



**TOWN OF MANSFIELD  
TOWN COUNCIL MEETING  
Tuesday, October 13, 2015  
COUNCIL CHAMBERS  
AUDREY P. BECK MUNICIPAL BUILDING  
7:30 p.m.**

**AGENDA**

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**EXECUTIVE SESSION**

- 15. Sale or purchase of real property, in accordance with CGS §1-200(6)(D)
- 16. Personnel in accordance with Connecticut General Statutes §1-200(6)(a), Town Manager Performance Review

**ADJOURNMENT**

SPECIAL MEETING – MANSFIELD TOWN COUNCIL  
September 28, 2015  
DRAFT

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 6:30 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. OLD BUSINESS

1. Next Generation CT Impact Study

Lee Huang of Econsult Solutions Inc. and Sean Vasington of UConn were in attendance by phone and available to answer questions regarding the *Next Generation Connecticut Initiative* (NextGenCT).

Council members commented on the report and asked questions of Mr. Huang.

III. ADJOURNMENT

Mr. Shapiro moved and Ms. Moran seconded to adjourn the meeting at 7:20 p.m. The motion passed unanimously.

Elizabeth C. Paterson, Mayor

Mary Stanton, Town Clerk

August 24, 2015

REGULAR MEETING – MANSFIELD TOWN COUNCIL  
September 28, 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. Shapiro moved and Mr. Ryan seconded to approve the minutes of the September 15, 2015 meeting, as presented. The motion passed with all in favor except Mayor Paterson who abstained.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Bruce Clouette, Woodland Road resident and representing the Executive Council of the Mansfield Historical Society, explained the Society's request for assistance in meeting the Connecticut Trust for Historic Preservation's local match requirement for a condition assessment on the Town owned building they currently occupy. (Statement attached)

Brian Coleman, Centre Street, warned the Town Council of the impact a number of difficult economic situations will have on the State and consequently our local budget. Mr. Coleman also expressed support for the ordinance regarding the storage, disposal and use of fracking waste which is on tonight's agenda.

Gary Bent, Mansfield Hollow Road, speaking for Eastern Green Action urged support and quick action on the petition for an ordinance regarding fracking waste.

Peter Millman, Dog Lane, urged positive consideration of the proposed ordinance and asked Council members to access wastefreect.org to view a list of the organizations who are in support of these types of ordinances.

IV. REPORT OF THE TOWN MANAGER

Assistant Town Manager Maria Capriola reviewed the highlights of the Town Manager's Report.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson commented on the extremely successful Celebrate Mansfield Festival which featured 124 business and organization supporters, over 250 volunteers and approximately 4,000 attendees. Mayor Paterson thanked the Community for their support and participation.

VI. OLD BUSINESS

1. Year End Budget Transfers & Appropriations for FY 2014/15

Mr. Ryan, Chair of the Finance Committee, offered the following resolution:

September 28, 2015

Resolved, effective September 28, 2015, to adopt the Yearend Budget Transfers and Appropriation for FY 2014/15, as presented by the Director of Finance in her correspondence dated September 10, 2015.

Motion passed unanimously.

2. Capital Improvement Program Closeouts/Adjustments

Mr. Ryan, Chair of the Finance Committee moved, effective September 28, 2015, to approve the adjustments to the Capital Projects fund as of June 30, 2015, as presented by the Director of Finance in her correspondence dated September 10, 2015.

Motion passed unanimously.

VII. NEW BUSINESS

3. Proclamation in Honor of the Mansfield's Senior Center's 40th Anniversary

Mr. Marcellino moved and Ms. Moran seconded, to authorize the Mayor to issue the attached Proclamation in Honor of the Mansfield Senior Center's 40th Anniversary.

(Proclamation attached)

Motion passed unanimously.

4. Proclamation Designating October 4-10, 2015 as Mental Illness Awareness Week

Ms. Moran moved and Mr. Ryan seconded, effective September 28, 2015, to authorize the Mayor to issue the attached proclamation designating the Week of October 4-10, 2015 as Mental Illness Awareness Week.

(Proclamation attached)

Motion passed unanimously.

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

Mr. Shapiro moved and Ms. Raymond seconded, effective, September 28, 2015, to refer the proposed ordinance regarding "The Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut" to the Town Attorney for review.

Motion passed unanimously.

Ms. Moran moved and Mr. Ryan seconded, effective September 28, 2015, to schedule a public hearing for 7:30PM at the Town Council's regular meeting on October 13, 2015, to solicit public comment regarding the proposed ordinance regarding "The Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut."

Motion passed unanimously.

Council members requested the following information be presented in conjunction with the public hearing:

- A report from the Director of Public Works regarding the Town's ability to ensure that products used on the Town's road comply with the ordinance
- Assurance that nothing in the proposed ordinance would prohibit fracking in the process of installing a regular water well

September 28, 2015

- Information on existing and future plans of both UConn and DEEP regarding the use of any fracking waste or derivative thereof on roads in Mansfield under their control
- Information on the operation of UConn's water treatment plant with regards to the use of any fracking waste or derivative thereof.

6. Mansfield Historical Society Request for Matching Funds for CTHP Technical Assistance Grant

Mr. Kegler moved and Ms. Moran seconded to approve the following resolution:

Resolved, to appropriate the sum of \$7,500 from the Capital Fund Deferred Maintenance Account as the match for an Historic Preservation Technical Assistance Grant from the Connecticut Trust for Historic Preservation; this appropriation is conditional upon the Mansfield Historical Society applying for and receiving the grant.

By consensus the Council agreed to invite Mr. Clouette to the table for the purpose of answering questions.

Ms. Wassmundt moved and Mr. Kochenburger seconded to amend the motion to appropriate \$15,000, the entire amount of the required match.

The motion to amend the motion passed unanimously.

The motion as amended passed unanimously.

7. FY 2015/16 Compensation and Benefits Adjustments for Non-union Personnel

Ms. Moran, Chair of the Personnel Committee moved, effective September 28, 2015 to approve the proposed changes in wages for non-union regular staff, effective July 1, 2015, and for health insurance premiums, effective with the October 21, 2015 payroll.

Assistant Town Manager Maria Capriola recused herself from any discussion on the compensation and benefits adjustments as she is a non-union staff member; but will be available to answer questions of fact.

Council members discussed the compensation structure for non-union personnel.

Mr. Ryan moved and Mr. Shapiro seconded to call the question. The motion to call the question passed with Marcellino, Moran, Paterson, Ryan and Shapiro in favor and Kegler, Kochenburger, Raymond and Wassmundt in opposition.

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

VIII. QUARTERLY REPORTS

No comments offered

IX. REPORTS OF COUNCIL COMMITTEES

Peter Kochenburger, Chair of the Committee on Committees, moved the recommendation of the reappointments of Bettejane Karnes and Wilfred Bigl to the Commission on Aging for terms ending on September 30, 2018. The motion passed unanimously.

Mr. Kochenburger reported on the Committee's successful booth at the Festival and thanked Councilor Kegler and the Town Clerk for their efforts.

September 28, 2015

- X. DEPARTMENTAL AND COMMITTEE REPORT  
No comment offered.
- XI. PETITIONS, REQUESTS AND COMMUNICATIONS  
8. W. Bigl re: Mansfield Commission on Aging  
9. G. Bent re: Fact Sheet on Fracking Waste  
10. D. Whitehead re: Progressive Care Unit at Windham Hospital  
11. D. Manning re: Town Support of United Services
- XII. FUTURE AGENDAS  
Ms. Moran moved and Mr. Shapiro seconded to enter into executive session to discuss Personnel in accordance with CGS§1-200(6)(a), Town Manager Performance Review. The 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
- XIV. ADJOURNMENT  
The Council reconvened in regular session. Ms. Moran moved and Mr. Ryan seconded to adjourn the meeting at 9:16 p.m. The motion passed unanimously.

Elizabeth C. Paterson, Mayor

Mary Stanton, Town Clerk

September 28, 2015

September 28, 2015

Dear Members of the Town Council:

The Mansfield Historical Society has asked the Town to commit funds for a Conditions Assessment of two Town-owned buildings at 954 Storrs Road: the Old Town Hall, built in 1843 as a place to hold town meetings, and the Town Office Building, built in 1935 for administrative offices. These buildings served the Town until the end of the 1970s, when the building we are in tonight was converted for Town offices. In 1980, the Mansfield Historical Society began leasing the Storrs Road property from the Town and currently uses both buildings for its museum exhibits, collection storage, library, and offices.

The Mansfield Historical Society is a nonprofit organization whose mission is to "discover, collect, and preserve whatever pertains to the history of the town of Mansfield and the surrounding area." We typically put on two new exhibits every year and present at least four programs on various historical topics. This year, we are undertaking a "Museum Box" outreach program in which objects from the Society's collections are made available for use in the schools. We are also in the process of organizing a walking tour for next month which will allow people inside the Kirby Mill, the new hydro facility, and the flood-control dam at Mansfield Hollow. The Society has about 300 dues-paying members.

Over the years, the buildings occupied by the Society have developed condition problems, including failing paint and water damage, and there is a lack of handicap accessibility. The Society would like to partner with the Town in addressing these issues and hopes to apply for grants that will help defray the costs of necessary repairs. As a first step, a Conditions Assessment is needed to identify, prioritize, and estimate costs for the work items. The Society is planning to apply for a grant of approximately \$15,000 from the Connecticut Trust for Historic Preservation to carry out the Conditions Assessment, for a total cost of about \$30,000. In order to apply, we need to identify a source of 50-50 matching funds. The motion on your agenda tonight would provide half of the local match for the Conditions Assessment.

We know that the town is going to undertake a comprehensive survey of all town-owned buildings sometime in the near future, but in order to get going with grant applications, the Society feels it cannot wait without further risk to the buildings and the Society's collections and programs. The information, site plan, and floor plans produced by the Conditions Assessment will no doubt be useful for the town's larger project.

Thank you for considering our request.

BRUCE CLOUETTE, Mansfield Historical Society Executive Council Member  
483 Woodland Road



*Town of Mansfield*

*Proclamation in Honor of the Mansfield's Senior Center's 40<sup>th</sup> Anniversary*

*Whereas*, in 1974 a small group of dedicated Mansfield Residents started a conversation about the elderly in Mansfield; and

*Whereas*, the Mansfield Senior Center opened on September 14, 1975 in the then vacant Storrs Grammar School, now the Audrey P. Beck Municipal Building; and

*Whereas*, the community celebrated the grand opening of the current Senior Center on February 10, 1980; and

*Whereas*, we honor all of the volunteers who forty years ago had the insight and energy to create the Mansfield Senior Center, and the Mansfield Senior Center Association; and

*Whereas*, what started as a conversation has grown into a wonderful community resource with a wide variety of social, recreational, and enrichment programs; and

*Whereas*, over the last 40 years, the Mansfield Senior Center has always been a place where seniors learn, grow, laugh, and connect with each other; and

*Whereas*, the Mansfield Senior Center will be hosting numerous special events in recognition of its 40<sup>th</sup> Anniversary:

NOW, THEREFORE, BE IT RESOLVED, that I, Elizabeth C. Paterson, Mayor of Mansfield, Connecticut, on behalf of the Town Council and the residents of Mansfield issue this proclamation in honor of the 40<sup>th</sup> Anniversary of the Mansfield Senior Center.

*IN WITNESS WHEREOF*, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this September 28, in the year 2015.

\_\_\_\_\_  
Elizabeth C. Paterson, Mayor  
Town of Mansfield  
September 28, 2015



*Town of Mansfield*

*Proclamation Designating October 4–10, 2015 as Mental Illness Awareness Week*

*Whereas*, mental health is part of an individual's overall health and wellness; and

*Whereas*, one in five adults experiences a mental health problem in any given year and one in 17 adults lives with mental illness such as major depression, bipolar disorder, or schizophrenia; and

*Whereas*, approximately one-half of those with chronic mental illness experience symptoms by the age of 14 and three-quarters by the age of 24; and

*Whereas*, long delays- sometimes decades- often occur between the time symptoms first appear and when the individuals get help; and early identification and treatment can make a difference in successful management of mental illness and recovery; and

*Whereas*, it is important to maintain mental health and learn the symptoms of mental illness in order to get help when it is needed; and

*Whereas*, every citizen and community can make a difference in helping end the fear, ignorance and shame that for too long have surrounded mental illness, and discouraged people from getting help; and

*Whereas*, public education and civic activities can demystify mental health issues, promote early intervention, and help to improve the lives of individuals and families affected by mental illness:

NOW, THEREFORE, BE IT RESOLVED, that I, Elizabeth C. Paterson, Mayor of Mansfield, Connecticut, hereby proclaim October 4 through October 10, 2015 as "Mental Illness Awareness Week" in Mansfield, Connecticut to increase public understanding of the importance of mental health and to promote identification and treatment of mental illnesses.

AND BE IT FURTHER RESOLVED, that all citizens, businesses, schools, and community organizations are encouraged to recognize Mental Illness Awareness Week by promoting mental health awareness activities, and by participating in the grassroots activities of the Eastern Regional Mental Health Board, to make their communities' mental health needs known to the decision-makers of the State of Connecticut.

*IN WITNESS WHEREOF*, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 28<sup>th</sup> day of September in the year 2015.

\_\_\_\_\_  
Elizabeth C. Paterson  
Mayor, Town of Mansfield  
September 28, 2015

PUBLIC HEARING  
TOWN OF MANSFIELD  
October 13, 2015

The Mansfield Town Council will hold a public hearing in the Council Chamber of the Audrey P. Beck Building, 4 South Eagleville Road, at 7:30 PM on October 13, 2015 to solicit public comments concerning a proposed ordinance regarding "The Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut.

At this hearing persons may address the Town Council and written communications may be received. A copy of the draft is available for review in the Town Clerk's office, the Mansfield Library, and is posted on the Town's website ([mansfieldct.gov](http://mansfieldct.gov)).

