

REGULAR MEETING – MANSFIELD TOWN COUNCIL
December 14, 2015

Mayor Paul M. Shapiro 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, Marcellino, Moran, Raymond, Ryan, Sargent, Shaiken, Shapiro
Excused: Kochenburger

II. APPROVAL OF MINUTES

Mr. Ryan moved and Mr. Shaiken seconded to approve the minutes of the November 23, 2015 meeting as presented. The motion passed unanimously.

III. PUBLIC HEARING

1. Open Space Acquisition, Meadowbrook Lane, LLC Property

The Town Clerk read the legal notice. Jennifer Kaufman, Natural Resources and Sustainability Coordinator described the property as the Town's trailhead to the Nipmuck Trail and its preservation a longtime goal of the Open Space Preservation Committee. Ric Hossack, Middle Turnpike, stated that he hopes this is the last open space purchase the Town makes and asked for details as to how many residents use the trails.

David Freudmann, Eastwood Road, spoke in opposition to the purchase stating that the land is available to the Town because the owners do not want to pay property taxes and the properties are not developable.

Quentin Kessel, Codfish Falls Road and Chair of the Conservation Commission, offered a personal statement noting that in a town wide referendum residents voted to support open space purchases. Mr. Kessel provided a copy of the Conservation Commission February 18, 2015 minutes which show the Commission unanimously endorsed the purchase of this property. (Minutes included as a communication in the January 11, 2016 packet)

Peter Millman, Dog Lane, urged support for the purchase noting that protection of open space is important for recreational and climate change considerations. (Submitted information included as a communication in the January 11, 2016 packet)

The hearing was closed at 7:42 p.m.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Charles Naumec, Riverview Road, posed a series of questions concerning changes to the PILOT program, non-uniformity of town voter requirements, the effect of allowing non-tax paying UConn students to vote on financial matters, and the lack of Town Council action on these issues. (Statement attached)

Rebecca Shafer, Echo Road, read a letter from Thomas Nielsen, regarding the negative effect of rental income properties in his neighborhood, into the record. (Letter attached)

Michael Darre, Riverview Road, voiced his support for the concerns raised by Mr. Naumec and objected to UConn students voting on financial issues in the Town.

December 14, 2015

Robert Colon, Fort Griswold, commented on the trend in his condo community towards investment properties. Mr. Colon stated that students have the right to vote on everything but financial issues.

Theodore Panagopoulos of Manchester, Connecticut and owner of two properties in Mansfield objected to the parking ordinance being applied only to those living in rental units. Mr. Panagopoulos urged the Council to take another look at the ordinance.

Peter Millman, Dog Lane, asked the Council to explore installing solar panels on the parking garage in 2016 while the federal tax credits are still being offered.

David Freudmann, Eastwood Road, stated that it should not be necessary to finance a facilities study as the work should be able to be done by staff.

Ric Hossack, Middle Turnpike, offered to volunteer his services as a licensed engineer to conduct a study of Town facilities.

Betty Wassmundt, Old Turnpike Road, urged the Council to install solar panels on the parking garage; to check what can be done so students cannot vote on financial issues; to review the constitutionality of the landlord ordinance; and to continue to review the draft dog waste ordinance.

V. REPORT OF THE TOWN MANAGER

In addition to his written report the Town Manager offered the following comments:

- Regarding Mr. Naumec's concerns, the Town Manager noted that Council members could certainly add an item to a future agenda.
- Regarding Mr. Panagopoulos's comments regarding off street parking for rental units, the Town Manager suggested the Ad Hoc Committee on Rental Regulations and Enforcement review the issues.
- The Town has hired an Assistant Town Planner and Zoning Enforcement Officer to replace Curt Hirsch who has served the Town well for over 30 years.
- Mr. Hart wished all a Happy Holiday and New Year!

In response to a question about the Town's efforts regarding PILOT funds, Mr. Hart reported that our representatives worked hard during the last session to restructure the program so that towns with large state institutions would get some protection even if the funded amount is reduced. Although the reimbursement percentage has been lowered from 45% to 32%, the Town has never received anywhere near the original percentage and the restructured formula offers the Town additional protections.

Mr. Sargent moved and Mr. Ryan seconded to move Item 6, Probate Court Update, and Item 7, Presentation: Pavement Management System Report, as the next items of business.

