REGULAR MEETING – MANSFIELD TOWN COUNCIL
November 28, 2016
DRAFT

Mayor Paul M. Shapiro called the regular meeting of the Mansfield Town Council to order at 7:00 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL
Present: Kochenburger, Marcellino, Moran, Raymond, Ryan, Sargent, Shaiken, Shapiro
Excused: Keane

II. APPROVAL OF MINUTES
Mr. Shaiken moved and Mr. Sargent seconded to approve the minutes of the November 14, 2016 meeting as presented. The motion passed with all in favor except Ms. Raymond who abstained.

III. PUBLIC HEARINGS

1. Proposed Amendments to Ordinance Concerning Property Tax Relief for Certain Elderly Homeowners
Mayor Paul Shapiro called the public hearing to order, the Town Clerk read the legal notice, and Town Manager Matt Hart summarized the changes to the ordinance. Quentin Kessel, Codfish Falls Road, spoke in favor of an additional amendment which would raise the income eligibility guidelines for seniors participating in the program. (Supporting materials will be included in the December 12, 2016 packet)
The Mayor closed the hearing.

2. Proposed Amendments to Motor Vehicle and Traffic and Parking Ordinance
Mayor Paul Shapiro called the public hearing to order, the Town Clerk read the legal notice, and Town Manager Matt Hart summarized the changes to the ordinance.
No public comments were offered.
The Mayor closed the hearing.

3. Proposed Amendments to Building Construction Ordinance
Mayor Paul Shapiro called the public hearing to order, the Town Clerk read the legal notice, and Director of Building and Housing Mike Ninteau summarized the changes to the ordinance.
No public comments were offered.
The Mayor closed the hearing.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL
Jane Helen Fried, Olsen Drive, commented on the development of the parcel on 17 Olsen Drive. (Statement attached and accompanying materials will be added as correspondence in the December 12, 2016 packet.)
Ben Wiles, Browns Road, commented that the new administration has indicated they would revoke the deferred action taken by the Obama administration which was extended to undocumented immigrants brought here as children and asked the Council to consider

a sanctuary city type ordinance to send the appropriate message to all residents of Mansfield.
Veronica Herrera, Browns Road, commented one of the reasons she and her family moved to Mansfield was that the Town is international and values diversity. Ms. Herrera asked the Council to consider a sanctuary city ordinance which would embrace and defend the Town's values which might be under attack by the new administration.
Greg Miller, Sawmill Brook Road, noted that the Town is enriched by diversity and is one of reasons he and his family moved here. Mr. Miller supports an ordinance which would prevent town officials from providing information to federal immigration authorities.
Noga Shemer, Lynwood Road, asked the Council, given the current political climate, to support an ordinance designating Mansfield as a sanctuary city thereby sending a strong and immediate message that Mansfield is an inclusive haven.
Jennifer Stone, Chaffeeville Road, spoke in support of an ordinance declaring Mansfield a sanctuary city noting that such an action would show the Town continues to be supportive of families and welcoming of diversity.
Stephanie Marquez, Willimantic resident and former UConn student, stated that it is important for all residents to feel safe and expressed support for an ordinance making Mansfield a safe place.
Katherine Villeda, UConn student living on campus, stated that she knows of at least 100 undocumented students on campus and asked the Council to send a message showing all are valued and wanted.
Nyden Gramedios, Liberty Drive and a Mexican immigrant, expressed her love for the Town because of the openness and diversity. Ms. Gramedios teaches undocumented students and she worries about their safety.
Adrian Garcia-Sierra, Liberty Drive, spoke in support of an ordinance would ban city employees and police from inquiring about a person's immigration status.
Holly Rawson, Chaffeeville Road, stated it is important that the community establish that we are a community that values diversity and inclusiveness. (Statement attached)
Eleanor Ouimet, Mulberry Road, asked the Council to adopt a sanctuary city type ordinance and to be on the moral side of history. Ms. Ouimet noted that Mansfield schools do a wonderful job of celebrating the commonality and differences in diversity.
Jiff Martin, Dog Lane, spoke in support of an ordinance which would prohibit town law enforcement from functioning as federal immigration deputies. This action would help protect the gains made in helping protecting children of undocumented immigrants who have grown up in the US. Ms. Martin stated that the threats of the incoming administration are already triggering mental health issue and fears in these young adults.
Stephanie Barefield, Chaffeeville Road and a teacher, spoke in support of the Town becoming a sanctuary city. Ms. Barefield has taught many undocumented students and commented that her students in Mansfield feel safe and supported but that there is a growing fear that this will change.
Glenn Mitoma, Storrs Road resident and grandson of two men who were American citizens interned in the Topaz Camp during WWII, commented that given recent comments citing the internment of Japanese American citizens as a policy precedent for the incoming administration it is imperative that the Town take action to reaffirm its