Dated at Mansfield Connecticut this 29<sup>th</sup> day of September 2015.

Mary Stanton, Town Clerk

Petition for an Ordinance to Ban Fracking Waste

Mansfield Town Council:

Whereas waste from fracking (hydraulic fracturing) contains water, rock cuttings, and sludges contaminated with carcinogen chemicals such as benzene, heavy metals such as arsenic and mercury, and radioactive material such as radium and radon;

Whereas oil and gas companies are seeking ways to dispose of trillion of gallons of fracking waste;

Whereas Connecticut sewage treatment plants and centralized waste treatment plants are possible sites for disposal of this waste;

Whereas disposal experience of fracking waste in Pennsylvania demonstrates that sewage treatment plants and typical centralized waste treatment plants are not adequate for safe removal of radioactive material, high level of salts in water, and carcinogenic chemicals;

Whereas construction of centralized waste treatment plants that meet the standards for producing clean water from fracking waste water will make the disposal expensive for oil and gas companies;

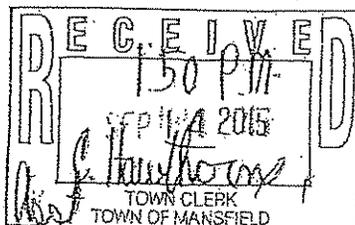
Whereas the temptation to lower standards to make Connecticut companies competitive for accepting hazardous fracking waste will always be present;

Whereas because of special exemptions given to the oil and gas industry, fracking waste is classified as "hazardous waste" under Federal and state laws, eliminating any tracking requirements for its handling;

Whereas truck accidents, spills, leaks, and illegal dumping can expose farmland, ground water, drivers, police, EMTs, and the public to fracking waste;

Whereas landfill disposal of fracking sludge and cuttings could contaminate them for thousands of years. Storage in closed containment tanks could eventually result in permanent ground water and surface water contamination;

Whereas road spreading of fracking waste water for dust control and de-icing on roads increases risk of exposure to drivers and pedestrians and contamination of nearby fields and surface waters.



# TOWN OF MANSFIELD

## ORDINANCE REGARDING THE STORAGE, DISPOSAL OR USE OF FRACKING WASTE OR ANY DERIVATIVE THEREOF IN THE TOWN OF MANSFIELD, CONNECTICUT.

FOR ENACTMENT AT THE TOWN MEETING CONVENED FOR \_\_\_\_\_ (date TBD) \_\_\_\_\_

### Section 1. Prohibitions

1. The application of natural gas waste or oil waste, whether or not such waste has received approval for use by DEEP (Department of Energy & Environmental Protection) or any other regulatory body, on any road or real property located within the Town for any purpose is prohibited.
2. The introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the Town is prohibited.
3. The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town is prohibited.
4. The sale, acquisition, storage, handling, treatment and/or processing of natural gas waste or oil waste within the Town is prohibited.

### Section 2. Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the Town.

1. All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the Town.
2. All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service.
3. The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town: "We \_\_\_\_\_ hereby submit a bid for materials, equipment and/or labor for the Town of Mansfield. The bid is for bid documents title \_\_\_\_\_. We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the bid; nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property within the Town of Mansfield as a result of the submittal of this bid if selected."

### **Section 3. Penalties**

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. The Town is empowered to issue "Cease and Desist" orders in case of any violation of the Prohibitions and Provision stated above in Sections 1 and 2. It is further empowered to require remediation of any damage done to any land, road, building, aquifer, well, water course, or quality or other asset, be it public or private, within the Town of Mansfield. It may impose fines in any amounts it deems necessary with any and all infractions against this ordinance.

### **Section 4. Effective Date**

Within ten (10) days after the final passage, the ordinance shall be published in its entirety in a newspaper having circulation within the town. It shall become effective on the twenty-first (21st) day after such publication following its final passage.

### **Section 5. Definitions**

As used in this Ordinance the term "hydraulic fracturing" shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.

As used in this Ordinance the term "natural gas extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing

As used in this Ordinance the term "oil extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.

As used in this Ordinance the term "natural gas waste" shall mean: a. any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b. leachate from solid wastes associated with natural gas extraction activities; c. any waste that is generated as a result of or in association with the underground storage of natural gas; d. any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and e. any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

As used in this Ordinance the term "oil waste" shall mean: a. any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b. leachate from solid wastes associated with oil extraction activities; and c. any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

As used in this Ordinance the term "application" shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Mansfield

As used in this Ordinance the term Town shall mean the Town of Mansfield.



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Town Manager *MH*  
**CC:** Maria Capriola, Assistant Town Manager; Mary Stanton, Town Clerk  
**Date:** October 13, 2015  
**Re:** Petition for an Ordinance Regarding the Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut

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**Subject Matter/Background**

At Tuesday's meeting, the Town Council will conduct a public hearing on an ordinance entitled "The Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut." This item has been placed on the agenda as old business to allow the Council to debrief the public hearing and to consider future actions.

Section §C310 of the Mansfield Charter outlines the process for a voter-initiated ordinance. In accordance with that process, at the September 28, 2015 meeting the Council voted to forward the petition to the Town Attorney for review. The Charter also states that within 60 days (on or before November 15, 2015) of the Town Clerk's certification the Council must either adopt the proposed ordinance or submit the same to the voters at a referendum to be held within 90 days (on or before December 15, 2015) from the date of the Clerk's certification. If a majority of those voting, consisting of at least 15% of the total number of voters as determined on the revised registry list last completed, vote in the affirmative, the ordinance is adopted.

At the September 28<sup>th</sup> meeting, councilors also requested the following information from staff:

- 1) Report from Director of Public Works re: the department's ability to ensure that products used on roads comply with the ordinance;
- 2) Assurance the proposed ordinance would not prohibit fracking in the process of installing regular water wells;
- 3) Information on existing and future plans of UConn and DEEP for use of fracking waste on roads;
- 4) Information on the operation of UConn water treatment plant with regard to any fracking waste or derivative.

Petition for an Ordinance to Ban Fracking Waste

Mansfield Town Council:

Whereas waste from fracking (hydraulic fracturing) contains water, rock cuttings, and sludges contaminated with carcinogen chemicals such as benzene, heavy metals such as arsenic and mercury, and radioactive material such as radium and radon;

Whereas oil and gas companies are seeking ways to dispose of trillion of gallons of fracking waste;

Whereas Connecticut sewage treatment plants and centralized waste treatment plants are possible sites for disposal of this waste;

Whereas disposal experience of fracking waste in Pennsylvania demonstrates that sewage treatment plants and typical centralized waste treatment plants are not adequate for safe removal of radioactive material, high level of salts in water, and carcinogenic chemicals;

Whereas construction of centralized waste treatment plants that meet the standards for producing clean water from fracking waste water will make the disposal expensive for oil and gas companies;

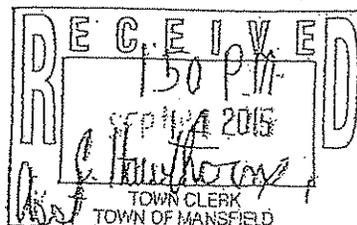
Whereas the temptation to lower standards to make Connecticut companies competitive for accepting hazardous fracking waste will always be present;

Whereas because of special exemptions given to the oil and gas industry, fracking waste is classified as "hazardous waste" under Federal and state laws, eliminating any tracking requirements for its handling;

Whereas truck accidents, spills, leaks, and illegal dumping can expose farmland, ground water, drivers, police, EMTs, and the public to fracking waste;

Whereas landfill disposal of fracking sludge and cuttings could contaminate them for thousands of years. Storage in closed containment tanks could eventually result in permanent ground water and surface water contamination;

Whereas road spreading of fracking waste water for dust control and de-icing on roads increases risk of exposure to drivers and pedestrians and contamination of nearby fields and surface waters.



# TOWN OF MANSFIELD

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FOR ENACTMENT AT THE TOWN MEETING CONVENED FOR \_\_\_\_\_ (date TBD) \_\_\_\_\_

### Section 1. Prohibitions

1. The application of natural gas waste or oil waste, whether or not such waste has received approval for use by DEEP (Department of Energy & Environmental Protection) or any other regulatory body, on any road or real property located within the Town for any purpose is prohibited.
2. The Introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the Town is prohibited.
3. The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town is prohibited.
4. The sale, acquisition, storage, handling, treatment and/or processing of natural gas waste or oil waste within the Town is prohibited.

### Section 2. Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the Town.

1. All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the Town.
2. All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service.
3. The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and or maintained road or real property within the Town and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town: "We \_\_\_\_\_ hereby submit a bid for materials, equipment and/or labor for the Town of Mansfield. The bid is for bid documents title \_\_\_\_\_. We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the bid; nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property with the Town of Mansfield as a result of the submittal of this bid if selected."

**Section 3. Penalties**

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. The Town is empowered to issue "Cease and Desist" orders in case of any violation of the Prohibitions and Provision stated above in Sections 1 and 2. It is further empowered to require remediation of any damage done to any land, road, building, aquifer, well, water course, or quality or other asset, be it public or private, within the Town of Mansfield. It may impose fines in any amounts it deems necessary with any and all infractions against this ordinance.

**Section 4. Effective Date**

Within ten (10) days after the final passage, the ordinance shall be published in its entirety in a newspaper having circulation within the town. It shall become effective on the twenty-first (21st) day after such publication following its final passage.

**Section 5. Definitions**

As used in this Ordinance the term "hydraulic fracturing" shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.

As used in this Ordinance the term "natural gas extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing

As used in this Ordinance the term "oil extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited, to, core and rotary drilling and hydraulic fracturing.

As used in this Ordinance the term "natural gas waste" shall mean: a. any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b. leachate from solid wastes associated with natural gas extraction activities; c. any waste that is generated as a result of or in association with the underground storage of natural gas; d. any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and e. any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

As used in this Ordinance the term "oil waste" shall mean: a. any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b. leachate from solid wastes associated with oil extraction activities; and c. any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

As used in this Ordinance the term "application" shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Mansfield

As used in this Ordinance the term Town shall mean the Town of Mansfield.

\*\*

Excerpts from the Mansfield Charter

§ C310. Initiative.

A. The voters of the town may propose and adopt ordinances and resolutions in the manner hereafter described, provided that no ordinance or resolution so proposed which would involve an increase in the expenditures of the town beyond those budgeted for the current fiscal year shall take effect until after the adoption of the next annual budget unless the Council, subject to the limitations hereinafter set forth, shall make a special appropriation for the purpose. The ordinance or resolution shall be proposed by a petition to the Council requesting its adoption and setting it forth in full, and shall be signed by at least two hundred (200) of the qualified voters of the town as determined by the revised registry list last completed (Sec. 9-172a, C.G.S.). The petition shall be filed with the Town Clerk who shall within ten (10) days examine the signatures on the same and determine their sufficiency. If the Town Clerk finds that the petition has been signed by the required number of voters, the Town Clerk shall so certify to the Council at its next regular meeting. The Council shall submit any such proposed ordinance or resolution to the Town Attorney for examination.

B. The Town Attorney shall have authority to correct its form for the purpose of avoiding inconsistencies, repetitions, obscurities, illegalities and unconstitutional provisions and to assure accuracy in its text and references and clarity and precision in its phraseology. The Town Attorney shall not substantively change the meaning and effect of the petition.

C. The Council shall call a hearing for the sole purpose of allowing a discussion of the proposal. Such hearing may advise the Council of the sense of the town on the issues raised by the proposal. Within sixty (60) days after certification by the Town Clerk, the Council shall either adopt the proposed ordinance or resolution or submit the same to the voters at a referendum to be held within ninety (90) days from the date of the Clerk's certification. If a majority of those voting, such majority consisting of at least fifteen percent (15%) of the total number of voters as determined by the revised registry list last completed (Sec. 9-172a, C.G.S.), shall vote in the affirmative, the ordinance or resolution shall go into effect as soon as the vote is confirmed.

§ C311. Form of petition for referendum or initiative.

A. Petitions under §§ C309 and C310 shall be in the following form:

WARNING: ALL SIGNATURES SHALL BE IN INK.

We, the undersigned voters of the town of Mansfield, hereby present this petition under the provisions of Article III, §§ C309 and C310 of the Charter of said town (here insert the words "requesting the repeal of the following ordinance," or the words "initiating the following ordinance") (here insert the text of the ordinance) and we certify that we are voters of the town of Mansfield residing at the addresses set opposite our names and that we have not signed this petition more than once.

(Here follow the signatures and addresses.)

Signature

Road or Street

B. Petitions under § C405 shall be in the following form:

WARNING: ALL SIGNATURES SHALL BE IN INK.

We, the undersigned electors of the town of Mansfield as determined by the revised registry list last completed, hereby present this petition under the provisions of Article IV, § C405 of the Charter of said town requesting the repeal of the budget adopted on (here insert date of adoption) and that such budget be replaced by a substitute budget, and we certify that we are electors of the town of Mansfield residing at the addresses set opposite our names and that we have not signed this petition more than once.

(Here follow the signatures and addresses.)

Signature

Road or Street

§ C312. Form of affidavit of circulators to accompany all petitions.

A. The signatures to a petition for initiative or referendum under Article III, §§ C309 and C310 of this Charter need not all be appended to one (1) paper, but to each separate petition page there must be attached an affidavit of the circulator of that paper in substantially the following form:

Tolland County, State of Connecticut (Here insert the name and residence address of the circulator of the petition), being duly sworn, deposes and says that he or she is a voter of the Town of Mansfield, and that he or she is the circulator of the foregoing petition page, that the said signatures were made in his or her presence, that each signer is known to, or satisfactorily identified to the circulator, and that all signatures were obtained not earlier than six (6) months prior to the filing of the petition.

