

REGULAR MEETING – MANSFIELD TOWN COUNCIL
October 13, 2015
DRAFT

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

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

II. APPROVAL OF MINUTES

Mr. Ryan moved and Ms. Raymond seconded to approve the minutes of the September 28, 2015 special meeting, as presented. The motion passed unanimously. Ms. Moran moved and Mr. Ryan seconded to approve the minutes of the September 28, 2015 regular meeting, as presented. The motion passed unanimously.

III. PUBLIC HEARING

1. Public Hearing on the Ordinance Regarding the Storage, Disposal, or Use of Fracking Water or any Derivative Thereof in the Town of Mansfield

The Town Clerk read the legal notice.

Gary Bent, Mansfield Hollow Road, thanked those who solicited the petition signatures and those who signed. Mr. Bent addressed the concerns raised by Council members at the last meeting and urged passage of the ordinance (Statement and memorandum attached)

Peter Millman, Dog Lane, spoke in support of the ordinance stating that the Town's action might help affect State regulations.

Leigh Duffy, Crane Hill Road, spoke in support of the ordinance stating that it is important for the Town to send a message to the State.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, questioned the use of the FY2014/15 surplus and the source of the Town's portion of the parking garage overrun.

V. REPORT OF THE TOWN MANAGER

In addition to his written report the Town Manager offered the following comment in response to questions raised during public comment:

- The Town Manager explained that given the timing and uncertainty of the state budget process it is often difficult to predict revenues. Staff recommended the FY 2014/15 surplus be used for capital and related expenses. The recommendation was endorsed by the Finance Committee to the Council.

Ms. Moran moved and Mr. Shapiro seconded to move Items 5 and 6 as the next items of business. The motion passed unanimously.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

October 13, 2015

Ms. Moran commended the Public Works Department on their meeting with residents regarding Ravine Road.

Mayor Paterson encouraged those listening to consider working at the polls. The Registrars of Voters are looking for workers for the November 3, 2015 and subsequent elections. They can be reached at 860-429-3368.

Mr. Ryan announced his intentions to advocate for the formation of a task force which, in conjunction with Ashford and Willington, would study changing the hours of the high school to allow more time for students to sleep in the morning.

VII. OLD BUSINESS

2. Petition for an Ordinance Regarding the Storage, Disposal, or Use of Fracking Water or any Derivative Thereof in the Town of Mansfield

By consensus the Council requested Mr. Bent be allowed to address Councilors' questions. Members discussed the role of UConn and the Department of Transportation in determining what materials are used on the roads and processed through their treatment plants and asked that staff try to obtain the information directly from those entities.

The Town Manager reported that the Town Attorney's report will be in the packet for the October 26, 2015 meeting as will the Public Works Director's response to Councilors' questions.

3. Storrs Center Update

The Town Manager reported that progress continues on Phase II, on the pre-school, and the Main Street Homes. Mr. Hart also addressed the Town's share of the parking garage overrun stating that the Town's portion will be reimbursed from future tax revenues from Storrs Center beginning next fiscal year.

4. Community Water and Wastewater Issues

Connecticut Water Company continues to work on installation of the pipes. Mr. Hart reported that the sewer project is currently undergoing DEEP review and a proposed successor sewer agreement will be brought before the Council later this year.

VIII. NEW BUSINESS

5. Proclamation in Recognition of Winston W. Hawkins

Mr. Ryan moved and Mr. Shapiro seconded, to authorize the Mayor to issue the attached Proclamation in Recognition of Winston W. Hawkins. The motion passed unanimously.

Mayor Paterson presented Mr. Hawkins with his proclamation and thanked him for his many years of service to the Town. (Proclamation attached)

6. Proclamation in Recognition of Philip P. Barry

Mr. Shapiro moved and Mr. Ryan seconded, to authorize the Mayor to issue the attached Proclamation in Recognition of Philip P. Barry.

Mayor Paterson presented Mr. Barry with his proclamation and thanked him for his service to the Town in so many capacities. (Proclamation attached)

7. Amendments, Ordinances, Policies and Procedures re Alcoholic Beverages, Dog Waste Control, the Mansfield Town Square, and Streets and Sidewalks.

