

REGULAR MEETING – MANSFIELD TOWN COUNCIL
December 12, 2016

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: Keane, Marcellino, Moran, Raymond, Ryan, Sargent, Shaiken, Shapiro
Excused: Kochenburger

II. APPROVAL OF MINUTES

Mr. Sargent moved and Mr. Ryan seconded to approve the minutes of the November 28, 2016 minutes as presented. The motion was approved by all present except Ms. Keane who abstained.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ray Haddad, Conantville Road, spoke to his concerns regarding designating Mansfield as a sanctuary city including opening the door to not enforcing any number of laws. Mr. Haddad stated that he respects legal immigrants but is concerned the Town will lose federal funding if such a designation is made.

Deena Staples, Mansfield City Road, expressed confusion as to what exactly it means to be a sanctuary city and posed a series of questions about the facts and effects of such a decision. Ms. Staples is concerned about increased costs and crime rate.

Henry Cerwinski, Storrs Heights Road, asked how many residents asked the Council to look into a sanctuary city designation. Mr. Cerwinski reminded Councilors that they take an oath to uphold the law and stated consideration of such an action would be dishonoring that oath. (Distributed federal statutes will be a communication in the January 9, 2017 Council packet)

Daniel Byrd, UConn student and Student Body President, thanked the Council for adding the issue of sanctuary cities to the agenda and noted that the Undergraduate Student Government passed a resolution asking the University and the Town to investigate how they can help undocumented students from being deported. Mr. Byrd corrected the record stating that undocumented students do not get institutional, state or federal financial aid for their education and that it is not illegal to be a sanctuary city.

Tom Ward, Crane Hill Road, spoke in opposition to the sanctuary city designation and asked the Council to follow the law. Mr. Ward stated that it is not right to ask Town employees to not follow the law.

Helen Jane Fried, Olsen Drive, spoke to her lawsuit against the Town and her claim that the approved development has a disparate impact on the elderly with disabilities living there. Mr. Fried also spoke in support of making Mansfield a sanctuary city and urged transparency in local government. (Distributed University of Chicago Law Review will be a communication in the January 9, 2017 Council packet)

Charles Larkins, Clover Mill Road, asked the Council not to approve the designation of Mansfield as a sanctuary city and stated that the Town has bigger issues to take care of.

Mr. Larkins stated that illegal people shouldn't be in the country and that allowing their presence would lead to trouble and the giving away of the country.

Eric Cruz Lopez, South Eagleville Road and an undocumented student who came to this country at the age of seven, stated that we must remember that the country belongs to those who are indigenous to it. Under DOCA Mr. Lopez has a social security card, a driver license and has worked since he was sixteen. Mr. Lopez would like to feel safe in the Town and would like to continue to contribute to the community.

Richard Staples Jr., Mansfield City Road, asked why UConn doesn't handle any issues as they arise and does not feel that it is a Town issue. Mr. Staples commented that not abiding by the laws is not the right way to go and thanked Council members for their service.

Joseline Tlacomulco, a UConn student and undocumented immigrant who came to the country at the age of eight months, relayed a childhood story of immigration officers coming to New Haven where she lived and arresting people without warrants. Based on that experience Ms. Tlacomulco stated that being a sanctuary city would protect residents and asked what laws would the Town be violating

Eric Holinko, Middle Turnpike, stated he feels the Council is going down a silly path and that students are pilgrims, not residents who live in Mansfield for a long time. Students should be part of the Town, not **the** Town, and we do not have to do what UConn says.

Arthur Smith, Mulberry Road, stated that he is heartened by the students, who are part of the community, coming out to express their opinions and organize on the meaningful issue of sanctuary cities. Mr. Smith, an immigration lawyer, outlined some of his experiences, suggested that legality or "in status" is a complicated issue, and urged the Town to help educate residents on immigration laws.

Ed Hall, Bassetts Bridge Road Extension, questioned the difference between undocumented and illegal and that suggested that town government concern themselves with local issues only.

IV. REPORT OF THE TOWN MANAGER

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

- Mr. Hart wished all a happy holiday and prosperous new year

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mr. Ryan noted that the Winter Welcome event in Storrs Center was well attended and a good time. Mr. Ryan also attended the final concert of the Renaissance Revival Group performed last weekend, they will be missed.

VI. OLD BUSINESS

No items of old business

VII. NEW BUSINESS

1. Council Consideration of Sanctuary City Issues

Mayor Shapiro framed the discussion and suggested the following:

- Procedurally, the discussion be conducted by the Council as a whole.
- Councilors should, if they decide to act, determine if the action should be an ordinance or a resolution.

- Clarified that Mansfield does not have a law enforcement agency.
- Requested Council members let staff know of any additional materials or information they would like to have.
- Any action item will need to be crafted by Council members, not staff.

Mr. Hart reviewed his memo and reported that to date he has found only 2 instances in Mansfield in which evidence of citizenship or legal residency is relevant. Voter Registration cards which are attested to by the voter and I-9's which verifies new hires are legally able to work in the US.

Members discussed the amount of time required to fully explore the relevant issues, the use of special meetings or workshops, the establishment of an ad hoc committee, beneficial information needed by members, the need to understand any impact on federal funding, the kinds of provisions a sanctuary city or welcoming city provides for, and the best way to draft language, if any.

Council members agreed to the following actions:

- Invite Sgt. Cournoyer or another representative of the State Police to provide information on how enforcement issues are currently addressed; any potential impact such a resolution might have; what is the Town's official authority and how do the State Police treat guidance from Towns as a matter of policy; what is the CT State Police interpretation of the statutes; and are there any other CT State Police policies regarding the day to day enforcement of these laws.
- Determine the major components of sanctuary or welcoming city ordinances/resolutions and what such language attempts to accomplish. Councilors Moran, Keane and Shaiken will work to compile a list of provisions contained in enacting legislation.
- Request the Town Attorney research the impact on federal funding; the legal authority of the federal government to withhold funding from governmental agencies; what laws, if any, would the Town be violating if an ordinance was passed; and the legality of an ID system as used in New Haven and Hartford.
- Request staff prepare a list of sanctuary cities in Connecticut.