Signed \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_ 19\_\_

\_\_\_\_\_  
Justice of the Peace, Notary Public or Commissioner of the Superior Court

B. The signatures to a petition for initiative or referendum under Article IV, § C405 of this Charter need not all be appended to one (1) paper, but to each separate petition page there must be attached an affidavit of the circulator of that paper in substantially the following form:

Tolland County, State of Connecticut (Here insert the name and residence address of the circulator of the petition), being duly sworn, deposes and says that he or she is an elector of the Town of Mansfield as determined by the revised registry list last completed, and that he or she is the circulator of the foregoing petition page, that the said signatures were made in his or her presence, that each signer is known to, or satisfactorily identified to the circulator, and that all signatures were obtained not earlier than six (6) months prior to the filing of the petition.

Signed \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_ 19\_\_

\_\_\_\_\_  
Justice of the Peace, Notary Public or Commissioner of the Superior Court



## STATE POLICIES ON USE OF HYDRAULIC FRACTURING WASTE AS A ROAD DEICER

By: Heather Poole, Legislative Analyst I

### Definitions

**Hydraulic Fracturing:** the process of injecting a fluid consisting of water, sand, and chemicals at a high pressure to fracture shale formations to allow gas to flow and be brought into a well for collection ("fracking").

**Wastewater:** water that comes to the surface as a result of hydraulic fracturing operations (refers to both flowback fluid and production brine).

**Flowback fluid:** fracturing fluid (water, sand, and chemicals) that returns to the surface when production starts.

**Production brine:** naturally occurring, salty water that lies underground and is brought to the surface in the fracking process (also called produced water, formation water, or simply "brine").

- QUESTIONS**
1. What is hydraulic fracturing waste?
  2. What are the risks associated with using this waste to deice roads?

3. Do Connecticut and other states use or allow others to use the waste for this purpose and, for those that do, how do they regulate its use for deicing?

## SUMMARY

Hydraulic fracturing is a process used to extract natural gas in shale formations, such as the Marcellus Shale region that includes part of New York, Ohio, and Pennsylvania. This process produces high volumes of wastewater that can pose risks to humans and the environment if not treated, recycled, or safely disposed. One of the methods for disposing of the wastewater is to spread it on roads for dust and ice control, since wastewater (especially naturally occurring production brine) is very salty. Both the Environmental Protection Agency (EPA) and the Natural Resources Defense Council (NRDC) advise against spreading wastewater on roads because this practice potentially exposes drinking water to natural contaminants, radioactive material, and drilling chemicals.

Connecticut neither bans the use of hydraulic fracturing waste to deice state highways nor specifically regulates its use for this purpose. However, the Department of Transportation (DOT) cannot use any waste product to deice highways until the Department of Energy and Environmental Protection (DEEP) evaluates its environmental impact and authorizes its beneficial use (CGS §22a-209f). This requirement also applies to substances DOT contractors use to deice highways. But law does not specifically require a seller or contractor to disclose if a substance contains hydraulic fracturing waste, which may prevent DEEP from properly evaluating its safety.

We researched whether the other New England states and the natural gas-rich states of New York, Ohio, and Pennsylvania use hydraulic fracturing waste to deice roads. Five of these states (New York, Massachusetts, Ohio, Pennsylvania, and Vermont) either regulate or ban the use of wastewater as a deicer.

New York, Ohio, and Pennsylvania permit the use of production brine from fracking operations to be applied to roads as a deicer based on its chemical composition, application rate, and other criteria. However, if New York's moratorium on high-volume hydraulic fracturing (HVHF) is lifted and the state's proposed regulations are adopted, road spreading of wastewater from HVHF operations would be prohibited. Some local governments in New York have also prohibited the practice by passing ordinances banning fracking and waste disposal.

Massachusetts and Vermont have banned or are attempting to ban fracking and wastewater disposal. In 2012, Vermont became the first state to ban hydraulic fracturing and the collection, storage, or treatment of the wastewater it generates (Vt. Stat. tit. 29, § 571). By banning these activities, this law effectively bans the use of fracking waste as a road deicer. The Massachusetts legislature is currently considering a bill approved by the Environment Committee that would place a 10-year ban on fracking and the collection, storage, treatment, and disposal of waste from operations in the state (Bill H.3796).

Although they do not specifically regulate road spreading of hydraulic fracturing waste, Maine (CMR 06-096 chap. 418), New Hampshire (NH Code Admin. Rules ENV-SW 200), and Rhode Island (RI Gen. Laws §28-18.9-16) regulate the reuse of waste products through a beneficial use determination (Maine and Rhode Island) or a waiver of solid waste

restrictions (New Hampshire). Similar to Connecticut's law, agencies or individuals must apply for a permit and the state's environmental protection agency must determine if a waste product can be reused safely.

## **FRACKING WASTEWATER**

Hydraulic fracturing is a process used to extract natural gas in shale formations. According to the Government Accountability Office, it involves injecting a fluid consisting of water, sand, and chemicals at high pressure to fracture shale formations, such as the Marcellus Shale region in New York, Pennsylvania, and Ohio, to allow gas to flow and be brought into a well for collection.

The process produces high volumes of wastewater that must be treated, recycled, or safely disposed. The wastewater is generally classified in two categories: (1) flowback fluid, which is the fracturing fluid (the mix of water, sand, and chemicals) that returns to the surface when production starts, and (2) production brine (also called produced water, formation water, or simply "brine"), which is the naturally occurring salty water that lies underground and is brought up in the fracking process. Waste from fracking operations is exempt from federal hazardous waste regulations, according to the Environmental Protection Agency (EPA). Generally, states permit only production brine to be spread on roads for ice or dust control.

## **RISKS OF SPREADING FRACKING WASTE ON ROADS**

In its evaluation of New York's environmental impact statement on HVHF, the EPA recommends against spreading both types of wastewater on roads because it could violate the Clean Water Act. The EPA notes that produced water (production brine) may still contain chemicals used in the fracking process and also have higher concentrations of natural contaminants, given its prolonged contact with the shale formation. It also states that levels of naturally occurring radioactive material (NORM) vary widely, even in the same well, and that each truckload of wastewater, rather than simply the well, would have to be tested to be sure that its NORM concentrations are acceptable for spreading on roads.

A recent Natural Resources Defense Council (NRDC) report also identified potential risks of wastewater disposal from fracking operations. The council is a Washington, DC-based environmental advocacy organization. The report notes that fracking wastewater (both flowback water and production brine) contains pollutants and NORM that can be toxic to humans and the environment, and spreading wastewater on roads increases the risk that pollutants will wash into water bodies or groundwater. Though states generally permit only production brine to be spread on roads, the NRDC states that the distinction between flowback water and production brine is unclear and even production brine can be dangerous because of high NORM levels.

## **REGULATION IN OTHER STATES**

### ***New York***

New York allows production brine and brine from liquid petroleum gas (LPG) well storage to be spread on state roads for ice and dust control. According to a 2009 notice from the Department of Environmental Conservation (DEC) to gas and oil well fluid

haulers, any person, including contract haulers and government entities, that wishes to spread brine on roads must apply for a Waste Transporter Permit and submit a beneficial-use determination (BUD) to DEC. The BUD petition must include separate road spreading and brine storage plans and a chemical analysis of a representative sample of the brine performed by a New York State Department of Health-approved laboratory. The DEC must approve the BUD before road spreading begins. Drilling, fracking, and plugging fluids are not permitted to be used on roads.

There is currently a moratorium in New York on high-volume hydraulic fracturing (HVHF) (which typically uses more than 300,000 gallons of water) as relevant agencies develop regulations for HVHF and assess its environmental impact. Because low-volume hydraulic fracturing (LVHF) (which typically uses less than 300,000 gallons of water) is currently permitted in the state, much of the wastewater used to deice roads is likely to come from in-state LVHF operations. Despite the moratorium on HVHF, it is possible that waste from out-of-state fracking may be trucked into New York and spread on roads. However, if the moratorium is lifted on HVHF and current proposed regulations are adopted, road spreading of HVHF production brine would be prohibited. In its draft assessment of the environmental impact of proposed HVHF regulations, the NYS DEC notes that "data available to date associated with NORM concentrations in Marcellus Shale production brine is insufficient to allow road spreading under a BUD."

Although the state permits road spreading of production brine, many local county and municipal governments have banned fracking and the disposal of fracking waste, including road spreading. These bans, however, have been challenged in court, according to the New York Times. Lower courts have sided with local governments, but the Court of Appeals heard arguments in August 2013 to overturn the bans. A decision is expected in 2014.

### **Ohio**

Ohio allows state agencies and local governments to spread brine from fracking on roads for dust and ice control. Both must develop guidelines for road spreading activity that meet standards set by Ohio law. These standards include requirements for application equipment, methods, and rates. In addition to complying with these standards, local governments must first adopt a resolution permitting the use of brine for these purposes.

The law prohibits state agencies and local governments from spreading brine from horizontal wells, drilling fluids, flowback fluids, and treatment fluids on roads (Ohio Rev. Code §1509.226).

### **Pennsylvania**

Pennsylvania permits road spreading of brine from natural gas wells for ice and dust control (WMGR064). Any state agency, municipality, or individual seeking to spread production brine on roads must apply for a beneficial use permit through the state's Department of Environmental Protection (DEP). Approved brine must meet established standards for chemical content, among other restrictions, as well as adhere to established application rates.

HP:tjo



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Town Manager *MwH*  
**CC:** Maria Capriola, Assistant Town Manager;  
**Date:** October 13, 2015  
**Re:** Proclamation in Recognition of Winston W. Hawkins

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**Subject Matter/Background**

Winston W. Hawkins has dutifully served the Town of Mansfield for 48 years on the Mansfield Cemetery Committee and was appointed as one of the seven original members to the Committee on October 22, 1973. At the time of his original appointment, Winston 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.

The proper maintenance of our cemeteries is an important responsibility for the Town and we have greatly benefitted from Mr. Hawkins' long-time service.

In honor of Mr. Hawkins' contributions to our community, staff recommends that the Town Council issue the attached proclamation.

**Recommendation**

The following motion is suggested:

*Move, to authorize the Mayor to issue the attached Proclamation in Recognition of Winston W. Hawkins.*

**Attachments**

- 1) Proclamation in Recognition of Winston W. Hawkins



*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/sextion 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 13<sup>th</sup> day of October in the year 2015.

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Elizabeth C. Paterson, Mayor  
Town of Mansfield



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Town Manager *MWH*  
**CC:** Maria Capriola, Assistant Town Manager  
**Date:** October 13, 2015  
**Re:** Proclamation in Recognition of Philip P. Barry

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**Subject Matter/Background**

Philip P. Barry has served the Town of Mansfield for many years in a multitude of volunteer capacities including the Town Council and Transportation Advisory Committee, the Town-University Relations Committee, the Mansfield Downtown Partnership as well as a Citation Hearing Officer.

Mr. Barry is a long-time resident and civic-minded citizen of the Town who continues to share his positive outlook on life. The Town has greatly benefitted from Mr. Barry's many contributions over the years.

In honor of Mr. Barry's service, staff recommends that the Town Council issue the attached proclamation.

**Recommendation**

The following motion is suggested:

*Move, to authorize the Mayor to issue the attached Proclamation in Recognition of Philip P. Barry.*

**Attachments**

- 1) Proclamation in Recognition of Philip P. Barry



*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 13<sup>th</sup> day of October in the year 2015.

---

Elizabeth C. Paterson, Mayor  
Town of Mansfield



**Town of Mansfield  
Agenda Item Summary**

To: Town Council  
 From: Matt Hart, Town Manager *MH*  
 CC: Maria Capriola, Assistant Town Manager; Cynthia van Zelm,  
 Executive Director of the Mansfield Downtown Partnership, Inc.;  
 Kevin Deneen, Town Attorney  
 Date: October 13, 2015  
 Re: Amendments, Ordinances, Policies and Procedures re Alcoholic  
 Beverages, Dog Waste Control, the Mansfield Town Square and  
 Streets and Sidewalks

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**Subject Matter/Background**

For the past year, Mansfield Downtown Partnership staff has been working with Town staff and the Town Attorney on a set of amendments, ordinances, policies, and procedures that would apply to the Town Square and adjacent public areas, and potentially other areas of town. As part of its work, this team reviewed regulations and policies in other municipalities including West Hartford, New Haven, Tarrytown, NY and Cambridge, MA. The Partnership already has an Operations Plan for the public spaces in Storrs Center that details which entities are responsible for the operations and maintenance of public spaces in the downtown area (Town Square, streets, sidewalks, parking garage/lots/spaces).

The goal of developing the ordinances, policies and procedures was to provide both guidance to people who want to use the Town Square and adjacent public areas, as well as the means to protect and enhance these areas. Both operational issues and the use of the Town Square and adjacent public areas were reviewed during the development of the ordinances, policies, and procedures.

Operational issues include:

- Smoking on the Town Square
- Dog Waste
- Snow and ice removal

Use issues include:

- Permits and insurance for events
- Use of electricity
- Fee for use

- Sidewalk vending
- Clean-up of area post event
- Alcohol
- Selling of food
- Curfew for events
- Distributing literature
- Platform for freedom of speech/campaigning
- Overnight camping
- Music, buskers, other entertainment
- Solicitation of tips by performers
- Fundraising
- Approval by Mansfield Downtown Partnership to host an event

During the staff review process, we determined that it would be appropriate to revise the Town's Streets and Sidewalks Ordinance, and Alcoholic Beverages Ordinance and to develop new ordinances for Dog Waste Control and the Town Square. The Streets and Sidewalks Ordinance and Alcoholic Beverages Ordinance already apply town-wide and staff is recommending the same for the proposed Dog Waste Control Ordinance. Staff has also drafted the accompanying policies and procedures to support the ordinances.

