

October 14, 2014

Dear Town Council,

On September 25, 2014 it was a dark day for the citizens of Mansfield, for it was on that day, town officials armed with search warrants and state police invaded the sovereign privacy of the private citizens of this town. The tenants at Woods edge Apartments had denied consent to town building department.

The tenants grew tired of opening their doors to a warrantless search every other year. Who could blame them? After all when you lease an apartment you expect your privacy and as good landlords we wish to provide them their basic private property rights.

As part of tonight's packet the town attorney provided a legal opinion on the legality of the town's Rental Certification Zone. It uses the city of New Haven as an example. There are stark differences between the city of New Haven and the town of Mansfield and their ordinances.

Before I reflect on those differences I would like to highlight a few issues with the 2008 lawsuit against the city of New Haven. The lawsuit was bought against New Haven by a group of property owners, which in this case the judge viewed rental properties as a business, as the town of Mansfield does. Right or wrong this does not take into consideration of those who are leasing the rental properties. The tenant's private property rights have not been considered in this law suit. Highlighted in this lawsuit, a previous case State vs Hill Conn(1996) "It is well

established that a tenant has the standing to claim the protection of the fourth amendment with areas where his use is exclusive, that is where he has the legal right to control access and exclude others. Landlords can't provide consent for their tenants."

The New Haven Housing code provides tenants the forms to allow or refuse consent to a search. That is the law. It provides the landlord with a check list. It limits inspection fees to \$1000 on multi-family complexes regardless of the number of units. Mansfield inspection fees are exorbitant compared to New Haven and all other municipalities that have similar programs.

Mansfield has found itself a cash cow charging landlords thousands of dollars just for inspections that take a matter of minutes! The New Haven Code doesn't have an off street parking ordinance that allows town officials on private property to write \$90.00 parking tickets yet another cash cow for the town. New Haven exempts most single family houses as well as Section 8 units. If you want to use New Haven as an example, start with a \$1000 cap on inspection fees and eliminate the off-street parking ordinance.

Mansfield stands out with its rental ordinances as being the most costly and the most invasive! Our tenants have rights and they should be respected.

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October 14, 2014  
Mansfield Town Council

Dear Town Council Members:

Good evening, I have a few **new** questions that I would like to have answered and a few **old** questions I am still hoping to have answered:

- (1) With an UConn Master Plan planner present, I would like to have established the mile radius of UConn parcel holdings, from a designated point on campus, that are subject to development in the Mansfield Community? Of those parcels, how many are designated for partnership development? What studies if any have been conducted to determine whether the infra-structure is in place for bio-safety level 4 laboratory developments there? Have Biosafety level laboratories been ruled out in development planning. [Biosafety level 4 laboratories are those facilities that carry out research on critical biological agents, such as the anthrax bacteria, toxins such as ricin and botulism and viruses such as Ebola, all at present incurable conditions.]
- (2) Did the Attorney General's Office review the proposed agreement with the Town and UConn regarding the Community School of the Arts; the transition to Town management was to occur if it was "profitable." Was profitability to be determined with or without UConn subsidies currently being provided by the Foundation, was the contract modified accordingly?
- (3) Has the town's Chief Finance Officer, Cherie Trahan, given our town attorney or the investigating police notice that she has retained legal counsel to assist her as the police investigate financial disclosures of the town?
- (4) What accounting controls have been in place, if any, to monitor the unilateral action of a Town Manager to authorize operating cost expenditures without prior Town Council approval? Why were the operating cost expenses of the pumping station by the post office not approved by the Town Council?
- (5) The Town Manager takes notes during the Public Comment period and those notes are not made available to the public, does withholding those documents of public interest outweigh the benefit to the public in providing them? When was this decided and by whom?
- (6) In the light of case law provided, see today's packet, are the Mayor, Town Manager and/or Town Council members in compliance with CTFOIA mandates when they hold private conversations during a Town Council meeting that is inaudible to the public?

Thank you

