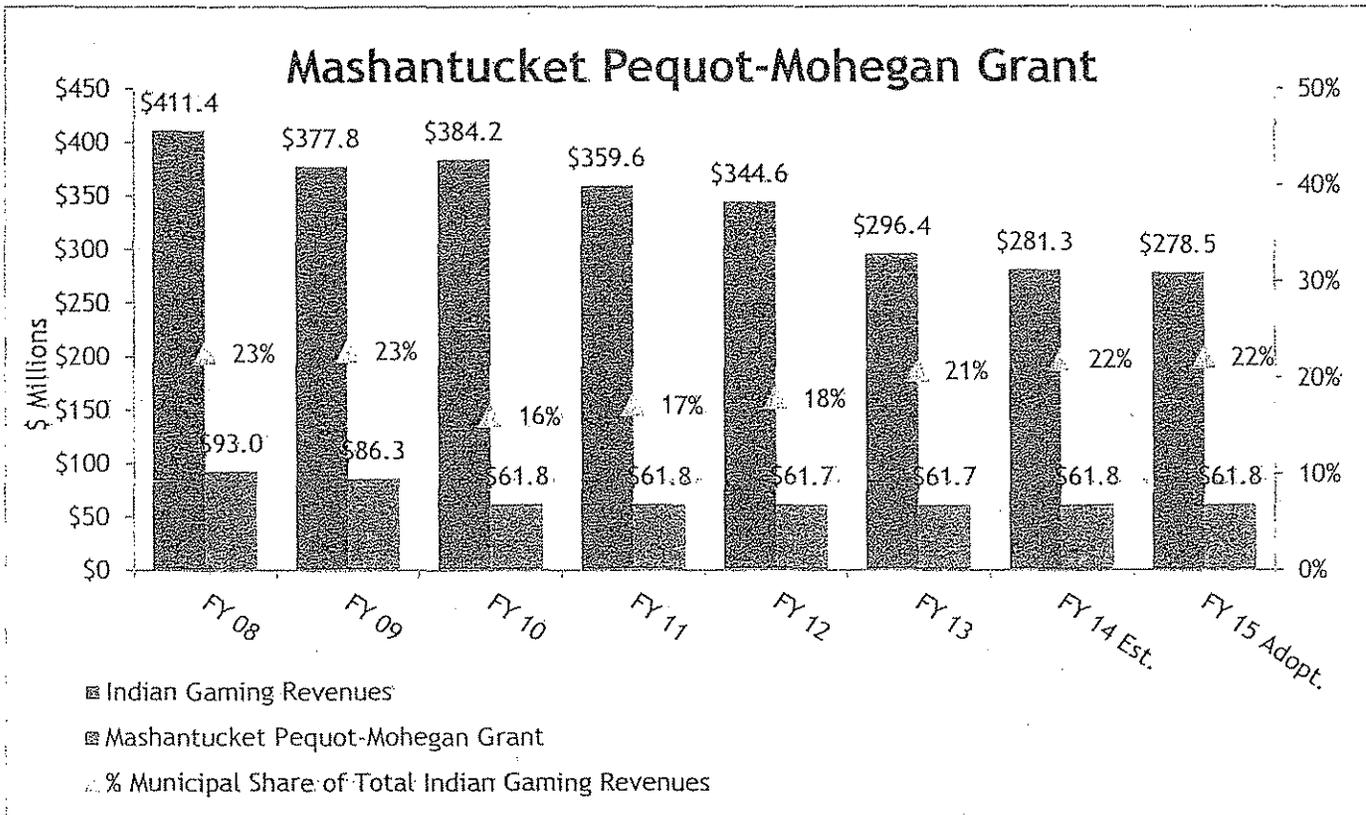


When PILOT reimbursements fall short, it forces other residential and business property taxpayers to make up the difference. Thus, other property taxpayers are forced to pay for the State's underfunded and unfunded property-tax exemption mandates.

Mashantucket Pequot - Mohegan Grant

The Mashantucket Pequot-Mohegan Fund, which is funded with a portion of slot machine revenues sent to the State by the two Native American casinos, is another significant state aid program. The formula for this grant is based on several components, including the value of state-owned property, private colleges and hospitals, population, grand list strength, and per capita income, among others.

In FY 15, the Pequot-Mohegan grant will provide \$61.8 million in revenue to towns and cities, the same as the previous five years. At its inception, municipalities received 78 percent of these gaming revenues. This year they will receive an estimated 22 percent.



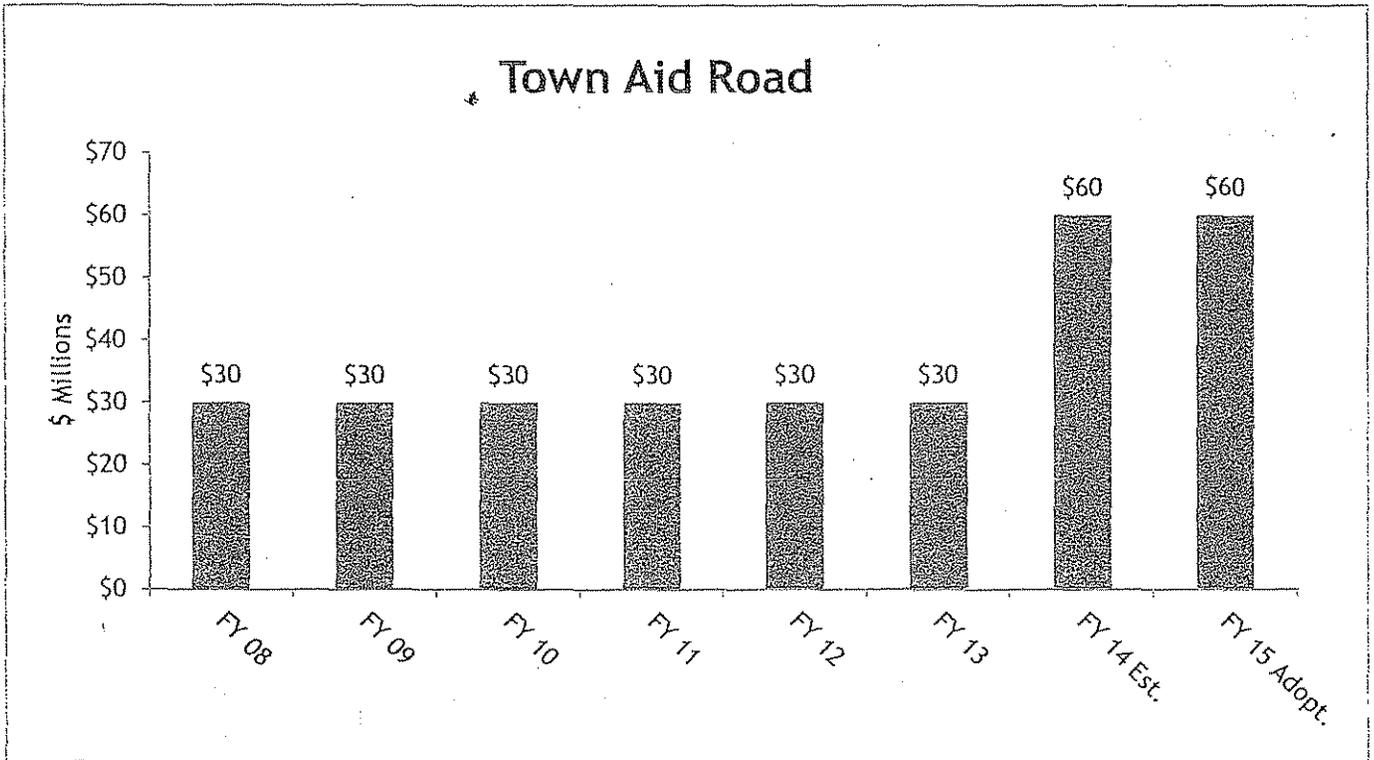
Source: Adopted state budgets; CCM.

Town Aid Road

Another critical grant program is Town Aid Road. This \$60 million program provides funding for local road maintenance and improvements. There are more locally-owned road miles than state-owned road miles (17,265 v. 3,733).¹⁰ Unfortunately, even as road maintenance and improvement costs have increased, the grant provided only level funding for seven years, until the welcome doubling of the grant in FY 14. This increase has helped ease the strain on local public works budgets and reduced dependence on the property tax to fund those needs. However, there are still tremendous unmet local infrastructure needs.