This issue will be a reoccurring agenda item.

2. Operating Agreement with Mansfield Discovery Depot

Mr. Ryan, Chair of the Finance Committee, moved, effective December 12, 2016, to authorize the Town Manager to extend the terms of the current operating agreement between the Town and the Mansfield Discovery Depot, Inc. through June 30, 2017. Motion passed unanimously.

3. Registrars of Voters Compensation for 2017-2018 Term

Ms. Moran, Chair of the Personnel Committee, moved, effective January 1, 2017, to increase the hourly pay for the Registrar of Voters and Deputy Registrar of Voters by 2.25%, setting the Registrar's compensation at \$22.82 per hour and the Deputy Registrar's compensation at \$17.12 per hour.

Councilors complimented the Registrars on their work on the election and throughout the year.

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

4. FY 2016/17 Compensation and Benefit Adjustments for Nonunion Personnel
Ms. Moran, Chair of the Personnel Committee, moved to approve the Town Manager's proposed changes in wages and tuition reimbursement for non-union regular staff, effective July 1, 2016, and to approve the Town Manager's proposed changes to health insurance for nonunion staff, effective as soon as practicable following approval by the Council.

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

5. FY 2016/17 Town Manager's Goals

Ms. Moran, Chair of the Personnel Committee, moved, effective December 12, 2016, to endorse the Town Manager's FY 2016/17 Goals as presented.

The motion passed with all members voting, voting in the affirmative.

6. Cancellation of December 27, 2016 Meeting

Ms. Moran moved and Ms. Keane seconded, to cancel the December 27, 2016 regular meeting of the Mansfield Town Council.

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

VIII. REPORTS OF COUNCIL COMMITTEES

Mr. Ryan, Chair of the Finance Committee, reported that the Committee finished the Policy and Procedure Manual and the Fraud Risk Assessment Plan and has almost completed updates to the Purchasing Ordinance. The Committee is still working on debt performance measurements and approved a new budget schedule.

Ms. Moran, Chair of the Personnel Committee, reported that the Committee will be discussing town manager compensation during an executive session at the December 19, 2016 meeting.

Ms. Moran, Chair of the Police Services Ad Hoc Committee, noted that the Committee continues to discuss the possibility of creating town officer positions.

Mr. Shaiken, reporting for the Committee on Committees noted that the Committee will be meeting on December 20, 2016.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered.

X. PETITIONS, REQUESTS AND COMMUNICATIONS

7. J. Fried (11/28/16)

8. Q. Kessel (11/28/16)

9. CRCOG re: Proposed 2017 CRCOG Legislative Agenda

10. CRCOG re: Crumbling Foundations

11. Press Release: Mansfield Annual Report Now Available

12. Mansfield Minute – December 2016

XI. FUTURE AGENDAS

No additional items added

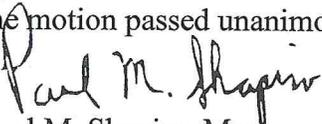
Mr. Shaiken moved and Mr. Sargent seconded to enter into executive session to discuss the sale or purchase of real property, in accordance with CGS§1-200(6)(D) and to include Town Manager Matt Hart and Environmental Planner Jennifer Kaufman.
Motion passed unanimously.

XII. EXECUTIVE SESSION

Sale or purchase of real property, in accordance with CGS§1-200(6) (D)
Attending: Keane, Marcellino, Moran, Raymond, Rayna, Sargent, Shaiken, Shapiro
Also Attending: Town Manager Matt Hart, Environmental Planner Jennifer Kaufman

XIII. ADJOURNMENT

There was no further business proper to executive session and the meeting reconvened in open session. Mr. Shaiken moved to adjourn at 9:20 p.m., seconded by Ms. Raymond, the motion passed unanimously.


Paul M. Shapiro, Mayor


Mary Stanton, Town Clerk

December 12, 2016

Good Evening Mayor Shapiro and members of the Town Council. My name is Helen Jane Fried, I live at 39 Olsen Drive, Mansfield Center, where I have lived for over forty years. As you know, neighbors where I live have initiated a lawsuit against the Town of Mansfield because of the allowed commercial development of 17 Olsen Drive, a property on our street. The claim is that it has a disparate impact on the elderly with disabilities living there. I am one of those neighbors in that action. I was heartened during the last Town Council meeting that so many residents spoke out in favor of making Mansfield a sanctuary town. My career has been devoted to promoting diversity, enhancing cross cultural understanding and improving communication among members of disparate groups, in the many locations where we work, live and teach. Accountability and transparency facilitate that diversity and mutual understanding. Federal legislation was enacted in 1871 (Ku Klux Klan Act of 1871) to address local government involvement with the Ku Klux Klan. Illegal actions by the Klan were perpetrated under the guise of carrying out the peoples' business. When local governments conspire to keep information, that they are obligated to give, from their citizenry, it violates that Act. Now, perhaps more than ever, government actions must be closely scrutinized to ensure that they are not conspiring to take individual rights away. I am providing you with a copy of a law review article that addresses the problematic jurisprudence in proving local government conspiracy and, on the brighter side, how it can be remedied. Access to information is a powerful tool in promoting diversity because with it accountability, or lack of it, can be assessed. Access sheds light on local government actions that cannot be respected and should not be tolerated, if we aspire to the goals of achieving a diverse community. I hope that you we study this article, as I have. Thank you.