This past winter and spring, the Partnership's Advertising and Promotion and Planning and Design Committees reviewed the draft ordinances, policies, and procedures, and made recommendations to the Partnership Board of Directors. The Partnership's review process was extensive and resulted in suggested changes to the drafts prepared by staff. On March 5, 2015, the Board of Directors endorsed the proposed ordinance, policies and procedures for the Town Square, as well as the new Dog Waste Control Ordinance and the recommended amendments to the Streets and Sidewalks Ordinance.

Following the Partnership Board's endorsement and during discussions with the Town Attorney, Town and Partnership staff made some additional changes to the ordinances, policies and procedures for the Town Council's review. In particular, we prepared the proposed amendments to the Town's Alcoholic Beverages Ordinance for Council review.

At this point, we are presenting the proposed amendments, new ordinances, and policies and procedures to the Town Council for its review. As staff receives more requests for the use of the Town Square and as we work to effectively manage the new public assets in Downtown Storrs, it is important to have effective ordinances and policies in place.

### **Financial Impact**

Initially, management would deploy existing resources to enforce and administer the proposed amendments, ordinances and policies and procedures. Based on experience, the Town may wish to add resources over time.

### Legal Review

The Town Attorney has reviewed and approved the proposed ordinances, policies and procedures as to form.

### Recommendation

Typically, staff would recommend that the Town Council refer the proposed ordinances to an Ad hoc Ordinance Development and Review Committee. If the Council wishes to proceed in this manner, the following motion would be in order:

*Move, 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.*

Alternatively, because the proposed amendments and ordinances have already been extensively reviewed by the Partnership's committees and Board of Directors, the Council could move forward to set a public hearing date for consideration of the ordinances. If the Town Council supports this recommendation, the following motion would be in order:

*Move, to schedule a public hearing at the Council's October 26, 2015 meeting to solicit public comment on the proposed amendments to the Alcohol Beverages Ordinance, the proposed Dog Waste Control Ordinance, the proposed Mansfield Town Square Ordinance, and the proposed amendments to the Streets and Sidewalks Ordinance.*

### Attachments

- 1) Proposed Amendments to Ordinance Regarding Alcoholic Beverages
- 2) Proposed Ordinance Regarding Dog Waste Control
- 3) Proposed Ordinance Regarding the Mansfield Town Square
- 4) Proposed Amendments to Ordinance Regarding Streets and Sidewalks
- 5) Proposed Policies and Procedures Regarding Public Use of the Mansfield Town Square
- 6) Proposed Policies and Procedures for the Use of Alcohol on the Mansfield Town Square
- 7) Proposed Policies Regarding Street Performers in Mansfield Town Square



Town of Mansfield  
Code of Ordinances

“Amendments to Ordinance Regarding Alcoholic Beverages”  
October 13, 2015 Draft

Chapter 101: Alcoholic Beverages

Section 101-5, Possession and Consumption of Alcoholic Liquor

A. Except as otherwise permitted by subsection (B) hereof, no person shall consume any alcoholic liquor, or have in his or her possession any open container of alcoholic liquor, while upon or within the limits of any public highway, public area or parking area within the Town of Mansfield. The possession of an open container of alcoholic liquor or consumption therefrom by any person while in a motor vehicle parked within or upon a public area shall also be a violation hereof.

B. Exceptions.

1. Consumption of alcoholic liquor and possession of any open container of alcoholic liquor is permitted during any public function, festival or celebration being conducted within a public building, public highway, sidewalk or parking area or on public land pursuant to a written permit issued by the town manager, or person designated by the town manager to issue such permits, authorizing the sale, service or distribution of alcoholic liquor at or in connection with such function, festival or celebration.
2. An application for a permit shall be in writing directed to the town manager. The application shall state the name and address of responsible officials of the organization sponsoring the function, festival or celebration (event), shall specify the parts of the public land, public building, public highway, sidewalk or parking area to be used during the event, specify the beginning and ending time of the event and if it continues for more than one (1) day, the hours in each day it is to be conducted, the number of people to be in attendance at the event, whether the event is open to the public; and arrangements for supervision. The application shall be filed at least ten (10) calendar days before the first day of the event and the permit shall be issued or denied in writing at least four (4) calendar days before the first day of the event. The permit shall be issued if all of the required information is provided, the application is made at least ten (10) days before the event, the town manager or his designee determines that the event will be open to the public and that all necessary permits, licenses and approvals have been obtained from all government authorities having jurisdiction including, but not limited to, the state department of liquor control and the granting of the permit will be in accord with the health, safety, and welfare of the Town of Mansfield. (The town manager is authorized to issue additional standards not inconsistent herewith which if not met will result in denial of said permit.)



**Town of Mansfield**  
**Code of Ordinances**  
"Ordinance Regarding Dog Waste Control"  
*October 13, 2015 Draft*

**Chapter 102. Animals**

**Article II [New] Dogs**

**Section 102-13. Title.**

This Article shall be known and may be cited as "The Dog Waste Control ordinance."

**Section 102-14. Legislative Authority.**

This Article is enacted pursuant to the provisions of Sections 7-148 and 7-152c of the Connecticut General Statutes.

**Section 102-15. Definitions.**

When used in this Article, the following words, terms and phrases, and their derivations shall have the meanings ascribed to them in this Section, except where the content clearly indicates a different meaning.

DOG: shall mean any member of the canine species, male, female, neutered male or spayed female.

OWNER: shall mean any person or persons, firm, association, partnership, LLC or corporation having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or having property rights to a dog, or in the case of a person under the age of 18, the person's parent or legal guardian. A dog shall be deemed to be harbored if it is fed or sheltered for Three (3) consecutive days.

PUBLIC PROPERTY: shall mean town owned parks, the Town Square area, recreation areas, trails, playing field, school grounds, sidewalks, easements, rights of way and the traveled portion of public streets.

PRIVATE PROPERTY OF ANOTHER: shall mean property of any person or persons, firm, association, partnership, LLC or corporation, other than property of the owner or of the owner's spouse, children, mother, father or sibling.

**Section 102-16. Removal of Dog Waste.**

If any dog shall defecate on any public property or the private property of another, the owner of such dog shall immediately use a plastic bag or other suitable container to remove or cause to be removed from the property all feces deposited by the dog and deposit it in an appropriate waste receptacle. If such feces are not removed or so deposited, the owner of the dog shall be in violation of this Article.

**Section 102-17. Penalty.**

- A. The Town Manager may designate in writing one or more Town officials, employees or agents empowered to take enforcement action authorized by this Article.
  
- B. Any violation of this Article shall be punishable by a fine of \$50. The citation issued to the offender shall note that if the fine is not paid within 10 days of issuance of the citation the amount of the fine will be doubled and that the Town may initiate proceedings under the authority of C.G.S. section 7-152c and Chapter 129 of this Code of Ordinances to collect the fine. The alleged offender must also be informed that they may appeal the citation and fine pursuant to section 129-10 of the Hearing Procedure for Citations Ordinance.

**Section 102-18. Guide Dogs Exempted.**

The provisions of this Article do not apply to a guide dog accompanying any blind person or mobility impaired person.



**Town of Mansfield  
Code of Ordinances**  
"Ordinance Regarding the Mansfield Town Square"  
*October 13, 2015 Draft*

**Chapter 138. [New] Mansfield Town Square**

**Section 138-1. Title.**

This Chapter shall be known and may be cited as "The Mansfield Town Square Ordinance."

**Section 138-2. Legislative Authority.**

This Article is enacted pursuant to the provisions of Sections 7-148, 8-188 and 7-152c of the Connecticut General Statutes.

**Section 138-3. Purpose.**

The Mansfield Town Square is intended to be a public forum in which Constitutional First Amendment Rights are respected.

The Mansfield Town Council recognizes that as intended the Mansfield Town Square is a very valuable public and private resource. The Council is committed to maximizing the appropriate use of the Mansfield Town Square as a focal point of community activity in the best interests of the residents of the Town. The Town of Mansfield, acting through its Town Council, may enter into an operations agreement with a private entity to manage, operate, oversee, and develop policies and procedures that will ensure the best use of the Mansfield Town Square and Storrs Center as a social as well as an economic resource for all of the people of Mansfield, within the limits of public safety.

**Section 138-4. Mansfield Town Square Defined.**

The Town Square consists of the Mansfield Town Square and adjacent sidewalks bordering Dog Lane, Storrs Road, Royce Circle, and Bolton Road Extension.

**Section 138-5. Compliance with Ordinances, Policies and Procedures Required.**

All persons using land and facilities situated within the Mansfield Town Square shall comply with all ordinances, policies and procedures adopted and/or enacted by the Town or by such private entity as may be designated by the Town Council. Said ordinances, policies and procedures shall be enforced by the police and by other agents, officials and employees of the Town of Mansfield designated in writing by the Town Manager. Violation of any such regulation may result in the issuance of a citation carrying a fine as set forth in the regulations which if not paid within ten days of issuance shall be doubled. Fines may be enforced and collected by way of Chapter 129 of the Code of the Town of Mansfield.

The use of tobacco products, including lit cigarettes, cigars, pipes and the use of other tobacco products is prohibited within the Town Square.

**Section 138-6. Adoption of Policies and Procedures.**

Pursuant to this Chapter, Town Council may develop and enact by way of its legally authorized process for promulgating ordinances, policies and procedures, including delegating such authority as it deems advisable to the Town Manager, such ordinances, policies and procedures as may be necessary to ensure the fair, equitable, safe, orderly and frequent use of the Town Square and public places situated in the Mansfield Town Square for the entertainment and enjoyment of the public so as to maximize the economic and recreational potential of the Mansfield Town Square. If the Town of Mansfield enters into any operations agreement with another party, said party is authorized to recommend implementing policies and procedures for the use of the Town Square.



**Town of Mansfield  
Code of Ordinances**

**“Amendments to Ordinance Regarding Streets and Sidewalks”  
October 13, 2015 Draft**

**Chapter 166. Streets and Sidewalks**  
Scenic Roads- See Ch. 155

**ARTICLE I. Deposit of Snow or Ice on Highways**

**Section 166-1. Legislative Authority.**

This Article is enacted pursuant to the provisions of Sections 7-194, 7-148 and 7-152c of the Connecticut General Statutes.

**Section 166-2. Deposit prohibited.**

No person shall deposit any snow or ice onto any portion of any public highway within the Town of Mansfield.

**Section 166-3. Penalties for offenses.**

Any person violating this articles may be guilty of an infraction.

**ARTICLE II. Sidewalks**

**Section 166-4. Legislative authority.**

This Article is enacted pursuant to the provisions of Sections 7-148, 7-152c, 7-163a and 14-289 of the Connecticut General Statutes.

**Section 166-5. Snow and ice on sidewalks.**

Except for single- or two-family residential uses, the owner, agent of the owner, or occupant of any building or land bordering upon any street, square or public place within the town where there is a sidewalk, graded, paved or planked, shall cause to be removed therefrom any and all snow sleet and ice within eight hours after the same shall have fallen, been deposited or found, or within three hours after sunrise, when the same shall have fallen in the night season; and whenever any such sidewalk, or any part thereof, shall be covered with ice, the owner, agent, or occupant of the building or lot adjacent thereto shall, within the space of one hour thereafter, during the daytime, cause such sidewalk to be made safe and convenient by removing the ice therefrom, or by covering the same with sand or some other suitable substance.

**Section 166-6 Penalties for Offenses.**

This section is DELETED IN ITS ENTIRETY AND REPLACED BY NEW SECTION 166- 6, below.

**Section 166-6. Removal of snow and ice by town.**

**If any sidewalk shall remain encumbered with snow, ice or sleet for two hours after the owner or person having the charge or care of the lot or building bordering on such**

sidewalk and legally liable to clear the same has been notified by the town to remove the same, the town shall cause the same to be cleared or sanded, as the case may be, and the town shall collect the expense thereof from such owner or other persons.

**Section ~~166-8~~ 166-7. Municipal liability.**

The town shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the town is the owner or person in possession and control of land abutting such sidewalk other than land used as a highway or street, or unless the town has actively taken responsibility for maintaining the sidewalk, provided that the town shall be liable for its affirmative acts with respect to such sidewalk. Pursuant to Connecticut General Statutes section 7-163a, unless the town has actively taken responsibility for maintaining the sidewalk, the owner or person in possession and control of land abutting a public sidewalk in the town shall have the same duty of care with respect to the presence of ice or snow on such sidewalk toward the portion of the sidewalk abutting his or her property as the municipality had prior to the effective date of the snow and ice removal provisions of this Article and shall be liable to persons or property where a breach of said duty is the proximate cause of said injury. The town hereby adopts and incorporates said section 7-163a herein.

**Section ~~166-9~~ 166-8. Repair of sidewalks.**

It shall be the duty of the owner, agent of the owner, or occupant of any building on land bordering upon any street, square or public place within the town where there is a sidewalk, paved or planked, to keep such sidewalk in good repair.

**Section ~~166-10~~ 166-9. Notice to owner to repair sidewalks.**

Whenever a sidewalk is found to be dangerous and unsafe to walk upon or in such condition that it is likely to cause or contribute to persons falling or stumbling thereon, the town shall order the owner of property abutting said sidewalk to repair the same in accordance with specifications as shall be deemed reasonable by the town. An order to make such repairs shall be in writing and may be given to the owner in person or by registered or certified mail addressed to him or her at his or her last known place of abode or business as set forth in the records of the Assessor's Office of the Town of Mansfield. Said order shall specify the date by which the repairs shall be made, which in no case shall be less than 30 days after service of said order on the abutting owner as prescribed herein.

**Section ~~166-11~~ 166-10. Performance of sidewalk repairs by town; costs.**

Whenever said abutting owner fails, neglects or refuses to make repairs to a sidewalk ordered by the town, it shall be the duty of the town to repair the same at the expense of the abutting owner. The town may cause the repairs to be made by town employees or by private contractor and shall charge the abutting owner the actual cost thereof plus a sum equal to 20% thereof to help to defray administrative costs incurred to carry out the purposes of this Article.