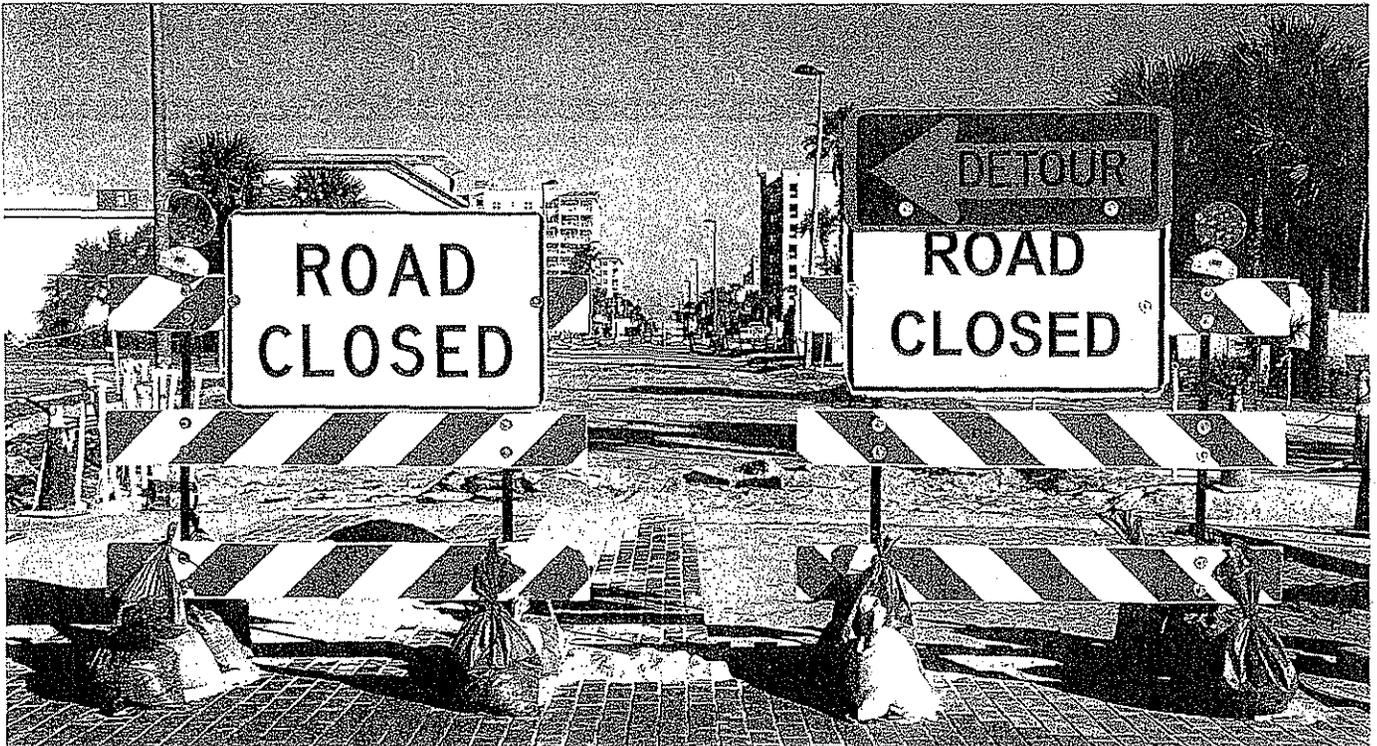
¹⁰ State Department of Transportation, 2009 data, latest available.

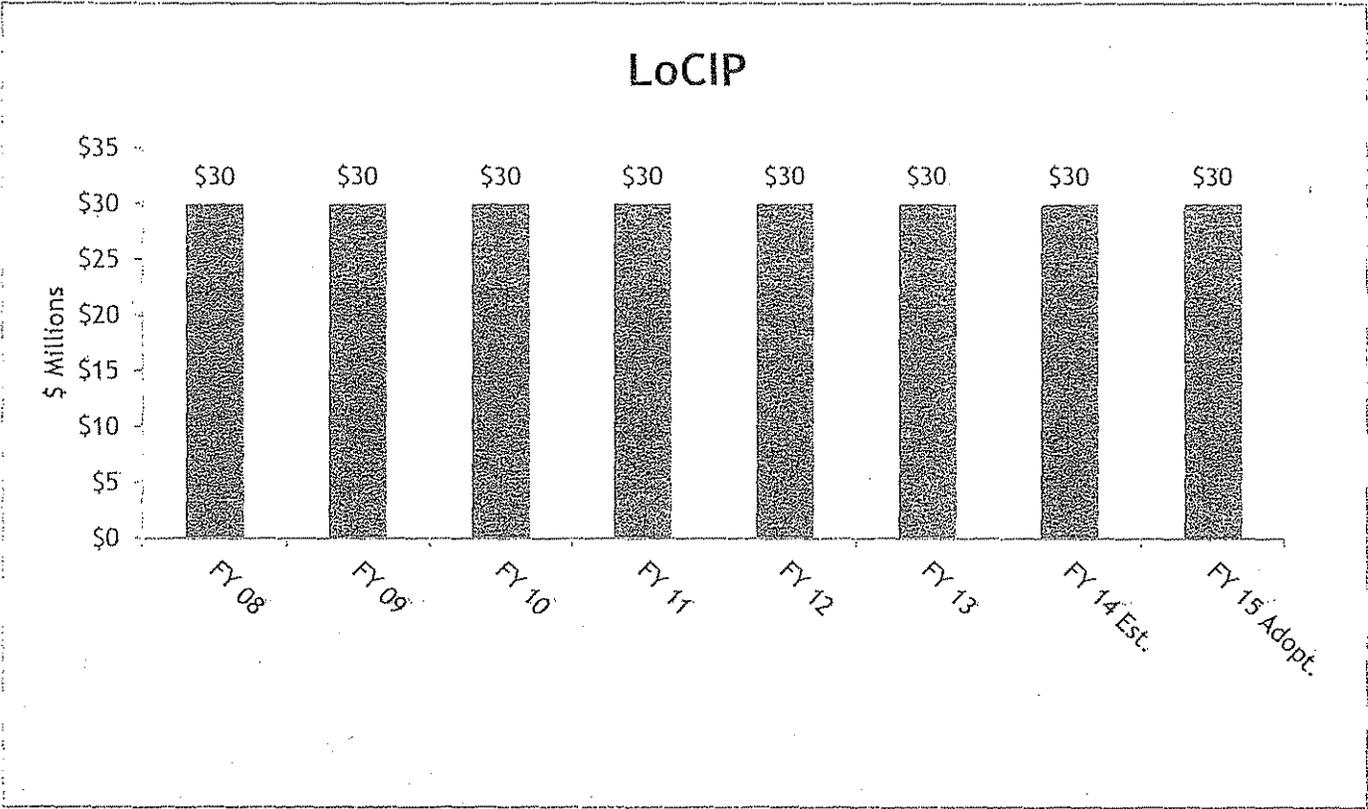
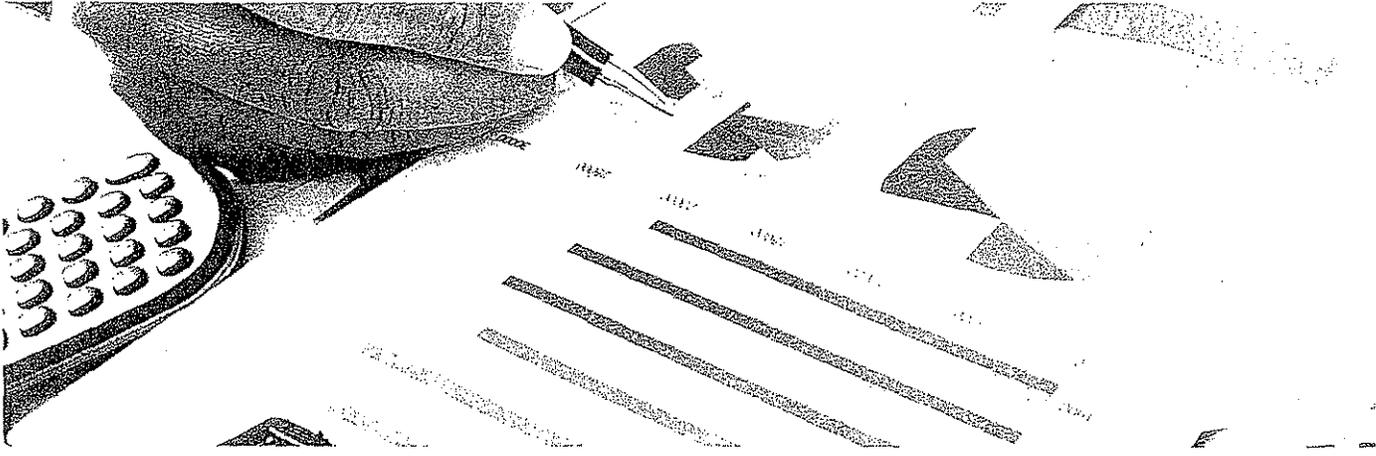


Source: Adopted state budgets.