The motion passed unanimously.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Shapiro commented that the recognition reception for Mayor Paterson was a great event and an appropriate tribute for her incredible service to the Town.

The Mayor also attended the employees' holiday luncheon which recognized employees who have worked for the Town from five years to forty five years.

Ms. Raymond expressed concern that the full cost of the former superintendent's actions will not be recouped by the Town. The Town Manager will discuss the options available to the Town with the Town Attorney.

VII. OLD BUSINESS

2. Proposed Amendments to Ordinance Regarding Alcoholic Beverages

Mr. Shaiken moved and Mr. Marcellino seconded, to table the proposed amendments to the Ordinance Regarding Alcoholic Beverages until such time that the Ordinance Development and Review Subcommittee has a recommendation for the Town Council's consideration.

Motion passed unanimously.

3. Proposed Ordinance Regarding Dog Waste Control

Mr. Ryan moved and Mr. Shaiken seconded, to table the proposed Ordinance Regarding Dog Waste Control until such time that the Ordinance Development and Review Subcommittee has a recommendation for the Town Council's consideration.

Motion passed unanimously.

4. Rental Housing Regulations and Enforcement, Ad Hoc Committee on Rental Regulations and Enforcement

Mr. Marcellino moved and Mr. Shaiken seconded, effective December 14, 2015, to appoint Deputy Mayor William Ryan, Councilors Toni Moran and Mark Sargent, and Planning and Zoning Commissioners Charles Ausburger, JoAnn Goodwin and Vera Ward to the Ad Hoc Committee on Rental Regulations and Enforcement, for an indefinite term.

The motion passed with all in favor except Mr. Sargent who abstained.

5. Open Space Acquisition, Meadowbrook Lane, LLC Property

Mr. Kegler moved and Mr. Shaiken seconded to approve the following resolution: RESOLVED, that Matthew W. Hart of the Town of Mansfield is hereby authorized to execute on behalf of the Town of Mansfield a Grant Agreement and Conservation and Public Recreation Easement and Agreement under the Open Space and Watershed Land Acquisition Program with the State of Connecticut for financial assistance to acquire permanent interest in land known as Meadowbrook Lane LLC, OSWA 497 and to manage said land as open space land pursuant to Section 7-131d of the Connecticut General Statutes.

Motion passed unanimously.

VIII. NEW BUSINESS

6. Probate Court Update

Judge Barbara Gardner Riordan provided information on changes to the probate court hours and the continued discontinuation of passport services. Judge Gardner Riordan has explored the possibility of holding court in Mansfield on certain days but has concluded that due to the types and amount of business it is not practical.

7. Presentation: Pavement Management System Report

Director of Public Works John Carrington introduced John Miller and Megan Brinson of Amec Foster Wheeler who reviewed what their study learned about Town roads and offered recommendations for continued maintenance. Town staff will be able to continue to use these tools to plan for future management of the road system.

8. Small Economic Assistance Program (STEAP) application for Four Corners Sanitary Sewer Project

Mr. Shaiken moved and Ms. Raymond seconded to approve the following resolution:
RESOLUTION AUTHORIZING THE SUBMITTAL OF THE FY 2015 STEAP GRANT APPLICATION FOR THE FOUR CORNERS SANITARY SEWER PROJECT:

RESOLVED, That the Town Council of the Town of Mansfield, Connecticut, authorizes Town Manager Matthew W. Hart to submit a FY 2016 STEAP grant application in the amount of \$500,000 to the Connecticut Office of Policy and Management for the Four Corners Sanitary Sewer Project, and, if awarded, to enter into an agreement with the State of Connecticut to receive such funds on a reimbursement basis.

The motion passed unanimously.

9. Correspondence to CT Department of Transportation (CTDOT) requesting Regional Transportation Survey

Mr. Marcellino moved and Mr. Ryan seconded, effective December 14, 2015, to endorse the attached correspondence to DOT Commissioner Redeker requesting a comprehensive Transportation Survey of the Mansfield/Willimantic area.

Council members discussed the already planned CROG study of the UConn corridor and its relationship to this requested study. While there may be some overlap this requested study also includes information on secondary roads.

Motion passed unanimously.