Mr. Shapiro moved and Ms. Moran seconded, to refer the proposed amendments to the Alcohol Beverages Ordinance, the proposed Dog Waste Control Ordinance, the proposed Mansfield Town Square Ordinance, the proposed policies and procedures regarding the Town Square, and the proposed amendments to the Streets and Sidewalks Ordinance to an Ad hoc Ordinance Development Review Committee, for the purpose of making a recommendation to the Council on the aforementioned amendments, ordinances, policies and procedures.

The motion passed unanimously.

Members discussed the process, timing of the public hearing, and concerns about first amendment protections.

Mr. Shapiro moved and Ms. Raymond seconded to approve the following members as the Ad hoc Ordinance Development Review Committee: Mr. Kegler, Mr. Kochenburger, Ms. Moran, Ms. Raymond and Mr. Shapiro.

The motion passed unanimously.

8. Veterans Day Ceremonial Presentation Planning

Mr. Shapiro suggested the Town Manager present a version of his remarks regarding conflict resolution presented at a Memorial Day event a few years ago.

By consensus the Council agreed to ask Mr. Hart to make a presentation. He agreed to do so.

IX. REPORTS OF COUNCIL COMMITTEES

Finance Committee Chair Bill Ryan reported the Committee accepted the Finance Director's recommendation for a consultant for the fraud risk assessment. The consultant will be CohnReznick.

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

The appointment of Elizabeth Paterson to citizen position on the University/Town Relations Board, effective November 4, 2015, for a term ending March 3, 2016.

The appointment of Dexter Eddy as a Commissioner (currently a Resident Commissioner) to the Mansfield Housing Authority for a term ending on 10/31/2016.

The appointment of Donald Hundt as the Resident Commissioner to the Mansfield Housing Authority with a term ending on 10/31/2017

The reappointment of Richard Long as a Commission to the Mansfield Housing Authority for a term ending 10/31/2020

The appointment of Nancy Rawn and Susan Mitchell to the Agriculture Committee for terms ending 10/13/2016

The reappointment of Alan Cyr and Brian Kielbania to the Agriculture Committee for terms ending 10/13/2017

The reappointment of Ed Hall as an alternate on the Agriculture Committee for a term ending 10/12/2016

The motion to approve passed unanimously.

X. DEPARTMENTAL AND COMMITTEE REPORT

No comments offered.

XI. PETITIONS, REQUESTS AND COMMUNICATIONS

9. J. Welsh re: Clarification of Sewer System Ordinances - Ms. Wassmundt asked for clarification as to whether or not residential properties will be required to connect to sewers. Mr. Hart noted that there are a number of options available to the WPCA which are currently being reviewed by the Four Corners Water and Sewer Advisory Committee. He will send a link to proposed regulations to Council members.

10. FOIC re: Notice of Final Decision

11. Press Release – Education Secretary Arne Duncan Announces 2015 National Blue Ribbon Schools

12. Mansfield Minute – October 2015

13. Monstrous Mansfield – Halloween Happenings

14. Connecticut Department of Consumer Protection re: Concrete Foundations; Information and Quick Facts

XII. FUTURE AGENDAS

Ms. Raymond requested a status report on her request for a forecast of tax revenues for Storrs Center at full build out. Mr. Hart commented that staff is working on the information and expects to be able to provide estimated figures in late November.

Ms. Moran suggested the Committee on Committees consider creating standards for the recognition of volunteers.

Ms. Moran moved and Mr. Shapiro seconded to recess as the Council and convene in executive session to discuss the sale or purchase of real property, in accordance with CGS§1-200(6)(D) and personnel in accordance with Connecticut General Statutes §1-200(6)(a), Town Manager Performance Review. The Town Manager will be included in both sessions.

The motion passed unanimously.

XIII. EXECUTIVE SESSION

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

Also Attending: Town Manager Matt Hart

Sale or purchase of real property, in accordance with CGS§1-200(6)(D)

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

XIV. ADJOURNMENT

The Council reconvened in regular session. Ms. Moran moved and Mr. Ryan seconded to adjourn the meeting at 9:32 p.m. Motion passed unanimously.

Elizabeth C. Paterson, Mayor

Mary Stanton, Town Clerk

October 13, 2015

First I want to thank all the people who worked on getting signatures for this ordinance and all the people who signed it.