LoCIP

The Local Capital Improvement Program (LoCIP) reimburses municipalities for the costs associated with eligible capital improvement projects. Projects must be included in a municipality's five-year capital improvement plan. LoCIP funding has remained flat for many years.





Source: Adopted state budgets.

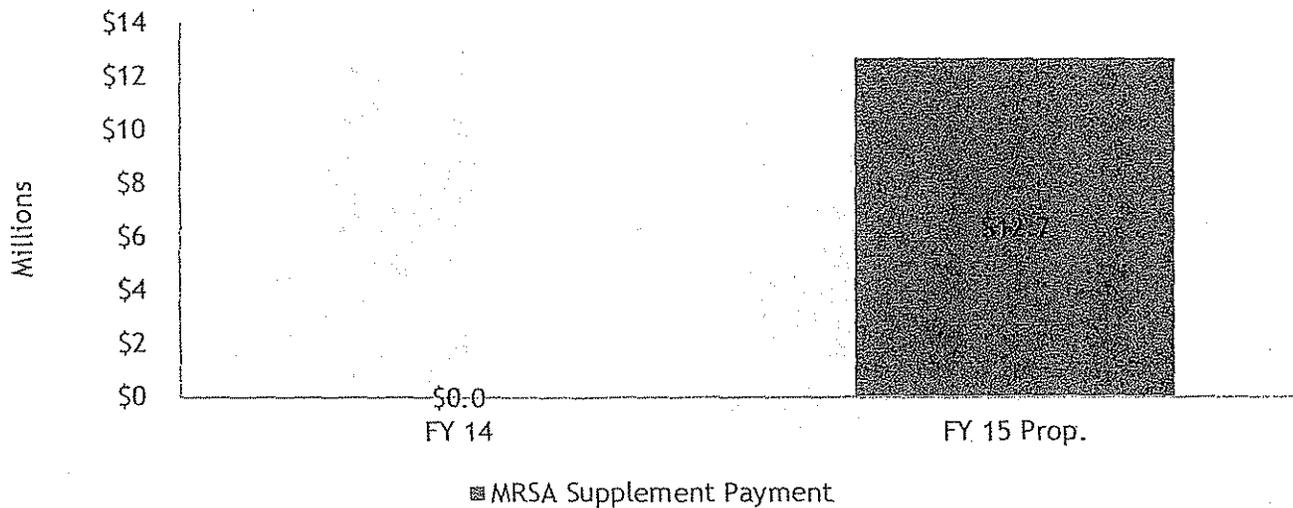
Municipal Revenue Sharing Account – Promise Unfulfilled

As part of the FY 12-FY 13 biennial state budget, the new groundbreaking Municipal Revenue Sharing Account (MRSA) was created to provide additional financial resources to municipalities. This account is funded through part of the state Sales Tax and part of the state portion of the Real Estate Conveyance Tax.

This marked the first year of direct state-local tax revenue sharing and it established a foundation upon which to reduce the overdependence on property taxes to fund municipal services, particularly preK-12 public education.

Unfortunately, funding for MRSA was eliminated as part of the FY 14 budget. To make matters worse, the budget eliminated a transfer of the tax revenue into MRSA as of July 1, 2013, resulting in a reduction of at least \$12.7 million in the MRSA Supplement Payment. While the \$12.7 million was restored to municipalities in FY 15, it is a one-time revenue, and the MRSA account remains unfunded.

Municipal Revenue Sharing Account



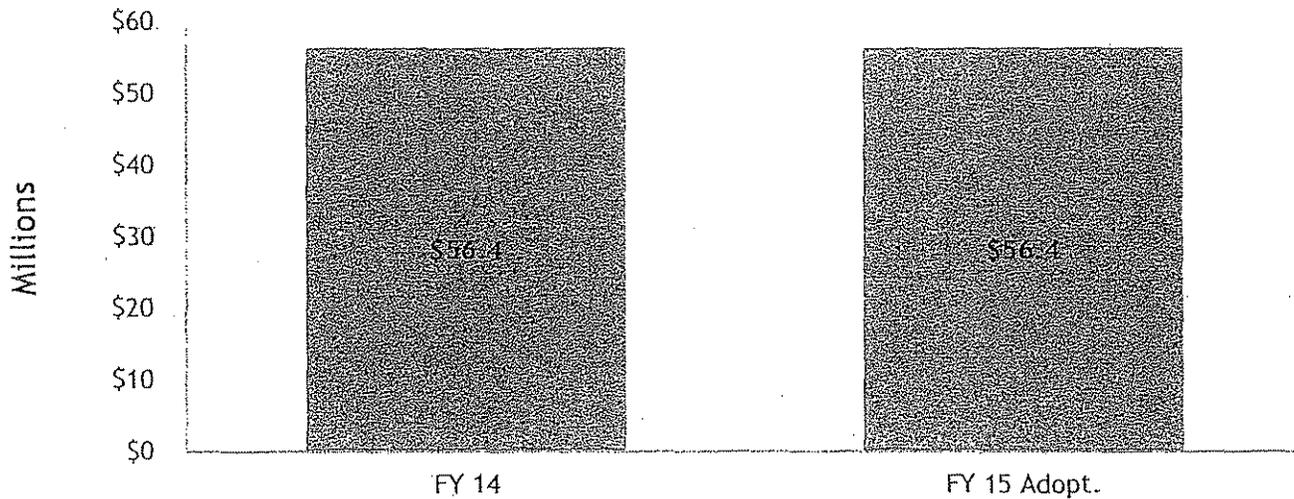
Source: Adopted state budgets; CCM.

A new grant program was included as part of the FY 14-FY 15 biennial budget. The MRSA Municipal Projects grant program was bond-funded at \$56.4 million in each year of the biennium. This funding must be used for TAR-related projects, though a municipality can request a waiver and, upon approval, use the funds for other capital-related projects.

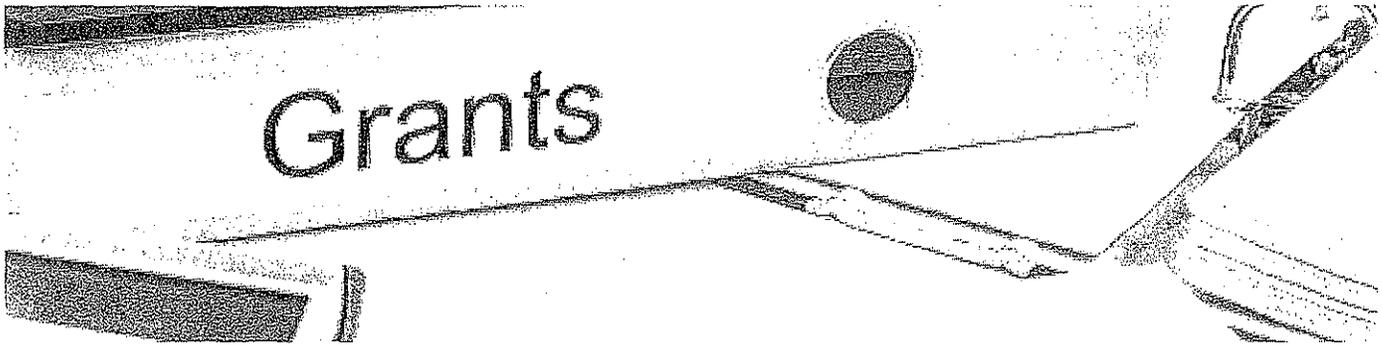
This new funding was put in place, in part, to compensate for the loss of revenue due to the elimination of funding for MRSA. One concern, however, is that the money is restricted to certain uses, while MRSA was unrestricted revenue for towns and cities. This result is less flexibility for local officials when making budgetary decisions.



MRSA Municipal Projects



Source: Adopted state budgets.



Regional Performance Incentive Program

Another revenue-sharing program is the Regional Performance Incentive Program (RPIP) grant. It is funded through part of the State Hotel Tax and State Car Rental Tax. Funding is available to Councils of Government (COGs) and municipalities on a competitive basis for regional projects. The goal is to encourage municipalities to jointly participate in projects that lower the costs and tax burden related to providing public services.

Unfortunately, as part of the 2012 deficit mitigation package, \$8.5 million was swept from the RPIP into the General Fund. This resulted in a setback for many towns and cities looking for seed money to develop regional shared services.