commitments to fundamental human rights without regard to race, nationality, religion or immigration status. Mr. Mitoma is in support of a sanctuary city ordinance.
Dorothea Anagnostopoulos, Ellise Road, stated that her family, like many, came here as immigrants for a better life. Enacting a sanctuary city ordinance would send a message to the incoming administration that citizens will not accept policies that divide us from our neighbors or break up our families. Ms. Anagnostopoulos, as a teacher, has worked with undocumented students and although they are afraid they will not go back into the shadows.
Farzona Zubiar, a UConn student, spoke in support of an ordinance delegating Mansfield as a sanctuary city and feels the community needs to take a stand against discrimination whether it be towards people of color, Muslims or immigrants.
Renato Muguerza Calle, a UConn student and Peruvian American immigrant, spoke to the need to create a safe space for undocumented students and residents of Mansfield. UConn students have shown, in a few ways, their support for making Mansfield a safe space for undocumented students and residents and it would mean a lot if the Town of Mansfield stood with them.
Michael Limberg, Constitution Square, spoke in support of a sanctuary city ordinance as a way to show the Town values diversity and inclusiveness. As an American History, professor, Mr. Limberg noted that immigration status is a complicated issue and it is time to move toward a better system. Establishing a sanctuary city status would offer protection while we move in that direction.
Mark Kohan, Dog Lane, stated that given the recent increase in hateful incidents across the country many targeting immigrants or perceived immigrants, as chronicled by the Southern Poverty Institute, and the promises made to revoke the deferred action for childhood arrival program, he hopes and expects that Mansfield will enact a sanctuary city ordinance to protect these vulnerable populations.
Bob Pirrie, Chaffeeville Road, spoke in favor of an ordinance to protect immigrants. Mr. Pirre emphasized that this year will be a major chapter in the history of our country, making the decision of the Council even more important.
Burun Katar, UConn student and South Windsor resident, expressed concern about the safety of Town residents given the recent increase in hateful and violent acts against immigrants. Mr. Katar urged the Council to designate Mansfield as a sanctuary city thereby reaffirming the Towns commitment to civil and human rights.
Stephanie Sponzo, UConn student, spoke in favor of the ordinance and commented that people will look back to see what people did during this historical time. Ms. Sponzo asked the Council to show what the Town stands for.

V. REPORT OF THE TOWN MANAGER

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

- The Mayor and Town Manager are meeting with the Director and Chair of the Mansfield Housing Authority on Friday to discuss the recent settlement agreement on a Section 8 Housing complaint.
- Mr. Shaiken complimented the efforts of Zoning Enforcement Officer Janell Mullen regarding her work on issues surrounding 17 Olsen Drive and stated that he would like to see this resolved.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Shapiro commented that he, Councilor Moran, and the Town Manager attended the CCM conference which he found to be beneficial. Mr. Shapiro, as an individual, also attended the Interfaith Ministry Service at which members of all different faiths gathered. Mr. Shaiken reported that he and Councilor Keane attended the opening of the new Perception House in Storrs Center and welcomed the group to Mansfield.

VII. OLD BUSINESS

Mr. Kochenburger moved and Ms. Moran seconded a motion to become the Water Pollution Control Authority for the Town of Mansfield.
The motion passed unanimously.

4. WPCA , Proposed Sewer Service Agreement between Town of Mansfield and University of Connecticut

   Attorney Jim Welch, Public Works Director John Carrington and Assistant Town Engineer Derek Dilaj were on hand to answer questions.

   Mr. Ryan moved and Mr. Marcellino seconded to approve the following resolution:
   RESOLVED, to authorize the Town Manager to execute the Sewer Service Agreement, draft dated November 21, 2016, between the Town of Mansfield and the University of Connecticut.

   Council members discussed the changes made to the agreement in response to Council and Four Corners Water and Sewer Committee concerns. Ms. Raymond requested that the word "covey" be changed to "convey" in the third "Whereas" of the agreement.

   Mayor Shapiro moved and Mr. Shaiken seconded to amend the motion to state that the Town Manager, prior to signing the agreement, shall determine that language similar to the following be included under Section 4(a)(ii)(2) of the Sewer Service Agreement:

   > "Nothing herein shall diminish the authority of the land use agencies of the Town of Mansfield"

   The motion to amend passed unanimously.
   The motion, as amended, passed unanimously.

   Ms. Moran moved and Mr. Shaiken seconded to recess as the Water Pollution Control Authority and to resume as the Town Council.
   The motion passed unanimously.