**Section 166-12 Penalties for Offenses.**

This section is DELETED IN ITS ENTIRETY AND REPLACED BY NEW SECTION 166-11, below.

Section 166-11. Enforcement; Penalties for Offenses.

- A. The ordinances, policies, and procedures of this Chapter shall be enforced by local, state or University of Connecticut police. In addition, the Town Manager may designate in writing one or more Town officials or employees or agents empowered to take enforcement action authorized by Articles I and IIA of this Chapter.
- B. Any commission of a prohibited act or omission of required action as set forth in said Articles I and IIA shall be a violation of this Chapter authorizing any such Town official or employee or police officer to issue a written warning to the alleged violator providing notice of the violation and the citation and fine that will be imposed if the violation is continued or repeated beyond a reasonable deadline stated in the written warning and notice.
- C. After said written notice and warning is delivered to the alleged violator, if the prohibited act is continued or repeated or the violator fails to take expressly required action to cure the violation, a citation may be issued calling for a fine of \$100 for each separate act or omission of violation or for each day that any such violation continues after the deadline for acting in response to any such warning. Any such fine shall be payable within ten (10) calendar days of the date of issuance of the citation.
- D. The citation shall also inform the alleged violator that If any such fine issued pursuant to this Article is unpaid beyond the due date, the amount of the fine shall double and the Town may initiate proceedings under the authority of C.G.S. section 7-152c and Chapter 129 of this Code of the Town of Mansfield, the Hearing Procedure for Citations Ordinance, to collect the fine. The alleged violator must also be informed that they may appeal the citation and fine pursuant to section 129-10 of said Hearing Procedure for Citations Ordinance.
- E. The Town Manager may authorize the town department or agency with which the citation issuing town official, employee, or police officer is affiliated to negotiate, compromise or waive any fine that is assessed via a citation issued by such official, employee or officer, but only if compliance by the violator with the violated part of this ordinance is secured in advance of any such action.
- F. Nothing in this Article shall limit the ability of the authorities to initiate and prosecute any, criminal offense or the provisions of any other Town ordinance regarding any of the same circumstances resulting in the application of this Article.

NEW ARTICLE IIB. Use of Sidewalks by Bicycles and Skateboarders.

Section 166-12. Findings and Purpose.

The Town Council of the Town of Mansfield finds that the improper or careless use of Town sidewalks by bicyclists and skateboarders can create hazards detrimental to the public welfare, health and safety of the people of the Town. Therefore, pursuant to the various police, health and public safety powers granted to municipalities per C.G.S. section 7-148 and section 14-289, the Town of Mansfield seeks to protect, preserve and promote the

health, safety, welfare and quality of life of the people by carefully regulating the use of Town sidewalks by bicyclists and skateboarders.

Section 166-13. Sidewalk and public space use restrictions on bicyclists and skateboard users.

1. Any bicyclist or skateboarder using a sidewalk shall exercise due care and caution to avoid colliding with any other person on the sidewalk. Every bicyclist and skateboarder shall travel on the sidewalk in a consistent and predictable manner, and their speed shall not exceed 10 miles per hour.
2. A bicyclist shall yield to any pedestrian or any other person or vehicle using the sidewalk at any time.
3. A bicyclist or skateboarder must give an audible warning before passing another person, pedestrian bicyclist, or user of any mode on the sidewalk. Said warning may be produced by voice, bell, whistle or horn and must be clearly audible. Such audible warning must be produced prior to executing the passing maneuver. The passer is responsible for safely passing other users on the sidewalk.
4. Any bicyclist using a sidewalk shall travel to the right side of the sidewalk as is safe, except while overtaking and passing another user going in the same direction.
5. Any bicyclist using a sidewalk from one-half hour after sunset to one-half hour before sunrise must be equipped with or carry lights. Bicyclists shall have a headlight visible from 500 feet to the front and a red or amber light visible from 500 feet to the rear.
6. Every person operating a bicycle on a sidewalk shall obey the instructions of any official traffic control sign or device applicable thereto placed in accordance with applicable laws or regulations unless otherwise directed by a police officer.
7. No person shall park, abandon, chain, lock or otherwise leave any bicycle other than at a designated rack.
8. No person shall operate any motorized bicycle, motorized scooter or other motor powered vehicle on any sidewalk or public way or upon the Town Square Area as defined in Chapter 138 Mansfield Town Square Ordinance Section 138-4.
9. No person shall operate or ride any skateboard on any stonewall, retaining wall, railings, stairways, railings, furniture, planting beds, lawn areas or pavers.
10. No person shall operate or ride any bicycle on any stonewall, retaining wall, railing, stairway, furniture, planting bed or lawn area.
11. No person shall operate or ride any skateboard or bike in any parking garage. Bicyclists that utilize bicycle racks in any parking garage shall walk bicycles in the

parking garage.

12. Nothing in this section shall be interpreted to prohibit wheelchairs or other mobility devices utilized by disabled persons.

Section 166-14. Penalties for Offenses.

Any person violating the provisions of this Article IIB may be issued a citation by a police officer or a Town official or employee or agent designated in writing by the Town Manager to issue such citations. Such citation shall inform the person named therein of the allegations against them and that the amount of the fine shall be \$90.00. The citation shall also inform the offender that that the fine must be paid within ten days of the date of the citation, that the fine will double if not paid by the due date, that the Town may initiate proceedings under the authority of C.G.S. section 7-152c and Chapter 129 of this Code of the Town of Mansfield, the Hearing Procedure for Citations Ordinance, to collect the fine, and that the alleged offender may appeal the citation and fine pursuant to section 129-10 of said Hearing Procedure for Citations Ordinance.



## Policies and Procedures Regarding Public Use of the Mansfield Town Square

The Mansfield Town Square has been developed as a unique and vibrant public space, serving as a focal point for community activity. The Mansfield Town Square affords many opportunities for public events and community uses. The Mansfield Town Square includes the Town Square and the adjacent sidewalks bordering Dog Lane, Storrs Road, Royce Circle, and Bolton Road Ext.

The Mansfield Town Square provides a potential venue for activities sponsored by the Mansfield Downtown Partnership, the Town of Mansfield, the University of Connecticut, and Downtown Storrs businesses, as well as by members of the community and other organizations. This policy is intended to apply to those members of the community, to provide them with fair access to the Mansfield Town Square, and to coordinate the various activities so that they do not conflict with each other or with general pedestrian and/or patron activities.

These policies and procedures apply to events that are at scheduled days and times; or entail the use of equipment and materials such as sound equipment, chairs, tables; or include a programmed activity; or include invitation/promotion to the general public. A separate policy is in effect for street performances.

### Policies:

1. The Mansfield Town Square shall be available to civic, nonprofit, and charitable groups, merchant groups, or individuals for events when it is not actively being used, or scheduled to be used, by the Mansfield Downtown Partnership, the Town of Mansfield, or the University of Connecticut, or for other previously scheduled events.
2. Events may be scheduled to commence at or after 9:00 AM and shall end no later than 10:00 PM. Exceptions to these hour limitations may be approved by the Town Manager or his or her designee on a case-by-case basis for unique events subject to such conditions as he or she may deem appropriate. For events taking place over the course of more than one day, each calendar day shall be deemed to be a separate event.
3. In order to promote equal access, events will not be scheduled more than six (6) months in advance (unless the event is an annual event or otherwise waived) and no person or group may schedule more than two (2) weekend events per month or four (4) weekday events per month. If individuals are acting in concert to avoid this limitation, the Town or Mansfield Downtown Partnership, Inc. may determine that they are acting as a single group.
4. Town events and scheduled events shall have priority over unscheduled events. If an unscheduled individual or group refuses to relocate or vacate the Mansfield Town Square for a Town event or scheduled event, that individual or group shall be deemed to be trespassing and shall be subject to removal or arrest.
5. Individuals may use the on-street parking spaces in front of Eight Royce Circle to unload and



load vehicles. As soon as vehicles are unloaded, all event vehicles must be moved to either the Storrs Center parking garage or the Dog Lane parking lot. Up to six complimentary parking passes for the Dog Lane parking lot will be issued prior to the event. The Mansfield Downtown Partnership and the Town of Mansfield are not responsible for the loss of any personal property left on, in, or about the user's vehicle regardless of cause and are not responsible for any damage to the user's vehicle while parked in the Storrs Center parking garage or the Dog Lane parking lot. For more information, contact the Mansfield Downtown Partnership at 860.429.2740.

6. Use of the Mansfield Town Square shall comply, at all times, with the ordinances of the Town of Mansfield (including, without limitation, the Town's noise ordinances) as well as state and federal laws. In addition to any penalties imposed by law, the failure of individuals or groups using the Mansfield Town Square to comply with the laws of the state and federal governments, and to obtain any other necessary permits or licenses, shall be grounds for cancellation of a scheduled event, and suspension or revocation of any future right to use the Mansfield Town Square. Scheduling the use of the Mansfield Town Square shall not be a substitute for obtaining any other permits or licenses which may be necessary, such as a Temporary Food Establishment Permit issued by the Eastern Highlands Health District. Audiences or participants for events on the Mansfield Town Square may not spill into the streets or impede pedestrian, bicycle, or vehicle access at any time. Should the number of participants and attendees exceed the space available, Partnership and/or Town staff or local, state, or University of Connecticut police may shut down the event. If an event is shut down for any reason, the Partnership may deny future use of the Mansfield Town Square by the applicant.
7. Individuals or groups using the Mansfield Town Square will be responsible for picking up and removing any refuse from their use of the Town Square and shall comply with any additional requirements established as part of the approval process. Failure to do so may prevent use of the space in the future.
8. Sound amplification equipment shall be adjusted to the minimum volume level necessary to be heard within the Mansfield Town Square. Sound amplification equipment shall be directed toward the interior of the Mansfield Town Square.
9. If public restrooms in the Nash-Zimmer Transportation Center are intended to be utilized for an event, it must be noted on the Request for Use of the Mansfield Town Square. Restrooms in commercial businesses are not to be used by event staff or attendees.
10. Prior approval is required from the Partnership to attach any equipment, signage, or decorations to the stage roof or any other structure on the Town Square. No items may be staked in the lawn, landscaping, or any other surface on the Town Square. No items may be attached to street signs at any time. Users are responsible for repairing any damage to any structures, lawns, plantings, pavers, etc. Failure to repair any such damage may result in the Town performing those repairs and billing the party responsible. Damage or failure to repair damage may result in future permits being denied.
11. Fundraising will be allowed at specific locations on the Mansfield Town Square by non-profit



- organizations and government sponsored organizations such as schools.
12. No overnight camping or sleeping is allowed in the Mansfield Town Square.
  13. If alcohol is to be served, all pertinent State permits must be obtained and all Town and State laws and regulations must be followed. A planning meeting shall be set up with the Mansfield Downtown Partnership, Inc. to review requirements. Permission to serve alcohol must be secured in writing from the Town Manager prior to the event. An additional list of policies and procedures applies if alcohol is to be served.
  14. The Mansfield Downtown Partnership, Inc. reserves the right to cancel an event if public safety is at risk.
  15. The Town of Mansfield shall not be responsible for injury to any person using the Mansfield Town Square or for any damage done to property owned by any user of the Mansfield Town Square.
  16. Breach of peace or disorderly conduct by users of the Mansfield Town Square will not be tolerated. If an event attracts crowds which are sufficiently large or disorderly that they impede vehicular or pedestrian passage through the area, the Town may halt an event or restrict the areas where crowds are allowed to remain.
  17. Individuals or groups who violate these rules will not be permitted to schedule future events in the Mansfield Town Square and will be deemed to be trespassing if they engage in unscheduled events in the Mansfield Town Square.

#### Procedures:

1. Individuals or groups wishing to schedule the use of any portion of the Mansfield Town Square may do so by completing and submitting the form entitled Request for the Use of Mansfield Town Square to the Mansfield Downtown Partnership (860.429.2740) not less than six weeks prior to the time for the scheduled event, unless otherwise waived. Applicants must provide a brief description of the event, its location within the Mansfield Town Square, an estimated number of both participants and attendees, and a list of equipment to be brought in. All applications are subject to review and approval of the Mansfield Downtown Partnership. A planning meeting shall be set up with an event organizer if the event will entail the use of additional resources by the Partnership or the Town of Mansfield. Individuals using the Mansfield Town Square space must carry a copy of their reservation form and written confirmation from the Mansfield Downtown Partnership with them as proof of authorization.
2. If a food permit is needed, contact Eastern Highlands Health District. If a tent is desired, the tent must be in compliance with State of Connecticut tent regulations. For more information, contact the Town of Mansfield's Building Department or Fire Marshal office.
3. Proof of liability and/or property insurance may be required of any scheduled user.

October 2015



## Policies and Procedures for the Use of Alcohol on the Mansfield Town Square

The policies and procedures for the use of alcohol on the Mansfield Town Square are intended to allow for the responsible enjoyment of alcoholic beverages as part of an approved event. All required state permits must be obtained, and all Town of Mansfield and state laws and regulations must be followed.