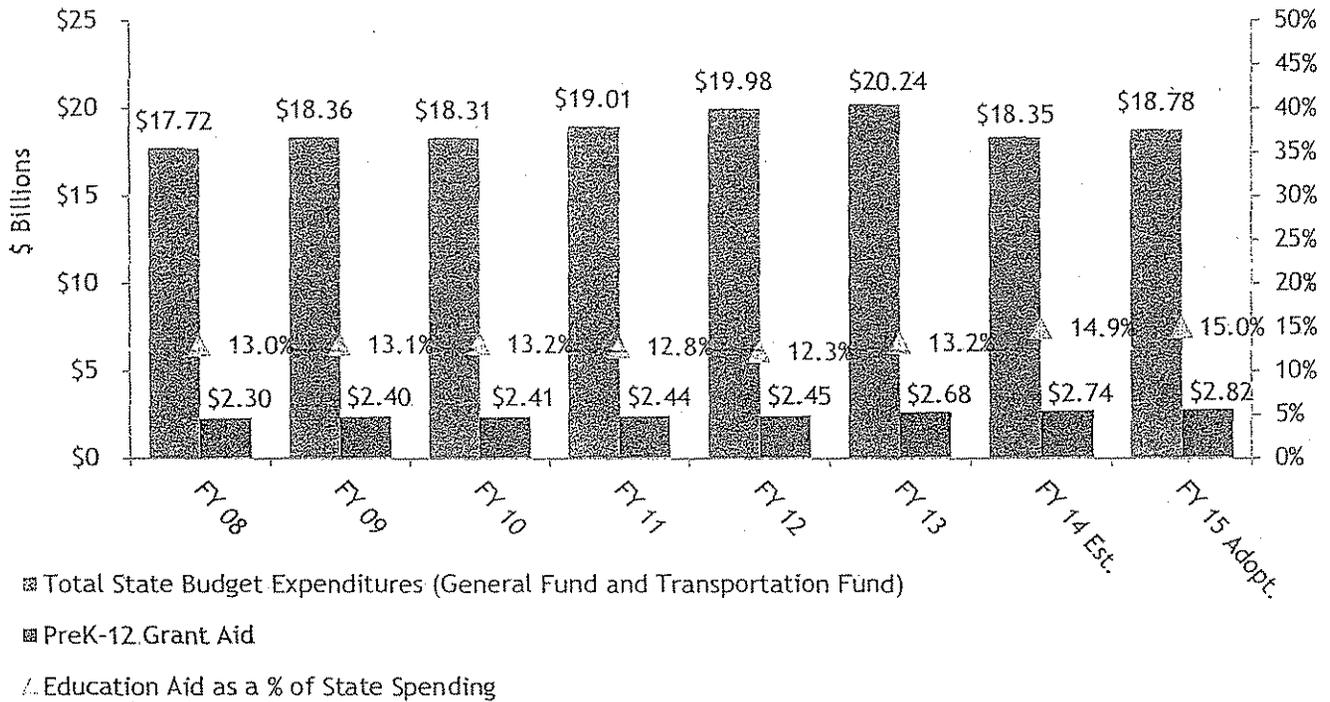
Stagnating non-education aid puts ever more pressure on the property tax:

Education Aid

Statewide, 59 percent of municipal budgets go to pay for preK-12 public education. At \$7.7 billion, preK-12 public education is the single most expensive municipal service in Connecticut.¹¹

¹¹ OPM, Municipal Fiscal Indicators, 2008-2012.

PreK-12 Public Education Grants



Source: Adopted state budgets; CCM.

Note: Total state budget expenditures are reduced starting in FY 14 due to the removal of the federal share of the Medicaid appropriation totaling approximately \$2.8 billion.

Education aid to municipalities is \$2.8 billion in FY 15, 85 percent of total state aid to towns and cities.

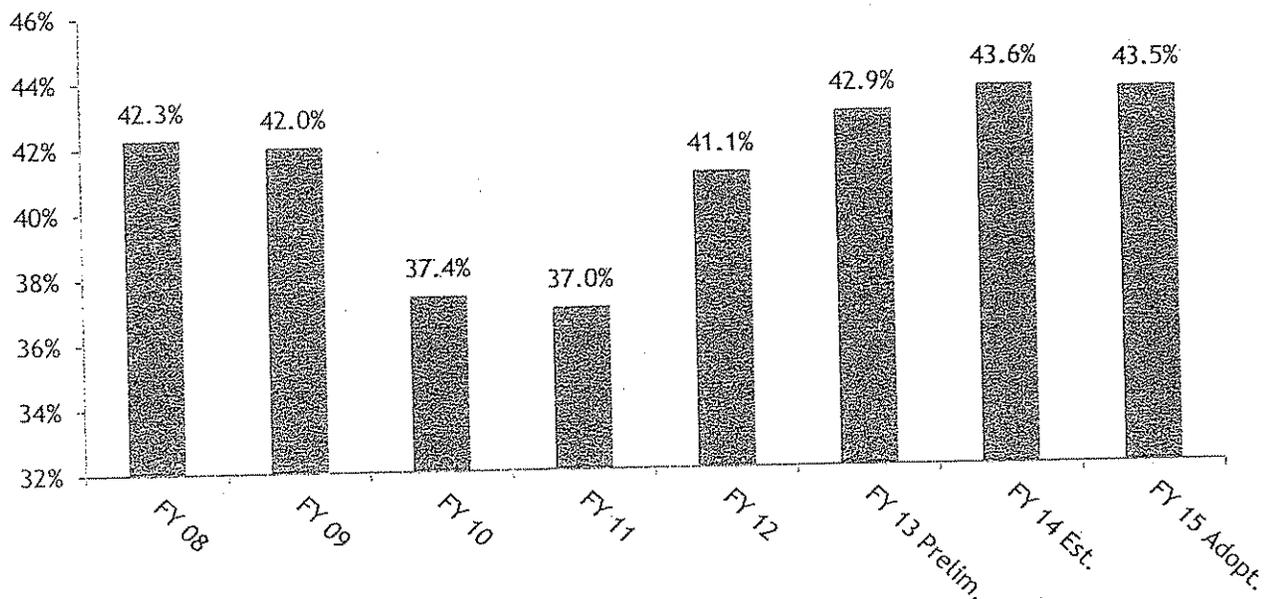
At least an equal partnership between state and local revenue sources has been a longstanding goal of the Connecticut State Board of Education. In 1989-90, the state share of total education costs reached 45.5 percent, the closest it has ever come to that goal.¹² Any movement toward that mark is important because additional state dollars can reduce dependence on property taxes and lessen the inequity in education funding.¹³



¹² State Department of Education (SDE).

¹³ More details on education finance will be provided in an upcoming CCM policy report.

State's % Share of PreK-12 Education Costs

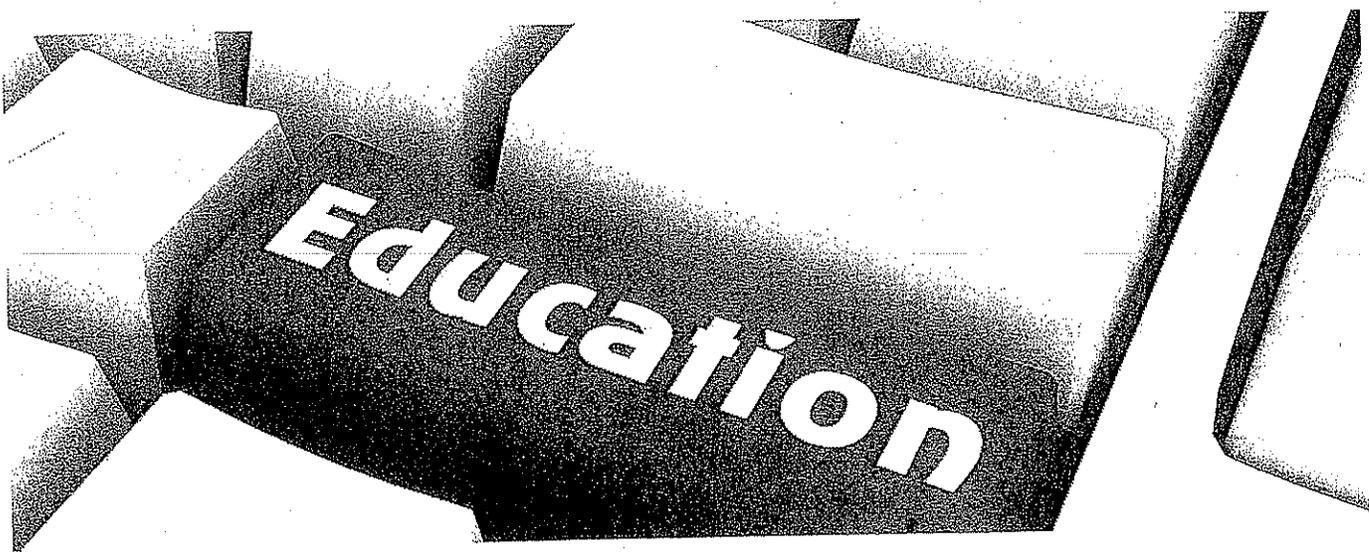


Source: State Department of Education; CCM estimates.