5. Proposed Amendments to Ordinance Concerning Property Tax Relief for Certain Elderly Homeowners

   Mr. Marcellino moved and Mr. Ryan seconded to suspend Rule 6d of the Council Rules of Procedure and proceed with immediate action on the proposed amendments to Ordinance Concerning Property Tax Relief for Certain Elderly Homeowners. The motion passed with all in favor except Mr. Sargent who voted nay.

   Mr. Ryan moved and Mr. Shaiken seconded, effective November 28, 2016, to approve the proposed amendments to the Ordinance Concerning Property Tax Relief

for Certain Elderly Homeowners, which amendments shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.
The motion passed with all in favor except Mr. Sargent who abstained.

6. Proposed Amendments to Motor Vehicle and Traffic and Parking Ordinance
Mr. Marcellino moved and Mr. Ryan seconded to suspend Rule 6d of the Council Rules of Procedure and proceed with immediate action on the proposed amendments to Motor Vehicle and Traffic and Parking Ordinance. The motion passed with all in favor except Mr. Sargent who voted nay.
Mr. Shaiken moved and Mr. Ryan seconded, effective November 28, 2016, to approve the proposed amendments to the Motor Vehicle Traffic and Parking Ordinance and Regulation, which amendments shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.
The motion passed unanimously.

7. Proposed Ordinance to Building Construction Ordinance
Mr. Marcellino moved and Mr. Moran seconded to suspend Rule 6d of the Council Rules of Procedure and proceed with immediate action on the proposed amendments to Ordinance to Building Construction Ordinance. The motion passed with all in favor except Mr. Sargent who voted nay.
Move, effective November 28, 2016, to approve the proposed amendments to the Building Construction Ordinance, which amendments shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.
The motion passed unanimously.

8. Financial Statement Dated September 30, 2016
Mr. Ryan, Chair of the Finance Committee moved, effective November 28, 2016, to accept the Financial Statements dated September 30, 2016.
The motion passed unanimously.

9. Transfer of Uncollected Taxes to Property Tax Suspense Book
Mr. Ryan, Chair of the Finance Committee moved, effective November 28, 2016, to transfer $94,986.45 in uncollected property taxes to the Mansfield Property Tax Suspense Book, as recommended by the Collector of Revenue.
Motion passed unanimously.

10. Refund Balance Write-Off Request
Mr. Ryan, Chair of the Finance Committee moved, effective November 28, 2016, to write-off $1,792.18 in un-refunded property taxes as recommended by the Collector of Revenue.
The motion passed unanimously.

VIII. NEW BUSINESS

11. Town Attorney Opinion re Regulation Political Speech at Transfer Station Property
Town Attorney Kevin Deneen spoke to his opinion noting that based on case law the Council could adopt a policy based on public safety.

Councilors discussed whether or not a policy is warranted.
No action was proposed.

IX. REPORTS OF COUNCIL COMMITTEES

Mr. Ryan reported that in addition to the items previously discussed the Finance Committee also completed the policies and procedures manual and the fraud risk assessment plan. Mayor Shapiro thanked Councilors Ryan, Raymond and Marcellino for their work.

Mr. Kochenburger, Chair of the Committee on Committees, recommended the appointment of Jeremy Jelliffe to the Agriculture Committee. The Committee met with Mr. Jelliffe and agreed that he is an impressive candidate.
The motion to approve passed unanimously.

X. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered.

XI. PETITIONS, REQUESTS AND COMMUNICATIONS

12. A. Kashwani (11/14/16) 127
13. CRCOG re: Crumbling Foundations – Mr. Hart, who serves as a member of the CCM subcommittee dealing with this issue, reported that they are concerned that some of the proposed remedies might put the burden on the towns.

XII. FUTURE AGENDAS

Council members agreed to add the subject of Mansfield becoming a sanctuary city, raised during public comment, to the December 12, 2016 agenda. At that meeting options regarding how to best approach the issue will be discussed.

XIII. ADJOURNMENT

Mr. Shaiken moved and Mr. Ryan seconded a motion to adjourn the meeting at 9:52 pm.
The motion passed unanimously.

Paul Shapiro, Mayor

Mary Stanton, Town Clerk

Good evening, my name is Helen Jane Fried I live at 39 Olsen Drive, here in Mansfield and have lived here for over 40 years.

I am here again at this Town Council session, as I was at the last session, to talk about the development of the parcel of Adam Lambert's on 17 Olsen Drive.