There were concerns by the Council about the ordinance that were raised at the last meeting. Two of them were the intentions of UConn concerning fracking waste, in particular whether their hazardous waste facility would accept it and would it be used on their roads. I have a memorandum for record about these concerns. [read memorandum].

Another question was whether the ordinance would prohibit fracking for water. I believe the ordinance is very clear that it pertains to fracking waste from oil and gas fracking. I read about fracking for water online. Operators don't drill as deep for water and don't use a chemical cocktail in the high pressure water. Only fresh water is used.

Mansfield does not have a hazardous waste facility so waste water would not come here. However, if hazardous waste facilities were allowed to take fracking waste, the products of their decontamination could find its way into deicer for roads. There are also solid forms of fracking waste such as sludges and drill cuttings. The drill cuttings are radioactive and the sludges contain radioactive materials and carcinogenic chemicals. The drill cuttings have been used for road base construction in other states. I urge you to pass this ordinance.

Submitted by Gary Bent 10/13/15

Memorandum of Record

Re: Conversation with Stefan Wawzynicki, Director of Environmental Health and Safety,
University of Connecticut

I talked to Mr. Wawzynicki on Thursday, October 8, 2015 about UConn's policies on the possible use of fracking waste at the hazardous waste facility and on the roads at the University of Connecticut. He said that State law forbids UConn from accepting hazardous waste from any outside source. They can only treat hazardous waste generated at UConn.

As for the use of the products of fracking waste on UConn's roads, he said that since UConn is a State university, the roads are State roads. They treat the roads, but any products they use on the roads is dictated by Department of Transportation. Furthermore, they get the products from the Department of Transportation. They have no control on what is used.



Gary D. Bent



*Town of Mansfield
Proclamation in Recognition of Winston W. Hawkins*

Whereas, Mr. Hawkins has dutifully served the Town of Mansfield for 48 years as a member of the Mansfield Cemetery Committee; and

Whereas, the duties and responsibilities of the Cemetery Committee are important to the overall affairs of the Town of Mansfield; and

Whereas, on October 22, 1973 Mr. Hawkins was appointed as one of seven original members to the Cemetery Committee; and

Whereas, at the time of his original appointment, Mr. Hawkins served as the president/sexton of the Mansfield Union Burial Corporation (MBUC) and continued to serve as its president until the MBUC was dissolved in October 1992; and

Whereas, the proper maintenance of our cemeteries is an important responsibility for the Town and the community has greatly benefitted from Mr. Hawkins' long-time service; and

Whereas, Mr. Hawkins raised his wonderful family in Mansfield.

NOW, THEREFORE, BE IT RESOLVED, that I, Elizabeth C. Paterson, Mayor of Mansfield, Connecticut, do hereby express our appreciation and gratitude to Winston W. Hawkins for his outstanding service to the community.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 13th day of October in the year 2015.

Elizabeth C. Paterson, Mayor
Town of Mansfield



Town of Mansfield
Proclamation in Recognition of Philip P. Barry

Whereas, Mr. Barry has dutifully served the Town of Mansfield for many years in a multitude of capacities, including the Town Council and the Transportation Advisory Committee from 1995 – 1999; the Town-University Relations Committee from 1995 – 2014; the Mansfield Downtown Partnership (MDP) Board of Directors from 2001-2003; the MDP Finance and Administration Committee from 2002-2015; the MDP Organizing Committee in 2001; and as a Citation Hearing Officer and a Zoning Citation Hearing Officer since 2002; and

Whereas, as the Associate Athletic Director at the University of Connecticut, Mr. Barry was renowned by his colleagues for his wit and became an inspiration and mentor to many; and

Whereas, Mr. Barry, a long-time resident and civic-minded citizen of the Town of Mansfield continues to share his positive outlook on life; and

Whereas, Mr. Barry's respect and outreach to young adults has helped to facilitate healthy communication between the University of Connecticut and the Town of Mansfield leading to a better quality of life for residents, university students, faculty and staff.

NOW, THEREFORE, BE IT RESOLVED, that I, Elizabeth C. Paterson, Mayor of Mansfield, Connecticut, do hereby express our appreciation and gratitude to Philip P. Barry for his outstanding service to the community.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 13th day of October in the year 2015.

Elizabeth C. Paterson, Mayor
Town of Mansfield