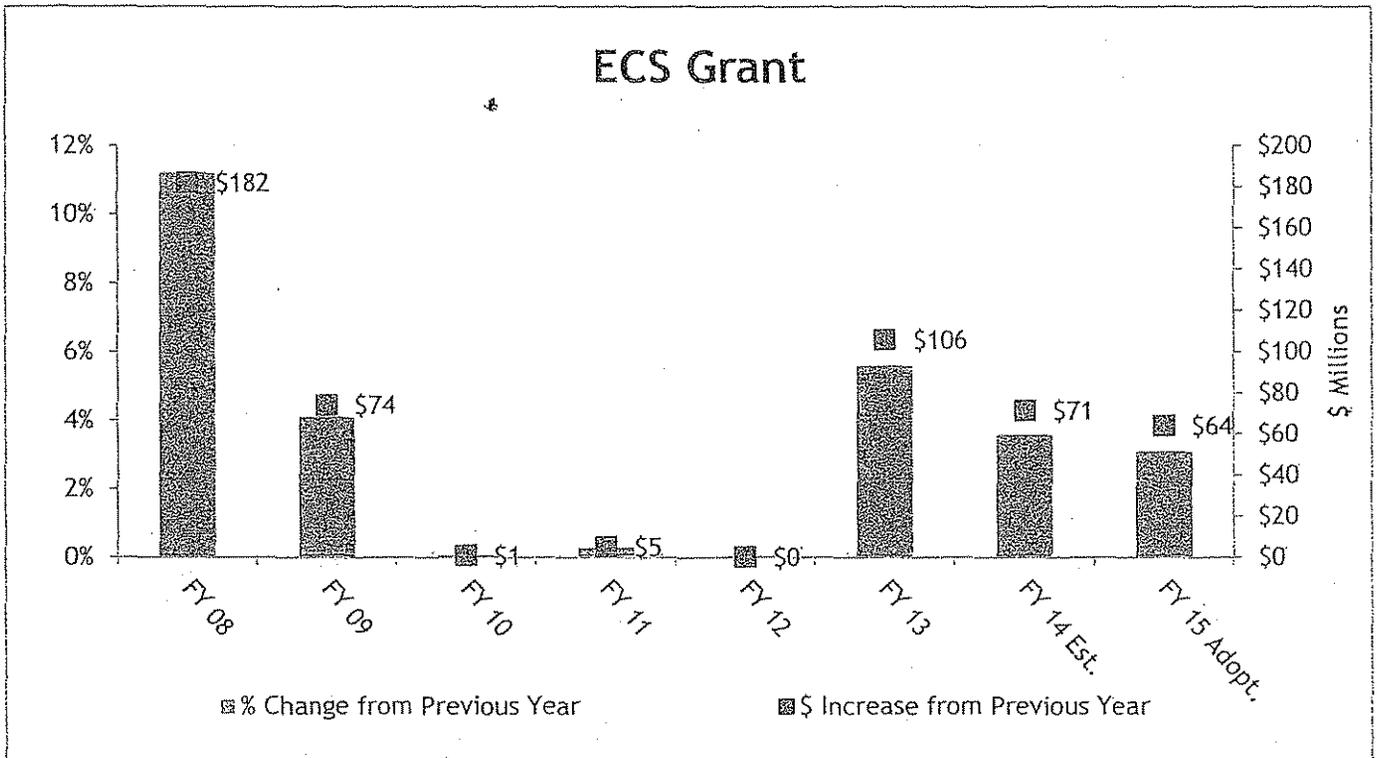
Education Cost Sharing (ECS)

The ECS grant is the State's largest general education assistance grant. It will total \$2.07 billion this year. While the recent increases in ECS are welcome, they do little to address the chronic underfunding of ECS. The ECS grant is currently underfunded by about \$700 million, and amount that would be shown to be even greater under a proper adequacy study.¹⁴

The education reform initiatives enacted in 2012 were not accompanied by significant increases in new state dollars. More will be asked of struggling districts in order to leverage modest increases in education aid.



¹⁴ CCM estimate based on SDE data for 2013-14.



Source: Adopted state budgets; State Comptroller reports.
 Note: Since FY 13, ECS totals include charter school funding that was moved into the ECS account.

Special Education

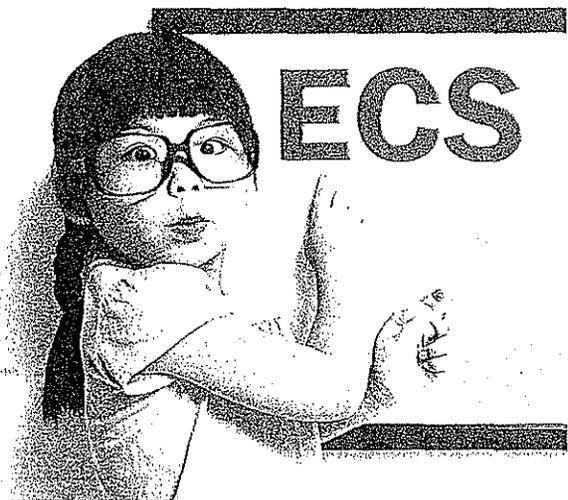
Special education is a significant cost driver for local government. These costs now surpass the \$1.7 billion mark statewide. This spending accounts for about 22 percent of total current expenditures for education in Connecticut, and annual costs have been growing as much as six percent in recent years.¹⁵

The State provides the Excess Cost Student Based grant to help reimburse municipalities for the costs of special education. The grant provides a circuit breaker once the expenditures for a student exceed a certain level, currently 4.5 times the per pupil spending average of the district. So, for example, if a municipality spends an average of \$10,000 per pupil, it must spend at least \$45,000 for a special-education student before being eligible for any state reimbursement.

Unfortunately, the grant has been level-funded for six years. This means that the state reimbursement has not kept pace with the escalating costs of special education. Without full funding, towns and cities are forced to find other ways to pay for special education. Not surprisingly, the burden falls on residential and business property taxpayers and non-education services.

Minimum Budget Requirement MBR

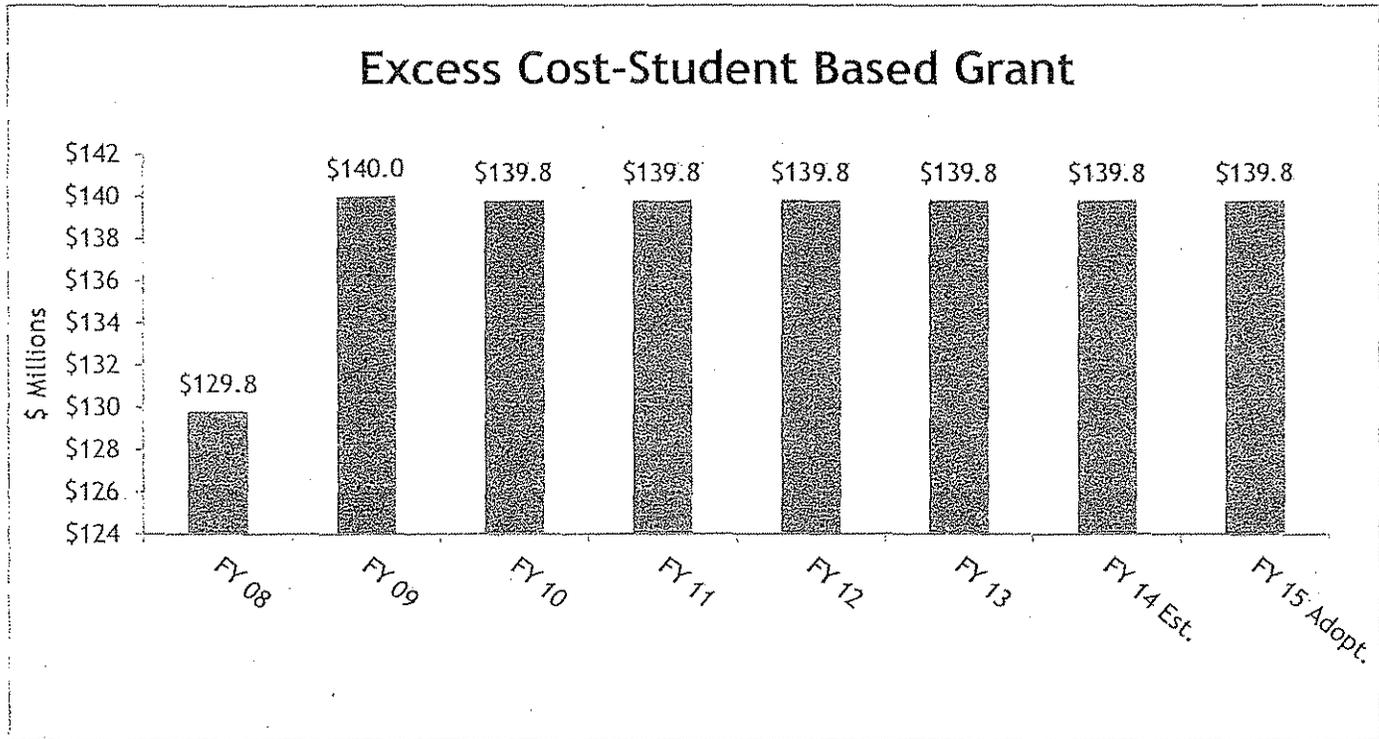
Another education issue that puts pressure on the property tax is the MBR. This state mandate essentially requires towns and cities to budget at least as much on education in the current year as they did the previous year.