10. Proclamation Honoring Access Community Action Agency's 50th Anniversary

Ms. Moran moved and Mr. Shaiken seconded, effective December 14, 2015, to authorize the Mayor to issue the attached Proclamation Honoring Access Community Action Agency's 50th Anniversary.

Motion passed unanimously

11. Community Center Fee Recommendations

Mr. Ryan, Chair of the Finance Committee, moved to approve a 5% across the board increase in the Community Center rates and adjustments to the daily admissions fees. This proposal was reviewed and approved by the Finance Committee.

The motion passed unanimously.

12. Agreement between Regional School District #19 Board of Education and Regional School District #19 Administrators Association

Mr. Ryan moved and Ms. Raymond seconded to endorse the successor agreement between Regional School District #19 Board of Education and the Regional School district #19 Administrators Association.

Motion passed unanimously.

13. Cancellation of the December 28, 2015 Town Council Meeting

Ms. Raymond moved and Mr. Shaiken seconded, effective December 14, 2015, to cancel the December 28, 2015 regular meeting of the Mansfield Town Council.

The motion passed with all in favor except Mr. Ryan who voted against the motion.

14. Recurring Agenda Items

By consensus Council members agreed that the current recurring items on the agenda as well as other happenings in Town will be reported on, as needed, by the Town Manager as part of his Town Manager Report.

IX. REPORTS OF COUNCIL COMMITTEES

Mr. Ryan, Chair of the Finance Committee reported that the Fraud Risk Assessment, Whistle Blowers Policy, and Fraud Tip Line were discussed at the meeting earlier this evening. Mr. Ryan also noted that financial and operational control follow-up test results by BlumShapiro showed that all areas of concern passed.

Ms. Moran, Chair of the Ad Hoc Police Services Committee, reported the Committee met with UConn's Public Safety Division for a tour and conversations about what they do and current collaborative efforts. The Committee will meet again in January.

X. DEPARTMENTAL AND COMMITTEE REPORT

No comments offered.

XI. PETITIONS, REQUESTS AND COMMUNICATIONS

15. T. Luciano

16. M. Hart: Reappointment to Library Advisory Board

17. District Budget Sharing Information Meeting

18. Mansfield Minutes – December 2015

XII. FUTURE AGENDAS

The letter from the Commission on Aging concerning handicapped parking at the Community Center which was received by Council members and distributed tonight will be referred to the staff Traffic Authority for review.

Ms. Raymond requested a discussion be held on the issues of student voting raised by Mr. Naumec and others. Members agreed that the Town Manager will ask the Town Attorney for advice and will provide relevant Charter sections and information received from the Secretary of the State's office prior to the discussion by Councilors.

XIII. ADJOURNMENT

Mayor Shapiro wished everyone a wonderful holiday.

Mr. Shaiken moved and Mr. Ryan seconded a motion to adjourn at 9:40 p.m.

The motion passed unanimously.

Paul M. Shapiro, Mayor

Mary Stanton, Town Clerk

December 14, 2015

WHY – What is the Rationale

**Presented by Charles R. Naumec
52 Riverview Road, Mansfield Center, CT.**

**Town of Mansfield Town Council Meeting
December 14, 2015**

WHY- Has there been no action by the Town Council relative to this year's new formula for Payment In Lieu of Taxes (PILOT) stating a tier 1 town would be reimbursed by the State for lost property tax based on a 32% assessment of State property. The previous Connecticut Statutes Sections 12-19a, 12-19b, and 12-19C indicating 45% assessment for State property is still present on the State of Connecticut home page. So is the CGS allowing 77% assessment for towns with private colleges. Compliance with the 45% formula would provide the Town funds necessary for support of Resident State Police, School maintenance/updating, and the four corners sewer project. The higher the Pilot payment the lower the town property taxes.

WHY- No action relative to non-uniformity of the town voter requirements. Students living in University housing, paying no taxes, can vote on the Town Budget, but a person, 18 years old and a town resident, who had not registered to vote must show tax payment on \$1000.00 of assets before being allowed to vote.

WHY- No action taken to investigate/change what the non-tax paying UConn students can vote on. Developing the necessary changes to the election ballot allowing these students to vote on candidates and NOT financial issues would place control of the Town Budget in the hands of its Tax payers.