To obtain more information about the permits Mr. Lambert has obtained since the Town granted him a special permit to build a two-bedroom efficiency on June 15, 2015, I have been in contact with Ms. Janell Mullen, Assistant Planner/Zoning Enforcement Officer and have ask that my attorney, through a Freedom of Information Act request, obtain, and let me quote here, "all permits to Adam Lambert and all documentation regarding the 17 Olsen Drive, Mansfield Center, CT 06250 parcel, in the Town of Mansfield's possession since June 15, 2015, that have not been provided to me,(him), by the town to date." I have attached the FOIA documents provided by the Town Clerk, Mary Stanton, to this statement.

As you know Mayor Shapiro, as a named defendant, five neighbors on the Olsen Drive neighborhood initiated a law suit in the summer Of 2015. You, Mayor Shapiro, have been aware of it since its filing. Now this case is in the New Haven Federal Court, it alleges that the special permit and the PZC process that granted that permit violated the Fair Housing Act by failing to consider the disparate impact, harm, of commercial development on the elderly with disabilities living there.

And this is what is most alarming to me, the **callous indifference**, a pattern of behavior by the town and the separate entity of the Planning and Zoning Commission ("PZC"), both working together and working alone, **to the concerns raised by the elderly with disabilities in our neighborhood**.

And in reviewing the documents I now have, I have come to believe that the Town, through its agents, **both through issuing building permits for continued commercial development of the Lambert property and failing to ensure that our neighboring properties are protected, and remedied from, the permit less activities on that property, is retaliating against us** for the legal actions the neighbors have taken.

From documents in my possession and knowledge from conversations from those involved, I know 10 facts that alarm me:

(1) Mr. Lambert did not have a zoning permit to move more than 100 cubic yards of soil when he did so;
(2) Mr. Lambert did not have a zoning permit to build a new shed larger than a 10 x 10 foot shed when he did so;
(3) Mr. Lambert did not have a building permit when he began the construction of a 10 x 20 foot shed;
(4) In moving 200 cubic yards of soil or more, and digging a pit large enough to accommodate boulders for steel beam support the larger shed, without a permit, and without retaining walls, the flow of water has been changed off of that property;
(5) Mr. Lambert working outside of the special permit application granted on June 15, 2015, added and additional drive way that enters on to the Olsen Drive circle;
(6) Mr. Lambert was issued a STOP ALL WORK "in conjunction with Zoning Permit #16-6-10" letter by the Town of Mansfield on November 7, 2016 and Mr. Lambert thereafter continued to, either

himself or through his agents, move soil, change the grade, and plant seed all without any study of the new topography, soil conditions and water flow patterns.

(7) The existing grade as represented in Mr. Lamberts revised Zoning Permit Application signed on 11/8/2016 did not and does not reflect the depth, circumference, or diameter of the pit dug for his 10 x 20 structure, already in existence at the time the revised permit application was submitted;

(8) Mr. Lambert represented that the new structure would use be storing land moving equipment;

(9) It is unknown whether diesel fuel tanks will be stored on that parcel for the land moving equipment; and

(10) The Town of Mansfield did not provide all email correspondence in its possession pursuant to the FIOA request of November 9, 2016, by my attorney (denial of access to town documents has been an on-going problem here), and the Town continues to allow for further development of that parcel while a lawsuit is pending alleging harm from that parcels commercial development on the disabled elderly in that neighborhood.

As a long-term resident of Mansfield, I am alarmed and dismayed at the current state of affairs, "business as usual" in our Town government that can be so caviler in its disregard for weakest and most vulnerable of our citizenry.

Good night.

Holly Rawson, LPC
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Storrs, CT 06268
860-429-7945
hollyandbrian@gmail.com

To: Mansfield Town Council
Re: Comments on Proposal for Mansfield as a Sanctuary City

11/28/2016

My name is Holly Rawson and I live at 667 Chaffeeville Road.

In these uncertain times, I think it is important to establish effective boundaries that clearly set the tone that we are a community that values diversity and inclusiveness. The proposal of an ordinance declaring Mansfield as a Sanctuary City is a worthy strategy to establish these boundaries. The Sanctuary City concept is growing in momentum, making now the perfect time to contribute to this momentum, building a powerful foundation for an uncertain future.

I would like to share a variation of the famous poem by Martin Niemoller, written during the horrific Nazi years. It is my deepest wish that these dramatic words never manifest again:

First they came for the Socialists, and I did not speak out—
Because I was not a Socialist.

Then they came for the Trade Unionists, and I did not speak out—
Because I was not a Trade Unionist.

Then they came for the Jews, and I did not speak out—
Because I was not a Jew.

Then they came for me—and there was no one left to speak for me. -Martin Niemoller

Thank you.