¹⁵ SDE, 2012-13 data, latest available

The imposition of the MBR has meant that no matter what efficiencies have been found in education budgets, the budgets cannot be significantly reduced. In an era in which every other state and local agency are having their budgets closely examined, one entity – boards of education – have been held to a different standard and shielded from taxpayer and voter control.

The State, which has chronically underfunded preK-12 public education, instead forces municipalities through the MBR and other mandates to pay for state underfunding. The result: non-education service cutbacks and even higher property taxes.



Source: Adopted state budgets; State Comptroller reports.

It is clear that a key to property tax reform in Connecticut is education finance reform. The two are directly linked. Without significant additional state support, towns and cities have few funding options aside from the property tax and diverting funding support from non-education services (police, fire, public works, elderly services, etc.) to deal with escalating regular and special education costs and non-education service costs.

More details on education finance reform will be provided in an upcoming CCM policy report.

Disparities Among Towns and Cities



While all communities in Connecticut have felt the impact of flat to decreasing state aid in the last decade, some have been impacted more than others. There is a significant disparity in property and income wealth among municipalities in our state.

The adjusted equalized net grand list per capita (AENGLC) of the wealthiest town (Greenwich) is more than 60 times greater than that of the poorest town (Hartford). While Connecticut has the highest per-capita income in the nation, per capita income (PCI) in New Canaan is almost six times higher than in Hartford.¹⁶

The greater the disparity in property and income wealth becomes, the greater the need for additional state aid to help balance the scales.

Disparities are found not only in wealth, but in service demands as well. Urban communities are required to provide a wider array of public services than many less-developed and less-populated towns. Urban communities are the regional hubs of employment, health and social services, culture and entertainment, and tax-exempt property. Many of these large and smaller cities and urbanized towns are among the poorest in Connecticut.

- The poverty rates in Bridgeport, Hartford, New Haven, and Waterbury are at least twice as high as the rate for the state as a whole.
- These cities experience much higher unemployment rates (Hartford – 12.3%, Waterbury – 10.4%, Bridgeport – 10.1%, New Haven – 9.2%) than the state average (6.4%).¹⁷
- While 34.4 percent of Connecticut's K-12 students are eligible for free/reduced-price meals, over 90 percent are eligible in both Bridgeport and Hartford.¹⁸
- About 100,000 people commute into Bridgeport, Hartford, New Haven, and Waterbury for employment.¹⁹

The combination of lower revenue-generating capacity and higher service demand and costs has created significant fiscal hardships for impacted communities, and these difficulties continue to worsen.

In fact, Hartford, New Haven, and Bridgeport are among the poorest cities in America.

HOW CAN WE REDUCE MUNICIPAL DEPENDENCE ON THE PROPERTY TAX?

Over-reliance on the property tax coupled with inadequate state aid, particularly education aid, place Connecticut towns and cities in a severe fiscal bind. Municipalities are forced to raise already onerous property tax rates, cut back non-education services, and divert scarce resources to pay for escalating regular and special-education costs. Connecticut is one of the few states locked into such an antiquated, local-revenue system.

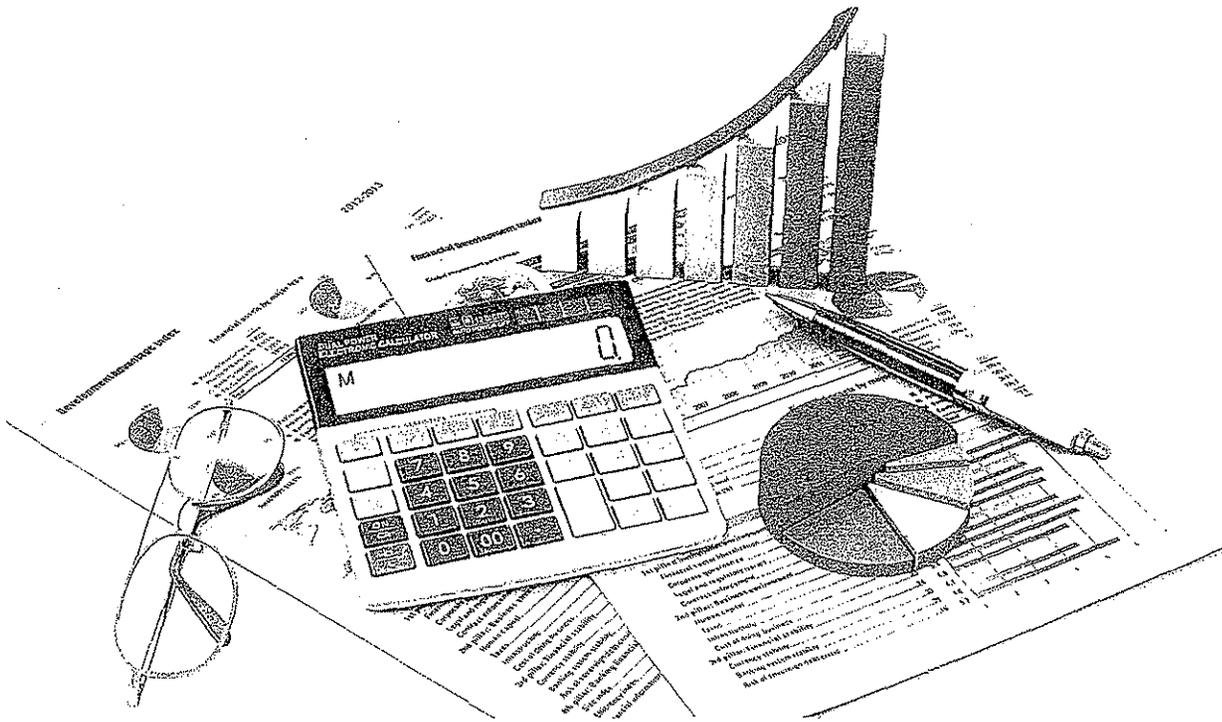


¹⁶ SDE, 2014-15 school year.

¹⁷ CT Department of Labor, June 2014.

¹⁸ SDE, CEDaR, 2010-11 data.

¹⁹ CCM estimate based on DECD Town Profiles.



While there are aspects of local-option taxation that are of particular concern in a small state such as Connecticut, there are other proven approaches that should be on the table as we seek a way out of the property tax chokehold:

1. **Education Finance Reform:** Reforming preK-12 public education finance is a key to property tax reform in Connecticut. Chronic state underfunding of preK-12 public education is the single largest contributor to the overreliance on the property tax in our state. The ECS grant alone is underfunded by about \$700 million. Special-education costs are now approaching \$2 billion per year and impose staggering per-pupil cost burdens on host communities. Special-education costs should be borne collectively by the State, not individual school districts:
2. **Restore State Revenue Sharing:** The Municipal Revenue Sharing Account (MRSA) was groundbreaking when it was introduced in 2011. This account was funded through part of the State Sales Tax and part of the State Real Estate Conveyance Tax. The elimination of its funding, however, is a cause for concern and will further increase the reliance on property taxes to fund municipal services. Funding for the program should be restored to add to the long-standing municipal aid programs that help fund local government.
3. **Fully Fund PILOT Programs:** The State should increase and fully fund PILOT to provide reimbursement to municipalities for 100 percent of the revenue lost due to state-mandated property tax exemptions. In absence of full funding of PILOT, the State should consider alternatives to property tax exemptions, such as the reverse PILOT proposed in 2014.
4. **Inter-municipal and Regional Collaboration:** State financial and technical assistance incentives for increased inter-municipal and regional collaboration should be expanded. The Regional Performance Incentive Program (RPIP) Grant – funded through a share of the State Hotel Tax and Car Rental Tax – is a great foundation upon which to build stronger incentives and support for cooperative efforts. Providing towns and cities with the tools and authority to deal with service delivery, revenue raising and sharing, and other issues on a regional basis would result in increased efficiencies and a reduction in dependency on single-town grand lists.
5. **Mandate Reform:** The State should eliminate or modify unfunded and underfunded mandates, beginning with the MBR. This would lower the property tax burden without adding additional costs at the state level. (More details on mandates reform will be provided in an upcoming CCM policy report.)