### Policies:

1. As part of the request to host an event, applicants may request to serve alcohol. Approval is contingent on the applicant securing appropriate State of Connecticut, Department of Consumer Protection, Liquor Control Division permits and approvals. Permission to serve alcohol at an event on the Mansfield Town Square shall be subject to the written approval of the Town Manager pursuant to Section 101-5 of the Mansfield Code of Ordinances and the Mansfield Downtown Partnership, Inc.
2. The only alcohol that may be served on the Mansfield Town Square is beer and wine.
3. An applicant must have the area where beer or wine is served to be delineated by a fence for selling, serving and consumption of beer or wine ("secure area"). The fence shall completely enclose the area except for space for ingress and egress.
4. No one under twenty one (21) years of age is allowed in the secure area.
5. Food may be brought into the secure area.
6. The applicant is responsible to limit attendance to the maximum number of attendees, as determined by the Mansfield Downtown Partnership, Inc., and with approval of the Mansfield Fire Marshal.
7. Local, state, or University of Connecticut police are authorized to provide additional security if necessary.
8. No glass containers are allowed during events, including events that serve alcohol, on the Mansfield Town Square.
9. At least one Connecticut certified bartender shall be present at each outdoor area during all times of operation.
10. A certificate of insurance for "Alcohol Liability" coverage in the minimum amount of \$1,000,000 which specifies the "Town of Mansfield and the Mansfield Downtown Partnership, Inc., their officers and agents as additional insured" must be submitted to the Mansfield Downtown Partnership. Some events may be required to carry additional coverage where a high risk factor is anticipated. This insurance requirement may be met through a licensed caterer.



Procedures:

1. If alcohol is to be served, it must be noted on the Mansfield Downtown Partnership, Inc. Request for Use of the Mansfield Town Square form, and discussed as part of a planning meeting with Partnership staff.
2. An applicant must secure the appropriate State of Connecticut, Department of Consumer Protection, Liquor Control Division temporary liquor permit.
3. An adult member of applicant will check the identification of all persons entering the beer/wine area.
4. The enclosing fence shall be two four-foot fences placed at least seventy-two (72) inches apart. The fence shall be snow fencing or an equally impenetrable material.
5. One or more security personnel shall be on duty at all times during the operation of the area to prevent entry of minors or intoxicated people into the area and to prevent alcohol from being carried out or passed out of the fenced in area.
6. An applicant shall provide a reasonable number of signs indicating that drinking alcoholic beverages is prohibited on Town and State roads and public ways, and that the Town of Mansfield ordinances prohibit carrying out open containers containing alcohol from designated areas.
7. A copy of Insurance Coverage must be submitted 15 days prior to the event.

October 2015



## Policy regarding Street Performers in the Mansfield Town Square

The Mansfield Town Square serves as an important focal point for the Mansfield community, including providing opportunities for public events. Such events add to the vibrancy and character of the downtown and can range from large-scale festivals to small scale performances. Street performers add range and variety to the offerings. This policy seeks to encourage street performances to the extent that they do not interfere with the reasonable expectations of residents to the enjoyment of peace and quiet in their homes or to the ability of businesses to conduct their businesses uninterrupted. The goal of the policy is to balance the interests of the performers with those of the residents, businesses, and visitors of Downtown Storrs.

### A. Definitions

1. "Perform" includes but is not limited to: acting, singing, playing musical instruments, pantomime, juggling, dancing, reading, puppetry, and reciting. Perform shall not include the production of items.
2. "Performer" is a person or a group of people who have obtained a permit pursuant to this section.
3. "Mansfield Town Square" means the Town Square and the adjacent sidewalks bordering Dog Lane, Storrs Road, Royce Circle, and Bolton Rd. Ext.

### B. Prohibition

1. No person may perform in a public area without a permit issued pursuant to this section.

### C. Permit

1. A permit shall be issued by the Mansfield Downtown Partnership to each applicant therefore in exchange for a completed application and a fee of ten dollars (\$10).
2. The permit shall be valid until December 31 of the calendar year in which it is issued.
3. A completed application for a permit, and the permit itself, shall contain the applicant's name, residence address, and telephone number, and shall be signed by the applicant.
4. Permits are nontransferable.



5. Each member of a group of performers who play together shall be required to obtain an individual permit. In no event shall any group of performers, identified as such in their application and noted on their permits, be charged more than seventy-five dollars (\$75) total for permits for group members.
6. If a performer loses his or her permit, one replacement per calendar year may be obtained for a fee of ten dollars (\$10).
7. Upon receipt of the permit, the street performer will receive a copy of the Policy regarding Street Performers in the Mansfield Town Square.

#### **D. Display of Permit**

A performer must carry a permit on his or her person while performing and shall display said permit on his or her person during said performance.

#### **E. Permitted Performances**

1. Performances may take place within the Mansfield Town Square.
2. Performers may request to perform in a public space not included above with the approval of the Mansfield Downtown Partnership. Requests must be made in writing no less than seven (7) days prior to the first performance.
3. Performances may take place between the hours of 10:00 AM and 10:00 PM on Mondays through Saturdays. Performances may take place between 12:00 PM and 10:00 PM on Sundays.
4. Performances may not take place when a scheduled event is taking place or during the set-up and clean-up of such an event, unless the performer has obtained written consent from the sponsoring organization. Permission must be obtained prior to the performance, and the performer must carry a copy of the written consent during the performance.
5. Safe and adequate pedestrian access must be maintained at all times during a performance. Pedestrian access must be maintained for all users, including but not limited to, individuals with mobility impairments. Failure to maintain safe pedestrian access may result in the revocation of the performer's permit.
6. Audiences of performances in the Town Square may not spill into the streets or impede pedestrian, bicycle, or vehicle access at any time. Should the number of performers and audience members exceed the space available, Partnership and/or Town staff or the local, state, or University of Connecticut police may disperse portions of the audience. If the Partnership and/or Town staff or the



police determine that safe and adequate pedestrian access continues to be impeded, or if the audience refuses to comply with requests to disperse, the performer will be required to end his/her performance.

7. If the Partnership and/or Town staff or the police determine that the performer is inciting the audience or encouraging the audience to disregard requests to disperse and/or to engage in disruptive behavior, then such actions may result in the revocation of the performer's permit.

8. The Mansfield Downtown Partnership reserves the right to exclude any location as a permissible performance space.

9. No performer shall perform at a distance of less than one hundred (100) feet from another performer who is already performing.

10. No electricity can be used in the event of rain, lightning, or thunder.

11. No generators are allowed to be used as part of a performance.

12. The Town of Mansfield shall not be responsible for injury to any person using the Mansfield Town Square or for any damage done to property owned by any user of the Mansfield Town Square.

13. A performer may accept contributions of money at a performance provided that no sign requesting contributions shall exceed twelve (12) inches by eighteen (18) inches in size. Contributions may be received in any receptacle. No performer shall post, adhere, tape, or otherwise affix his/her sign to any building, light pole, sign post, or other structure within the Mansfield Town Square.

#### **F. Suspension, and denial of permit**

1. The Mansfield Downtown Partnership may revoke a permit if:

- a. a performer is found to have willingly provided false information in the application; or
- b. a performer has been found in violation of any of the above provisions.

2. The Mansfield Downtown Partnership reserves the right to deny a permit to an applicant if s/he has had previous permits revoked within a twenty-four (24) month period of the application.

3. The conduct and behavior of all street performers will be in compliance with the Code of the Town of Mansfield, which includes but is not limited to the litter, nuisances, noise, and alcoholic beverages ordinances.

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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  
**Date:** October 13, 2015  
**Re:** Veterans Day Ceremonial Presentation Planning Subcommittee

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**Subject Matter/Background**

Per Council's request, staff has placed this item on the agenda so the Town Council may appoint members to the planning subcommittee for the Veteran's Day ceremonial presentation.

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O'MALLEY, DENEEN, LEARY, MESSINA & OSWECKI

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DONALD J. DENEEN (ret)  
ANDREW G. MESSINA, JR.  
(1940-2000)

September 22, 2015

Matthew W. Hart, Town Manager  
Town of Mansfield  
Audrey P. Beck Building  
Four South Eagleville Road  
Mansfield, CT 06268-2599

RE: Clarification of Sewer System Ordinances

Dear Mr. Hart:

You forwarded to us for advice a memorandum from Mr. Kenneth Rawn, Chair, Four Corners Sewer and Water Advisory Committee, concerning a possible conflict between two of the Town's ordinances. Mr. Rawn suggests that Sections 159-3 and 159-15 appear to be contradictory.

Section 159-3 establishes a **requirement** that property owners (which means properties including houses, buildings or properties used for human occupancy, employment, recreation or other purposes) must install suitable toilet facilities therein and connect such facilities directly with the proper public sewer, provided that any part of said public sewer is within 100 feet (30.5 meters) of any part of said frontage line.

For properties which come within the ordinance, installation of toilet facilities and sewer connection is mandatory.

Section 159-15 provides a method and process by which the Water Pollution Control Authority (WPCA) *may* enforce Section 159-3 through an Order of the WPCA after notice and public hearing. This ordinance is permissive as to the method and process the WPCA may enforce sewer connections.

The two provisions are not contradictory. There is a Town mandate for sewer connections from applicable properties. There is also established a process by which such mandate may be enforced. If the WPCA determines that an order is necessary, Section 159-15 provides a process to be utilized.

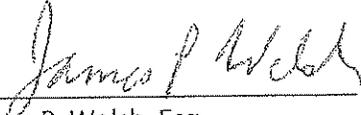
To the extent there remains a concern about contradictory language, Section 159-16 A provides:

Matthew W. Hart, Town Manager  
September 22, 2015  
Page 2

*The provisions of this article shall be held to be minimum requirements, adopted for the protection of the public health, safety and general welfare of the Town of Mansfield, and whenever the requirements of this article are at variance with the requirements of any other lawfully adopted rules, regulations or restrictions, such rule, regulation or restriction which imposes the higher standard shall control.* (Emphasis supplied).

I hope the foregoing opinion is responsive to you and Mr. Rawn.

Very truly yours



James P. Welsh, Esq.  
O'Malley Deneen  
Town Attorneys

JPW/jss

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In The Matter of a Complaint by

NOTICE OF FINAL DECISION

Arthur Smith,

Complainant

against

Docket #FIC 2014-895

Town Clerk, Town of Mansfield;  
and Town of Mansfield,

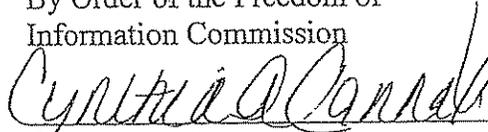
Respondents

September 29, 2015

TO: Arthur Smith; Attorney James P. Welsh, for the respondents.

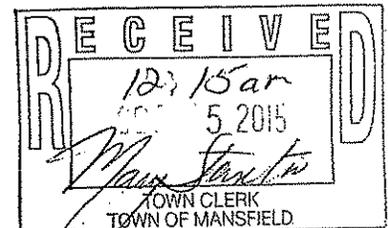
This will serve as notice of the Final Decision of the Freedom of Information Commission in the above matter as provided by §4-183(c), G.S. The Commission adopted the Final Decision in the above-captioned case at its regular meeting of September 24, 2015.

By Order of the Freedom of  
Information Commission



Cynthia A. Cannata  
Acting Clerk of the Commission

FIC/2014-895/NFD/cac/9/29/2015



FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In The Matter of a Complaint by

FINAL DECISION

Arthur Smith,

Complainant

against

Docket #FIC 2014-895

Town Clerk, Town of Mansfield;  
and Town of Mansfield,

Respondents

September 24, 2015

The above-captioned matter was heard as a contested case on July 1 and July 31, 2015, at which times the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.

2. It is found that, by letter dated December 9, 2014 to the respondent Town Clerk, the complainant requested copies of "all records in the town's possession relating to investigations or inquiry by the Federal Attorney's Office, State Attorney's office, Troop C or any division there of [sic], the Connecticut Attorney General's office, and/or the FBI... relat[ing] to... the Town of Mansfield's financial accounting and financial accounting services processed through the Town's Chief Financial Officer or her staff..." (the "requested records").

3. It is found that, by letter dated December 15, 2014, the respondent Town Clerk acknowledged the complainant's request, stating that the requested records were being compiled for review by the town attorney. The review was expected to be completed by December 31, 2014, but the respondent Town Clerk also indicated she would let the complainant know if the records were available for disclosure earlier.

4. By letter dated and filed with the Commission on December 16, 2014, the complainant appealed to the Commission, stating that he was "writing to request a hearing to determine whether the refusal of the Town of Mansfield to disclose the documents requested in my letter of December 9, 2014, see attached Exhibit A, before December 31, 2014, see Exhibit B, is in compliance with the promptness requirement of CGS Sec. 1-210."

5. Section 1-200(5), G.S., states:

“Public records or files” means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

6. Sections 1-210(a) and 1-212(a), G.S., state, respectively, in relevant parts:

Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212. (emphasis added)

...

Any person applying in writing shall receive, promptly upon request, a plain or certified copy of any public record. (emphasis added)

7. It is found that the respondent Town Clerk initiated her search for records by contacting: a) the Town Manager, Matthew Hart, and the Assistant Town Manager, Maria Capriola, on December 10, 2014; b) the Director of Finance, Cherie Trahan, also on or about December 10, 2014; and c) with Maria Capriola acting as intermediary, Jamie Russell in the Information Technology Department.

8. It is found that, by email dated December 19, 2014, the town attorney, Kevin Deneen, forwarded a copy of a search and seizure warrant to the complainant in response to his FOIA request. Attorney Deneen also noted that the warrant maintained by the respondent Town did not include the warrant application or supporting affidavits. Finally, he stated that he would be happy to mail a hard copy if requested. The complainant responded by email, also dated December 19, 2014, that he was unable to open the emails. Attorney Deneen, on the same day, mailed a hard copy of the search and seizure warrant to the complainant.

9. It is further found that the search for electronic records identified a few emails within the scope of the complaint's request, which were available at the respondent Town Clerk's office by December 31, 2014. The complainant took possession of these emails during February 2015.

10. At the hearings, the respondents argued that the complaint was limited to alleging a promptness violation and that testimony concerning whether all requested records were disclosed should not be permitted on the grounds that such testimony would be beyond the scope of the complaint. The hearing officer ruled that, while respondents' argument was certainly colorable, the complaint ~~did~~ reference a refusal to disclose

documents and therefore testimony on this subject would be permitted. The hearing officer also stated at the July 1, 2015 hearing that the respondents would be permitted a continued hearing, if they wished, in order to have the opportunity to prepare fully concerning the disclosure of all requested records.