WHY- Is the non-tax paying student vote important. Note the Four Corners Sewer Project results. The referendum appropriating \$9,000,000.00 for this project was Question 2 on the Nov. 4, 2014 Special and State Election. This item passed by a total of 83 votes. Reviewing the voting results showed that 3 of the 4 voting districts in town rejected the project. District 1, the University district, was the only one which passed the project. A bus was provided to transport students from the UConn campus to the Town Hall so these individuals could register to vote and vote in the Nov. 4th election.

This was accomplished per the Election Day Registration (EDR) Process which allow students to vote at their school location rather than travel to their home town. If one removes all EDR votes (261 yes and no's) from those recorded in district 1, the referendum would have not passed by 30 votes. Note the power of this vote.

It should be noted that in today's meeting packet the estimate of this project's \$9,000,000.00 cost was from "Engineer's Opinion of Probable Construction Costs". This being the case should the real cost be greater based on real estimates; would a second referendum be required?

WHY- Am I a tax paying resident of Mansfield having to address the Town Council on these issues and not see any action by the council on my behalf. Why am I required to write letters to the Connecticut Secretary of the State and Mansfield state legislative delegation to address these concerns. I am part of the Tax paying residents that elected all the public officials that I have addressed. I would hope that all these individuals would represent me and the other taxpayers of the Town of Mansfield.

It should be noted that the actions that I have described contribute to the fact that Connecticut has the second highest property tax rate of all the states in the United States.

I just have one question, what is the rationale behind "no action taken" on the items identified?

Thank you,

A handwritten signature in black ink, appearing to read "Charles R. Naumec". The signature is fluid and cursive, with the first name "Charles" and last name "Naumec" clearly legible.

Charles R. Naumec

Town of Mansfield
Town Council
December 8, 2015

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To the members of the Town Council,

I am writing to put into public record my concerns regarding the exponential trend of family housing ending up rental income properties and the negatives that accompany this trend. The fact that many of the renters are temporary residents and have no real ties to the neighborhoods they are renting in is part of the problem.

I realize we (the town) have codes in place with regards to the number of unrelated people being able to reside within a structure deemed a 1-family unit and that the town has hired officers to enforce these very codes, but I also understand that eventually, all the landlord needs do is submit a letter to the town if in violation of the code stating that they have addressed the issue, and, if the issue is not truly rectified, the burden of proof rests on the shoulders of the community-those neighbors affected by the existing problem(s): eye blight i.e. litter from parties, noise pollution, increased traffic, possible burden on shared wells or on overtaxed septic systems along with what that may entail, property values decreasing, et al.)

I am urging the town to consider stiffer penalties on errant landlords that do not produce results when in non-compliance with the codes. I am also asking the town to consider setting limits as to the number of income producing rental units within established neighborhoods...if this is already taking place, I support the actions. I think that if the University continues its planned expansion that they should be providing the housing needed for the students in the form of dorm rooms or condos for the enrollees as I see this as being a major influence on the turnover of family homes into rentals.

I live in an aging neighborhood in Storrs on a dead end road in the house my parents built that I now own and pay taxes on. As the original owners in my neighborhood have vacated due to life in general over the last 2 decades, several houses have been bought by investors for the purpose of renting to students seeking an uncontrolled residence while attending UConn. As a result, I now reside in an area where over 25% of the houses on my street are rentals and at least half of these renters are of undergraduate age and attending the University. Obviously, there are noisy parties at times where consideration of others should be the rule of thumb but never seems to enter the minds, a large influx of traffic- an example of this was a party at a Frat house on RTE 195 last spring where my road was turned into a parking lot with cars parked on both sides of the already narrow street creating a safety hazard due to the narrowness of the now one lane road and the oblivious attendees of the party ambling in multiples of 5 abreast. If there had been a fire or such case where emergency vehicles were required, they never would have made it up my street. There are another 7 or so houses on my street facing a turn over in ownership in the upcoming half to full decade and without enacting some sort of control, this entire neighborhood will end up non family friendly. My neighborhood is not alone as the entire town is affected by similar issues.

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I implore the town to take a proactive approach and establish logical parameters to create solutions that benefit the town in general and not let the village of Storrs and surrounding areas slip further into the mire of losing the rural aspect of this community.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas R. Nielsen". The signature is fluid and cursive, with a prominent loop at the end.

Thomas R. Nielsen
41 Birchwood Heights
Storrs, CT 06268