The over-dependence on the property tax is unsustainable, and Hometown Connecticut is in desperate need of revenue assistance. Harnessing the revenue-raising capacity of the State to equitably and adequately fund preK-12 public education and share resources with local governments and regions can reduce the over-reliance on property taxes in Connecticut.

CCM: THE STATEWIDE ASSOCIATION OF TOWNS AND CITIES



The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities. CCM is an inclusionary organization that celebrates the commonalities between, and champions the interests of, urban, suburban and rural communities. CCM represents municipalities at the General Assembly, before the state executive branch and regulatory agencies, and in the courts. CCM provides member towns and cities with a wide array of other services, including management assistance, individualized inquiry service, assistance in municipal labor relations, technical assistance and training, policy development, research and analysis, publications, information programs, and service programs such as workers' compensation and liability-automobile-property insurance, risk management, and energy cost-containment. Federal representation is provided by CCM in conjunction with the National League of Cities. CCM was founded in 1966.

CCM is governed by a Board of Directors, elected by the member municipalities, with due consideration given to geographical representation, municipalities of different sizes, and a balance of political parties. Numerous committees of municipal officials participate in the development of CCM policy and programs. CCM has offices in New Haven (headquarters) and in Hartford.

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PAGE
BREAK

Be Prepared



Providing a product that 300,000 people in 56 communities across the state depend on is a unique responsibility. As a water utility, being prepared is a must! Providing a reliable supply of high-quality water is essential to public health and public fire protection.

We are prepared for power outages by installing backup generators at our key facilities. However, recent experience has taught us that fall and winter storms can cause widespread and prolonged power outages. Help us serve your community by ensuring that we are on your priority restoration list for power restoration. Our backup generators are not designed to run for days on end, and timely power restoration reduces the risk of service disruptions to families, communities and public fire protection.

Investing in critical infrastructure is also essential in being prepared. As you'll read in this issue, Connecticut Water is planning major treatment upgrades to the Rockville Water Treatment Plant that supplies about one third of the water used by our customers in Northern Connecticut. This plant has served us well, and we have made significant improvements over the years to ensure it continues to produce high-quality water. After nearly 45 years of continuous service, it is time to leverage new treatment technologies to serve current and future customers.

This issue also includes articles on how we are holding operating expenses down, the success of our E-Billing initiative, and the results of our most recent customer satisfaction survey.

If you have any thoughts on how we can better serve you and your community, please let us know. You can call a member of the management team at your local Connecticut Water office, or call me at 1-800-286-5700 or send an e-mail to info@ctwater.com.

Regards,

Eric W. Thornburg
President and CEO

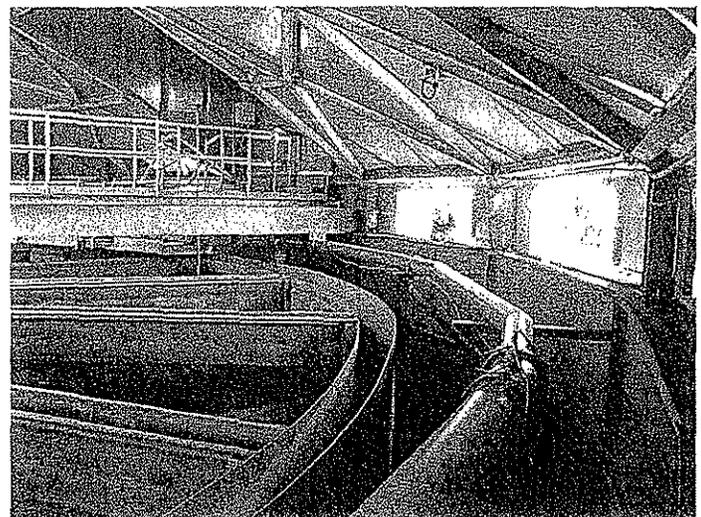
Connecticut Water's Oldest Surface Water Treatment Plant Due for Upgrade

Connecticut Water has announced plans to make major treatment improvements to the Rockville Water Treatment Plant (RWTP). The RWTP is the Company's oldest surface water treatment plant, having gone into service in 1970. The plant provides approximately one third of the supply for our Northern-Western Water System.

Major improvements were made to the plant in the 1980s and 1990s to meet increasingly stringent water quality standards of the Safe Drinking Water Act. Since the 1990s, Connecticut Water has been making plant upgrades while exploring the best long term treatment options for the plant.

New, cost effective technologies and construction techniques have now made it possible to make improvements at the facility that will enhance treatment, provide operating efficiencies, provide greater reliability, and meet current and future water supply needs for the 50 year planning period, as required in the Water Supply Plans submitted to the Department of Public Health (DPH).

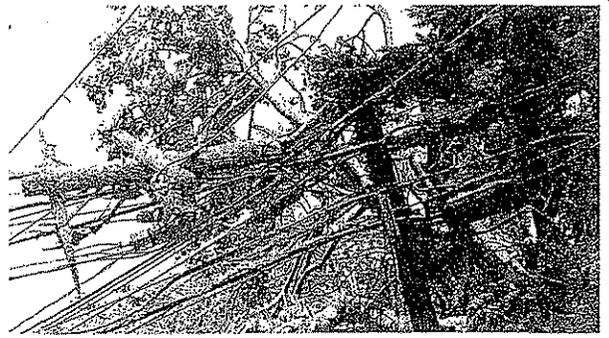
When the improvements are completed, the plant will use Dissolved Air Flotation treatment technology. The Company is currently working with AECOM, our design/build partner on the project, and the DPH to secure the necessary approvals. Complete cost estimates of the project are not finalized yet. However, Connecticut Water fully expects to cover the cost of the project through its annual capital budgeting, which in 2014 is more than \$35 million. The company will seek to recover the costs for this project, along with other capital projects across the company, at the time of our next general rate increase request.



One of the treatment units at the Rockville Water Treatment Plant

CWC On Your Priority Restoration List?

hurricane season is here and winter storms are not far behind. Connecticut Water wants to work with you to make sure that our public water facilities are your community's priority restoration list during power outages. During the power restoration efforts almost two years ago following Storm Sandy, it became clear that power companies rely on municipalities to prioritize power restoration efforts. We rely on local town leaders to include Connecticut Water's critical infrastructure, treatment plants, wells and pump stations as part of your community's priority list, to ensure the water supply remains in service to meet the public health and safety needs of your residents. We have backup generators at key facilities to maintain treatment and distribution capabilities in the event of a power outage. However, it's important that we minimize the amount of time we rely on these backup generators. We top off our fuel supplies at each location before storms, but access to additional fuel supplies during prolonged storm events can be a challenge. In addition, generators are not designed to run for extended periods of time so the longer we rely on them, the greater risk to our service. Local Connecticut Water superintendents will be contacting the municipalities where we have critical infrastructure to discuss the prioritization of power restoration. In the meantime, if you have any questions please contact Don Schumacher at 860-664-6067 or dschumacher@ctwater.com.

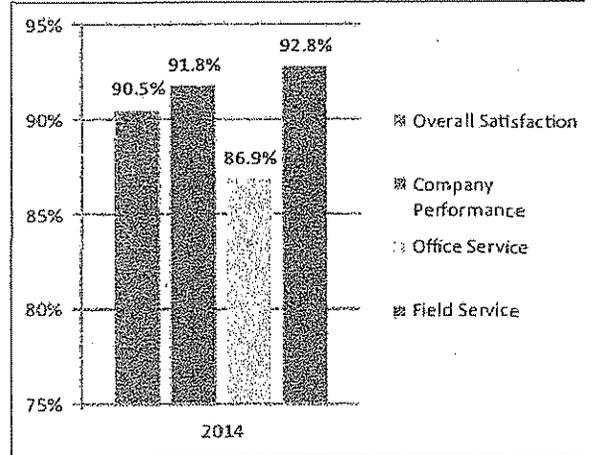


Alfred wreaked havoc with power lines in 2012

Customer Satisfaction Tops 90 Percent—Again!

Customers are overwhelmingly satisfied with the water and service they receive from Connecticut Water. A phone survey of 600 randomly selected customers revealed that more than 90 percent said they were either very satisfied or satisfied with Connecticut Water. The survey measures satisfaction with the company, office customer service staff and field personnel and helps us identify areas where we can enhance customer satisfaction. Additionally, customers were asked about the Water Infrastructure and Conservation Adjustment (WICA) program that allows us to proactively replace aging pipes in the communities we serve.