11. It is found, based on the testimony of the Town Manager, Mr. Matt Hart, that the respondent Town was never provided and has never maintained the warrant application and affidavits that supported the search and seizure warrant. On July 30, 2015, the day prior to the second hearing before the Commission, the complainant was able to get copies of the warrant application and supporting affidavits from the Rockville Superior Court. However, on October 31, 2014, when two detectives from Troop C of the State Police served the warrant on Mr. Hart as a representative of the respondent Town, only the search and seizure warrant was delivered.

12. It is found that it was highly unusual for a search and seizure warrant to be served on the respondent Town. Indeed, it was the only time such a warrant had been so served during the nine years of Town Manager Hart's employment in the respondent Town. Given that the Town had no experience with maintaining a search and seizure warrant in its records, it was reasonable to seek the opinion of counsel concerning whether such warrant was subject to mandatory disclosure. In light of these factors, the ten day period from the records request (December 9, 2014) to the records disclosure (December 19, 2014) did not violate the promptness requirement.

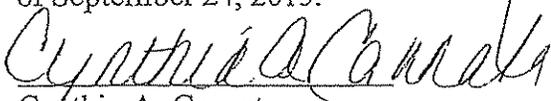
13. It is concluded that the respondents did provide the complainant with all the requested records that they maintained.

14. It is concluded that the respondents did not violate §§1-210(a) and 1-212(a), G.S., by failing to provide the requested records promptly.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of September 24, 2015.

  
Cynthia A. Cannata  
Acting Clerk of the Commission

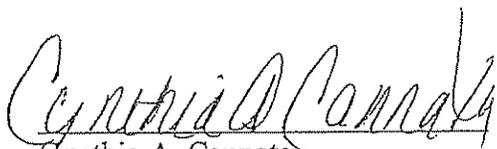
Docket #FIC 2014-895

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

Arthur Smith  
28 Grand Street  
Hartford, CT 06106

Town Clerk, Town of Mansfield; and Town of Mansfield  
c/o James P. Welsh, Esq.  
O'Malley, Deneen, Leary, Messina & Oswecki  
20 Maple Avenue  
Windsor, CT 06095



Cynthia A. Cannata  
Acting Clerk of the Commission

FIC/2014-895/FD/cac/9/24/2015

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## EMBARGOED UNTIL 4:00PM TUESDAY, SEPTEMBER 29, 2015

### EDUCATION SECRETARY ARNE DUNCAN ANNOUNCES 2015 NATIONAL BLUE RIBBON SCHOOLS

U.S. Secretary of Education Arne Duncan today recognized 335 schools as National Blue Ribbon Schools for 2015. Among these schools is **Dorothy C. Goodwin Elementary School in Mansfield, Connecticut**. Schools are selected based on their overall academic excellence or their progress in closing achievement gaps among student subgroups. These schools demonstrate that all students can achieve to high levels.

“This honor recognizes your students’ accomplishments and the hard work and dedication that went into their success,” Duncan said in a video message (hyperlink video message) to the awardees. “Your journey has taught you collaboration, intentional instruction, and strong relationships in school and with your community. You represent excellence—in vision, in implementation, and in results—and we want to learn as much as we can from you.”

The Department will honor 285 public and 50 private schools at a recognition ceremony on Nov. 9-10 in Washington, D.C. In its 33-year history, the National Blue Ribbon Schools Program has bestowed this coveted award on more than 8,000 of America’s schools.

The National Blue Ribbon Schools Program honors public and private elementary, middle, and high schools where students either achieve very high learning standards or are making notable improvements in closing the achievement gap. The award plaque affirms the hard work of students, educators, families and communities in creating safe and welcoming schools where students master challenging content. The award flag gracing a school’s building is a widely recognized symbol of exemplary teaching and learning.

All schools are recognized in one of two performance categories, based on all student scores, subgroup student scores and graduation rates:

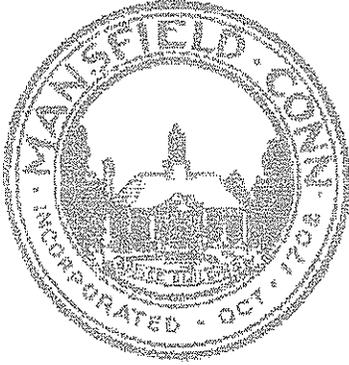
- *Exemplary High Performing Schools* are among their state’s highest performing schools as measured by state assessments or nationally normed tests. Student subgroup performance and high school graduation rates are also at the highest levels.
- *Exemplary Achievement Gap Closing Schools* are among their state’s highest performing schools in closing achievement gaps between a school’s subgroups and all students over the past five years. Student subgroup performance and high school graduation rates for each subgroup are at high levels.

The Department invites National Blue Ribbon School nominations from the top education official in every state, the District of Columbia, Puerto Rico, the Virgin Islands, the Department of Defense Education Activity and the Bureau of Indian Education. The Council for American Private Education (CAPE) nominates private schools. A total of 420 schools nationwide may be nominated, with allocations determined by the numbers of K-12 students and schools in each jurisdiction. The U.S. Secretary of Education invites nominated schools to submit an application for possible recognition as a National Blue Ribbon School.

#### NOTE TO EDITORS:

- Photographs and brief descriptions of the 2015 National Blue Ribbon Schools are available at <http://www.ed.gov/nationalblueribbonsschools>.
- Please contact Kelly Lyman, Superintendent of Schools, Mansfield Public Schools (860.429.3350 or [mboesupt@mansfieldct.org](mailto:mboesupt@mansfieldct.org)) for additional information.

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# THE MANSFIELD MINUTE

OCTOBER 2015

[www.mansfieldct.gov](http://www.mansfieldct.gov)

## Mansfield Community Playground: We're Almost There!



On October 10 and 11, the long-awaited Mansfield Community Playground will be built in a weekend-long community event. Since the end of August, crews have been working to prepare the site behind the Community Center by taking down trees, crushing rocks, and creating a flat, smooth base. After the driveway and sidewalks have been paved, the landscape company will arrive to dig holes for the posts that will support the play structures. The community build will take place between 8 AM and 4 PM both Saturday and Sunday. Volunteers of all skill levels are needed to help out, and the Playground Committee is seeking donations of food to provide coffee and donuts as well as lunch for the volunteers. Interested? Sign up at <http://www.mansfieldcommunityplayground.org/lendahand.html>.

The community build will be an exciting event in itself. It will be a great opportunity to work together with friends and neighbors to create something lasting for the community's kids. New residents as well as long-time community members will be able to learn about each other and build our community spirit.

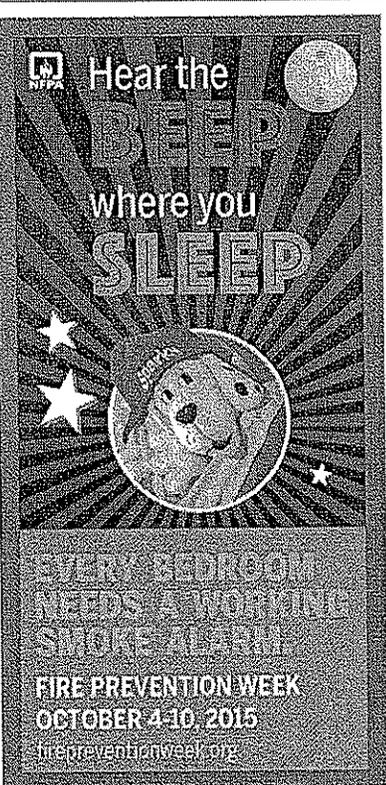
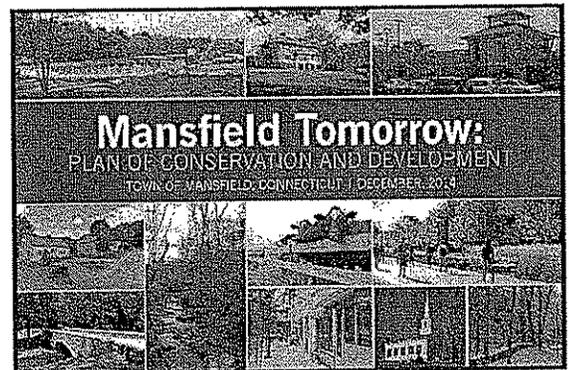
*(Continued on page 2.)*

## Mansfield Tomorrow: It's Official!

*The Planning and Zoning Commission unanimously adopted the Mansfield Tomorrow Plan of Conservation & Development in September. The new plan becomes effective October 8 and includes numerous changes based on feedback received from the community as part of the public hearing process.*

THANK YOU to everyone who participated in this process – the vision for Mansfield's future was born out of the individual visions you shared with us and the action plan to achieve that vision was created and refined through the comments we received along the way from individuals, the advisory group, and advisory committees. We couldn't have done it without you!

As soon as we have made the changes to the plan, a final copy will be available on-line at [www.mansfieldct.gov](http://www.mansfieldct.gov).



- The Town Hall will be closed on Monday, Oct. 12, for Columbus Day.
- Congratulations to Dorothy C. Goodwin Elementary School for being selected as a National Blue Ribbon School! It's quite an honor.
- Have you changed the batteries in your smoke detectors and CO alarms this month? It's that time of year!
- A public FAX machine is available at the library. You can also make color copies there.

*(Playground, cont. from page 1)*

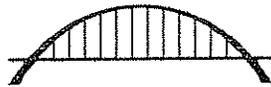
After the playground itself is built, the fence featuring the pickets purchased by community members and the hand tiles created by children over the past few years will be put up. Then, the surface will be poured onto the base- after it dries, it will be a uniform rubber material like a running track. This surface is accessible to children with mobility challenges such as use of a wheelchair, as well as to caregivers who may have difficulty navigating uneven surfaces.

Finally, a few weeks after the build, once the playground is built and the surface is ready, there will be a grand opening and ribbon cutting for our beautiful new playground. Come join us- we're planning a Halloween grand opening!

This project has truly been a community effort from beginning to end. We couldn't have done it without community support at events and generous donations from individuals and businesses. The Jeffrey P. Ossen Family Foundation was one of the project's earliest supporters, awarding a \$200,000 grant in April 2013. We also owe thanks to our legislators, Gregg Haddad, Linda Orange, and Mae Flexer for their support of a \$100,000 grant the project received

<b>Town Hall Hours:</b>	
Monday	8:15-4:30
Tuesday	8:15-4:30
Wednesday	8:15-4:30
Thursday	8:15-6:30
Friday	8 - 12

from the State of Connecticut. The Town of Mansfield also committed \$132,000 to ensure completion of the site preparation. The playground committee is planning to continue a few of the annual events that have helped us get to this point, such as the Eggstravaganza egg hunt and the 5K Run for the Playground. These events will help pay for maintenance of the playground, and will continue the tradition of community-building events in the future! Please email Maggie Ferron, Mansfield's Early Childhood Services Coordinator, at [FerronMB@mansfieldct.org](mailto:FerronMB@mansfieldct.org) if you are interested in serving on a committee in the future or have questions about the community build.



### Bridge Closed

*Rt. 275 bridge to and from Coventry has been closed for replacement.*

A detour has been posted using Route 31 South to Route 32 East from the Coventry side and Route 32 West to Route 31 North from the Mansfield side. The bridge is anticipated to reopen on Nov. 30.



Due to the continuing dry weather, we encourage all residents to voluntarily conserve water, including customers of Windham Water Works as well as those with bedrock and dug wells.

## Repair Café Returns in October with DIY Clinics

The Repair Café returns on Saturday, Oct. 3, 10 AM - 2 PM at the First Congregational Church's Arnold Auditorium, 199 Valley Street, Willimantic. You can bring in items needing repair, such as books, bicycles, electronics, electrical and mechanical items, clothing and small wooden furniture. Knife sharpening will also be available. Skilled volunteers will be on hand to both fix items and to teach repair skills.

*The Repair Café is free* – except for the cost of replacement parts if necessary.

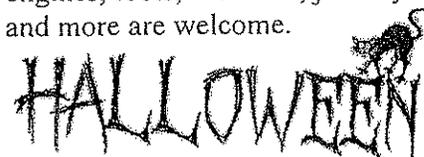
### Two DIY clinics!

- Lamps 101 at 10:30 AM
- Bicycle Repair at 11:30 AM.



The organizers of the Willimantic Repair Cafes include volunteers and employees of the Access Agency & Town of Mansfield. If you are interested in volunteering to help with repairs or future Repair Café events, contact Virginia Walton, Mansfield Recycling Coordinator, at (860) 423-3333, [waltonvd@mansfieldct.org](mailto:waltonvd@mansfieldct.org).

Members of the Windham Area Hour Exchange who provide repair services at the event will earn "time dollars" for their efforts. Individuals handy at repair in the areas of sewing, furniture, electrical appliances, electronics, bicycles, knife sharpening, small engines, tools, ceramics, jewelry and more are welcome.





**Hear the Beep Where You Sleep.  
Every Bedroom Needs a  
Working Smoke Alarm!**

*Location matters when it comes to your smoke alarm.*

During Fire Prevention Week, October 4-10, the Fire Department would like to remind you about the importance of having working smoke alarms in every bedroom, outside each sleeping area, and on every level of your home, including the basement.

“In a fire, seconds count,” says Fran Raiola, Deputy Chief. “Half of home fire deaths result from fires reported at night between 11 PM and 7 AM when most people are asleep. Home smoke alarms can alert people to a fire before it spreads, giving everyone enough time to get out.”

According to the latest NFPA research, working smoke alarms cut the chance of dying in a fire in half. Meanwhile, three out of five fire deaths resulted from fires in homes with no smoke alarms or no working smoke alarms.