Nearly 80 percent agreed that a reliable public water system with an abundant supply of water is important to support local communities and provide for the public safety by meeting fire fighting needs. Nearly 75 percent agreed that WICA improves water system reliability, enhances fire fighting capabilities and conserves water and energy. The survey was conducted on our behalf by Great Blue Research, an independent research firm based in Cromwell, Connecticut. An additional 600 customers will be surveyed in the late fall.



CWC measures customer satisfaction by combining the ratings of 'company performance,' 'office customer service,' and 'field customer service.'

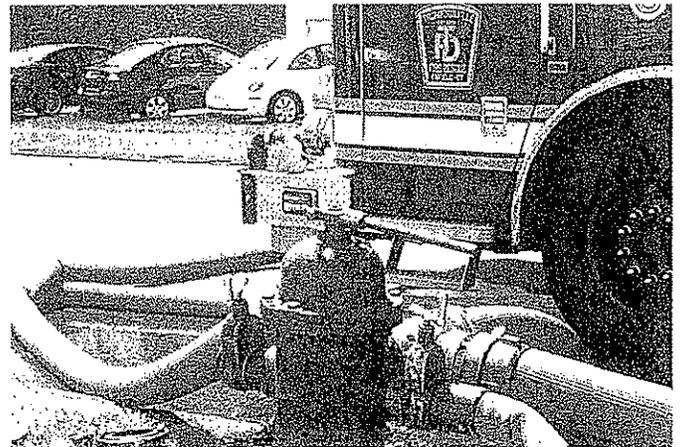
Annual Public Opinion Leader Survey

Connecticut Water will be conducting its seventh Annual Public Opinion Leader Survey this September. Again this year, the survey will be conducted by an independent research firm in Connecticut, GreatBlue Research. One hundred randomly selected government, community, and business leaders will be surveyed on their views on CWC's customer service, water quality, rates, community involvement, responsiveness in emergencies, communication, and personnel.

The survey is conducted via telephone and takes about 10 to 15 minutes to complete. Specific ratings and comments are strictly confidential and not attributed to a name or title.

While we know that public opinion leaders have hectic schedules, we hope they can carve out some time to participate in the survey as it is such an important tool for CWC. It helps us know what is on your mind so we can provide world-class service to our communities.

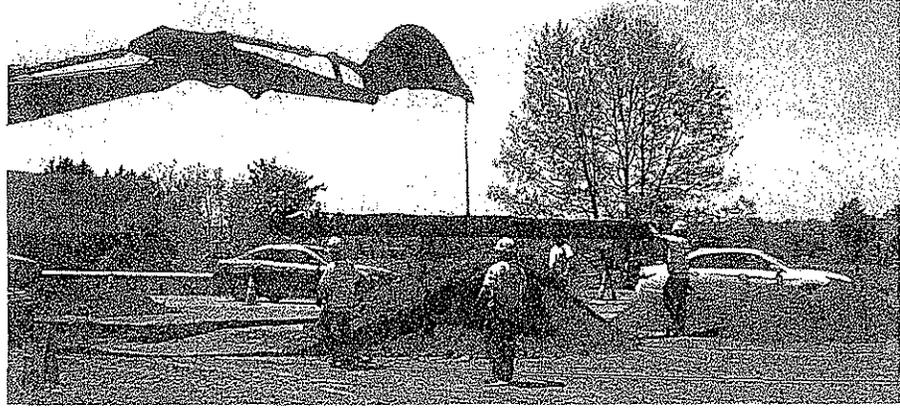
Of course, customers and community leaders don't have to wait for an annual survey to tell us what they think. You can always contact a member of the local management team if you have any comments, concerns, or suggestions.



Connecticut Water understands that a reliable supply of water for public fire protection is one of the most vital services it provides in many local communities.

Investing In Customers

Unlike budgeting in the public sector, where larger capital items may require the establishment of 'special funds' or referendums to authorize specific projects, Connecticut Water has an annual capital budget of approximately \$35 million that is tapped for small and large projects alike. Most of our major capital projects are construction related and extend over more than a single year. That allows us to continue funding WICA at approximately \$15 million a year, while taking on larger projects such as the upcoming Rockville Water Treatment Plant (details on page 1). It also allows us to be nimble and prioritize projects to quickly address water quality or service.



Water main installation in Taylor Road in Enfield this spring to serve Crescent Lake customers

For example, the customers of our Crescent Lake Water System in Enfield had been getting their water through an interconnection with a neighboring water system. For much of 2013, water quality testing at Crescent Lake indicated that levels of Total Trihalomethanes, a disinfection by-product created when chlorine reacts with organic matter in the water, were higher than allowed.

After a comprehensive review of the issue, it was decided that a \$650,000 water main extension from our own Northern-Western Water System, about three-quarters of a mile away, was the best long-term solution to ensure water quality for these customers. The project was included in our 2014 capital budget and designed, bid, and in service in less than seven months!

Providing Great Water and Service More Efficiently



Connecticut Water's senior managers continue to look for ways to lower operating expenses. Their anticipated savings this year is in excess of \$400,000.

All expense reduction opportunities are fully evaluated to ensure they are consistent with our commitment to deliver high-quality water and world-class service to the families and communities that rely on us.

Two of the items being implemented this year include in-house bacteria testing of water quality samples. We already have three state certified labs located at our facilities. By adding equipment to these facilities to allow our existing staff to perform bacteria testing, we expect to save more than \$30,000 annually, compared to the costs of having those samples processed by a third-party lab.

The remaining third-party lab services were then put out in a competitive bid process, in a joint effort by our Water Quality and Procurement Team. The result is an anticipated savings of approximately \$50,000 per year. We remain committed to operating as efficiently as possible to serve our customers and reduce the size of future rate increases.

E-Billing is a Hit with Customers!

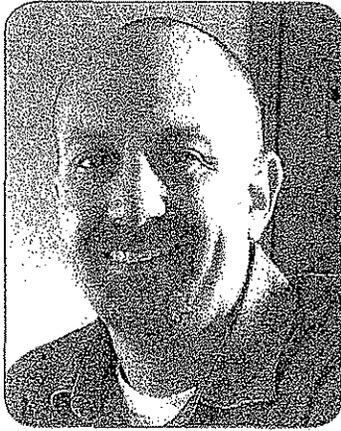
More than 20 percent of Connecticut Water customers have signed up for E-Billing since we launched the service a little more than a year ago. Recently, we updated to a newer version of the service that provides additional features to further enhance customer satisfaction with the service.

In addition to providing a convenience to our customers, E-Billing and online bill pay have reduced postage costs by nearly \$40,000 a year. The savings help us to offset increased costs elsewhere in the business, such as the cost of power and insurance. In addition, E-Billing is good for the environment, by reducing paper consumption and energy costs associated with printing and delivering paper bills.

Customers can enroll at www.ctwater.com by clicking the 'Pay Your Bill' button.

Meet Jeff Racicot

Eastern Superintendent



Jeff Racicot is the Superintendent of Connecticut Water's Eastern Region that serves customers in the 12 towns of Ashford, Brooklyn, Columbia, Griswold, Killingly, Lebanon, Mansfield, Plainfield, Thompson, Voluntown, Willington, and Woodstock. Jeff came to Connecticut Water in 2007 with more than 15 years of water and wastewater experience. His first responsibility at Connecticut Water was as the Pump Station Supervisor in our Northern Region, based in East Windsor. In 2012, Jeff was promoted to Superintendent of the Eastern Region, where he has responsibility for field customer service, water system operations, and water quality and treatment.

Jeff says he really enjoys working with the team. "I am surrounded by men and women who are passionate about serving customers and delivering high-quality water. It's exciting to see employees take the seed of an idea to better serve customers and watch it through to fruition." He notes that one of the challenges his team is working toward is having better maps and information on some of the small acquired systems, which did not maintain records the way we would.

Jeff says he knows first hand how loss of water service impacts every part of one's life. On several occasions over the past few years he has had no water for days at a time at his own home, which has a private well, because of prolonged power outages. He says customers of Connecticut Water's systems are more fortunate, noting that all systems have backup generators to keep the water flowing to customers when the power goes out.

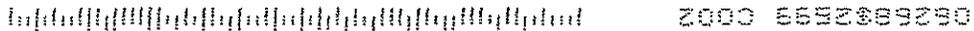
Jeff is active in the water industry and currently serves as the Connecticut State Director of the New England Water Works Association (NEWWA). NEWWA is a section of the American Water Works Association and is very active in drinking water issues and providing continuing education for water professionals. If you need to reach Jeff, he is available at 860-292-2856 or jraticot@ctwater.com.

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