- Install smoke alarms in every bedroom, outside each separate sleeping area and on every level of the home, including the basement.
- Interconnect all smoke alarms throughout the home. This way, when one sounds, they all do.
- Test alarms at least monthly by pushing the test button.
- Replace all smoke alarms when they are 10 years old or sooner if they don't respond properly.
- Make sure everyone knows the sound of the smoke alarm and knows what to do when they hear it.
- If the smoke alarm sounds, get outside and stay outside. Go to your outside meeting place.
- Call the fire department from outside the home.



**Storrs Center Stroll**

Saturday, Oct. 10, 2 – 5 PM  
Mansfield Town Square

Free; Pre-registration encouraged.

Enjoy samples from businesses, giveaways, UConn performing groups, family-friendly activities, and more. Meet special guests including Jonathan XIV and Jonathan the Husky mascot. You'll also find the UConn Student Alumni Association Prize Patrol roaming around with giveaways. Hosted by UConn Alumni and the Mansfield Downtown Partnership. For more information go to [huskiesforever.uconn.edu](http://huskiesforever.uconn.edu)

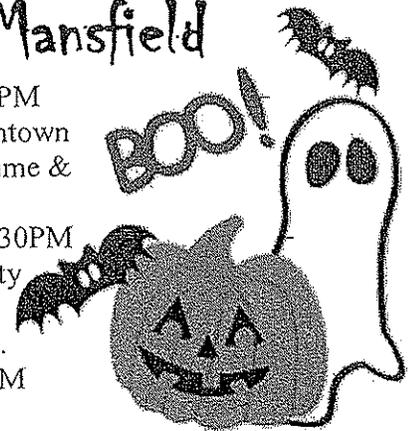
**WALKTOBER™**  
**National Walking Month**

For a complete listing of Walking Weekends events, see the complete brochure at [thelastgreenvalley.org](http://thelastgreenvalley.org)

- Sept. 26-Oct. 31 – Family Fun at Cedar Ledge Tree Farm: pumpkins! tractor rides! mulch mountain slide! & more!! (423-5690)
- Saturday, Oct. 3, 10AM – Games in the Woods; fun for the whole family at Dunhamtown Forest; prizes, too! (429-6257)
- Saturday, Oct. 17, 9:30-11:30AM – Mansfield Pup Crawl; tour Downtown Storrs with your (on-leash) Best Friend
- Sunday, Oct. 18, 1PM – Between a Rock and a Marshy Place: explore Wolf Rock & Sawmill Brook Preserves (429-6257)
- Sunday, Oct. 25, 1PM – Explore Schoolhouse Brook Park: forest, stone walls, pond & stream; wildlife, too! (429-6257)
- Sunday, Oct. 25, 1PM – Vistas and Vegetables; program at and about Twin Ponds Farm & Cloverleigh Farm (429-3015 x6204)
- Sunday, Oct. 25 + Nov. 8, 10AM-8pm – Enjoy rope courses & zip lines + 10% discount at The Adventure Park at Storrs! (946-0606).

**Halloween in Mansfield**

- Saturday, Oct. 24, 4-5 PM  
Trick-or-Treat in Downtown Storrs; wear your costume & have FUN downtown!
- Saturday, Oct. 24, 5-6:30PM  
Annual Halloween Party & Trick-A-Trunk at the Community Center.
- Sunday, Oct. 25, 2-4 PM  
Funny Mummy Party  
Annual Family Halloween celebration for all ages at the library.



**2nd Annual Mansfield Pup Crawl**

Saturday, Oct. 17, 9:30 AM, Town Square  
Join the Mansfield Downtown Partnership for a guided walk through Downtown Storrs with your four-legged friends! Rain or shine over varied terrain. Dogs must be leashed. [mansfieldct.gov/pupcrawl](http://mansfieldct.gov/pupcrawl)

# October Events and Activities in Mansfield

## Parks and Recreation

### Fall Family Fun Nights

Saturday, Oct. 10, 4:30-7:30 PM

Saturday, Oct. 24, 4:30-7:30 PM

No fee for members,  
non-members pay the daily fee.

### Recreation Rescue

Tuesday, Oct. 13, 7:30 - 5:30 PM

One day camp for kids on teacher professional days. Open to grades K-8, meet in the MMS gym for games, crafts & free play. Field Trip to be announced via flyer.



### Annual Halloween Party & Trick or Trunk

Saturday, Oct. 24, 5-6:30 PM

Dress up in costume and join us for games, craft activities and trick-a-trunking. What's that?

Trick or Treating around our back parking lot, filled with cars and volunteers who hand out treats! This event is geared to kids 10 and under.

### Playground Ribbon Cutting

October 31, time TBA

Join us as we finally open our brand new Playground! Thanks to the Jeffery P. Ossen Foundation and state legislators Gregg Haddad, Mae Flexor and Linda Orange as well as the Town of Mansfield, we will have a beautiful playground to celebrate!



Town of Mansfield, Connecticut

Audrey P. Beck Municipal Building  
4 South Eagleville Road, Mansfield, CT 06268

[mansfieldct.gov](http://mansfieldct.gov)

860.429.3336

## Mansfield Public Library

### Make-and-Take Fall Fun

Tuesday Oct. 13, 1-3 PM

No school today, so drop in for some fall crafts. Make a tabletop scarecrow, a fall gift bag or just do some pretty leaf rubbings. All ages welcome.

### Guitarist Peter Biedermann

Friday, Oct. 16, 7 PM

Peter has played with the bands PING, White Light, Serious Fun, Magic Spot and Amalgamation. He crosses the boundaries of genres including jazz, world, folk and rock utilizing acoustic and electronic instrumentation.

### Estate Planning Workshops

#### Lunch and Learn

Wednesdays, Oct. 7 & 28, 1 PM

#### Part 1: Defining Your Legacy

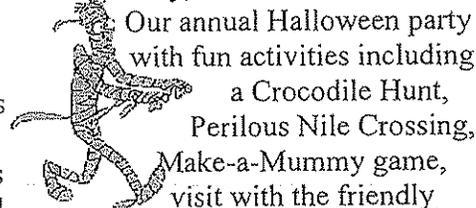
Define key steps to financial success, what is a legacy, & addressing common misconceptions.

#### Part 2: Preparing Your Estate Plan

Beneficiary designation, wills, trusts, life insurance, transfer on death and tax considerations.

### Funny Mummy Halloween Party

Sunday, Oct. 25, 2 - 4 PM



Our annual Halloween party with fun activities including a Crocodile Hunt, Perilous Nile Crossing, Make-a-Mummy game, visit with the friendly

"jackals" and more. You can even check out a mummified book! We'll also have walk-around magic provided by Mr. Magic, and of course the Creepy Cookie Carts to tempt your taste buds.

## Mansfield Senior Center

### FoodShare Distribution

Oct. 1, 15, 29, 11:30-12:15 PM

If you have a need for food, stop by. No questions about income. Please bring your grocery bags.

### Introducing Square Dancing!

Tuesday, Oct. 6, 1 PM

Come and meet the instructor for this new free class. Regular classes start Oct 20 and run through Nov. 24. 860-487-9870.

### Fire Prevention Presentation

Wednesday, Oct. 7, 10:30 AM

Learn about fire prevention & safety with Fire Marshal Fran Raiola. 860-487-9870 to register.

### Pumpkin Festival for the Young at Heart

Tuesday, Oct. 13, 11-1:30 PM

This is a family event with Pumpkin decorating Games, Picture Booth and more. Bring a pumpkin to decorate. \$5 for pizza lunch with Entertainment by St. Mark's Youth String & Choral Music Groups. 860-429-0262.

### Lunch & Entertainment

Wednesday, Oct. 21, 12 PM

Cabaret singer Karen Wagner will be singing Broadway Tunes. Meatloaf, mashed potatoes, gravy, garden salad & carrot cake. \$7 for lunch & show. 860-429-0262

### 4th Annual UConn Health Fair

Wednesday, Oct. 28, 1-3:30 PM

Blood pressure screenings, oral health screening, nutrition counseling, free giveaways and preventive health educational materials.



# Monstrous Mansfield! Halloween Happenings

## TUESDAY, OCT 13

11:00 AM — 1:30 PM

### PUMPKIN FESTIVAL FOR THE YOUNG AT HEART

At the Mansfield Senior Center, 303 Maple Road

Bring a pumpkin to decorate and learn from a Master Pumpkin Carver then enjoy entertainment by St. Mark's Youth Music Group. Pumpkin carving is free and open to the public  
Pizza lunch at noon is \$5; Register by Oct. 9 | Info: 860.429.0262x0

## SATURDAY, OCT 24

4:00 — 5:00 PM

### TRICK-OR-TREATING IN DOWNTOWN STORRS

Children of all ages are welcome to wear their costumes and Trick-or-Treat in Downtown Storrs!  
Look for "Trick-or-Treat" signs at participating businesses. Free and open to the public

5:00 — 6:30 PM

### TRICK-A-TRUNK AND HALLOWEEN PARTY

At the Mansfield Community Center, 10 S. Eagleville Road

Continue the fun with Trick-A-Trunk and spooky fun, games and crafts! Recommended for ghosts and goblins age 3-10. Children must be accompanied by an adult. Free and open to the public  
Donations welcome

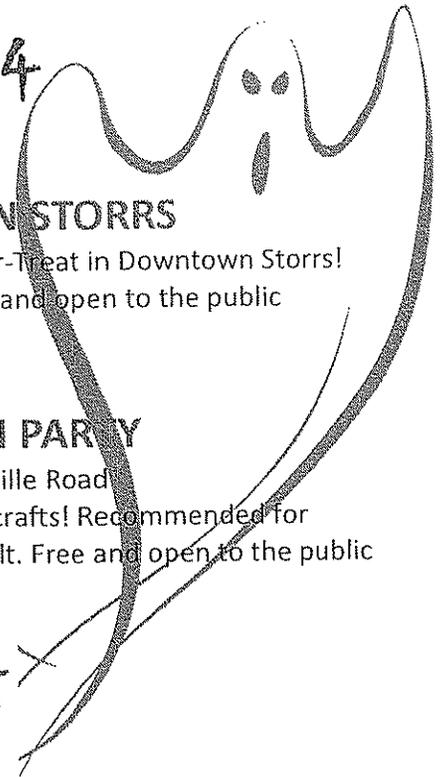
## SUNDAY, OCT 25

2:00 — 5:00 PM

### FUNNY MUMMY HALLOWEEN PARTY

At the Mansfield Public Library, 54 Warrentville Road

Annual Halloween party with new activities! Weather permitting, there will be activities for all ages both inside and outside, including a crocodile hunt, the Perilous Nile Crossing game, the Make-a-Mummy game, the fabulous fortune-telling jackals, and much more! Wear your costume and join us for some Halloween fun! Free and open to the public



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# BACKGROUND ON CONCRETE

This brochure is meant to provide homeowners with information about resources that can help determine if their concrete foundation is damaged, and help find potential options for repair.

The Connecticut Department of Consumer Protection and the Connecticut Insurance Department are among the resources homeowners can consult regarding foundation concerns.

While the Department of Consumer Protection gathers information from concerned consumers, the Insurance Department is helping potentially affected homeowners with any insurance related questions or complaints.

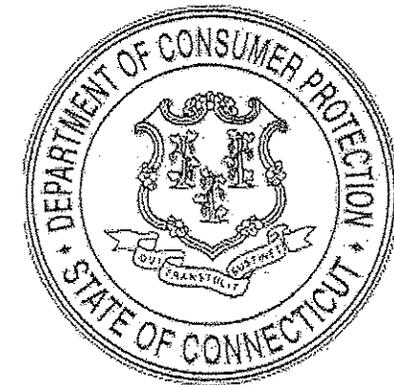
Residents are encouraged to email individual insurance related questions to [cid.ca@ct.gov](mailto:cid.ca@ct.gov), or call the Insurance Department at 800-203-3447.

## Connecticut Department of Consumer Protection

Connecticut Department of  
Consumer Protection  
165 Capitol Avenue  
Hartford, CT 06106  
Phone: 860-713-6100  
Toll-Free in CT: 800-842-2649  
[www.ct.gov/dcp](http://www.ct.gov/dcp)

 Connecticut Department of  
Consumer Protection

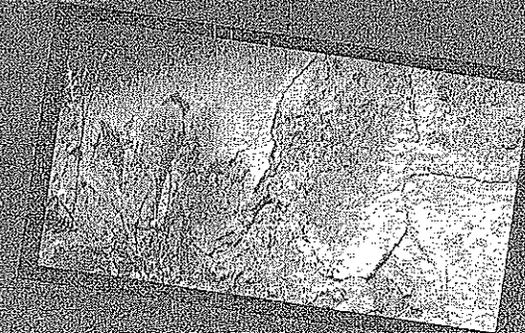
 @CTDCP



# CONCRETE FOUNDATIONS

## INFORMATION AND QUICK FACTS

If the concrete in your basement walls has large cracks like ones pictured, your home's foundation may be damaged and **should be inspected**. An inspection can identify solutions to prevent long-term damage.



### What you need to know.

- During your conversations with experts about potential damage to your foundation, make sure you reference cracks in your foundation walls and floor individually. This will help the experts provide you with an adequate recommendation for repair.
- Cracks such as those in the photos shown here may take ten or more years after the foundation is poured to develop. Many of the homes that show damage similar to that in these photos were built in the 1980s and 1990s.

### What you can do.

- **Talk with a professional engineer about testing the concrete in your home for damage, and their recommended next steps for repair.**
- **You can verify that your professional engineer is licensed, and your home improvement contractor is registered at**
- **Contact the Connecticut Insurance Department to work through any insurance related questions or complaints.**
- **If you have other questions or need support, please contact the Department of Consumer Protection at**

### What to avoid.

- **There may not be a quick, or partial fix to the problem. Using a short term fix or partial replacement may result in more repairs at a higher cost in the future.**
- **Be aware of scams, and make sure you're using a registered and reputable home improvement contractor (take a look at**  
to verify their registration).

