



**TOWN OF MANSFIELD**  
**TOWN COUNCIL MEETING**  
**MONDAY, February 9, 2004**  
**COUNCIL CHAMBERS**  
**AUDREY P. BECK MUNICIPAL BUILDING**

**7:30 p.m.**

**AGENDA**

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EXECUTIVE SESSION

REGULAR MEETING-MANSFIELD TOWN COUNCIL-JANUARY 26, 2004

The regular meeting of the Mansfield Town Council was called to order by Mayor Elizabeth Paterson at 7:35 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building.

I. ROLL CALL

Present: Blair, Clouette, Haddad, Hawkins, Paterson, Paulhus, Schaefer, Thorkelson  
Absent: Bellm

II. APPROVAL OF MINUTES

Mr. Schaefer moved and Mr. Hawkins seconded to approve the minutes of January 12, 2004 as presented.

So passed. Mr. Thorkelson abstained.

III. PUBLIC HEARING

1. Proposed Motor Vehicle Ordinance

No comments from the public.

2. Proposed Adult Oriented Establishment Ordinance

Will be discussed later.

IV. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL

No comments from the public.

V. OLD BUSINESS

3. Proposed Motor Vehicle Ordinance

Mr. Haddad moved and Mr. Schaefer seconded to adopt the following motion:  
To move, effective January 26, 2004, to adopt the proposed "Ordinance Regarding Delinquent Motor Vehicle Property Taxes," as proposed by staff in its draft dated January 12, 2004, and which ordinance will become effective 21 days after publication in a newspaper having circulation in the Town of Mansfield.

Motion so passed unanimously.

4. Proposed Adult Oriented Establishment Ordinance

Will discuss this issue later.

Town of Mansfield  
Code of Ordinances  
Ordinance 2004-1

"An Ordinance Regarding Delinquent Motor Vehicle Property Taxes"

*January 12, 2004 Draft*

**Section 1. Title.**

This ordinance shall be known and may be cited as the "Delinquent Motor Vehicle Property Tax Ordinance."

**Section 2. Legislative Authority.**

This ordinance is enacted pursuant to the provisions of Public Act 03-6 for House Bill No. 6806, §58, and *Connecticut General Statutes* §12-146, as amended.

**Section 3. Intent and Purpose.**

This ordinance is designed to implement the provisions of *Connecticut General Statutes* §12-146, as it may be amended from time to time, to assist the Town with recovering delinquent property taxes for motor vehicles as well as associated administrative costs.

**Section 4. Definitions.**

- A. "Delinquent" shall have the same meaning as the term is defined in *Connecticut General Statutes* §12-146, as it may be amended from time to time.
- B. "Person" shall mean any individual, firm, partnership, association, syndicate, company, trust, corporation, limited-liability company, or other legal entity of any kind.

**Section 5. Right to Require Form of Payment.**

The Collector of Revenue may require that payment of any delinquent property tax applicable to a motor vehicle shall be paid only in cash or by certified check or money order.

**Section 6. Fee for Administrative Costs for Delinquent Tax Collection.**

Any person who is delinquent in the payment of any property tax or installment on any motor vehicle, and for whom the Town has notified the Commissioner of Motor Vehicles of such delinquency pursuant to *Connecticut General Statutes* §14-33, as amended, shall pay to the Town a fee of five (\$5.00) dollars for each such reported delinquency, in addition to the delinquent tax payment and all interest thereon.

**Section 7. Construction.**

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

5. Spring Weekend

Town Manager, a member of UConn President Austin's task force of Substance Abuse, informed Council that the committee has met and will continue to do so...the next meeting in Feb. 5, 2004.

6. Update of Draft State Conservation and Development Policies Plan 2004-2009

Town Council reviewed proposed letter to be sent to Mr. Daniel Morley, Planning Specialist, OPM regarding the 2004-2009 Connecticut Polices Plan of Conservation and Development.

There is a typo error under #3. C. Which should read "More accurately depict existing development areas adjacent to the Mansfield Apartments, at the corner of State Routes 195 and 275."

VI. NEW BUSINESS

7. Town of Mansfield Code Enforcement Relocation Plan

Mr. Thorkelson moved and Mr. Hawkins seconded to adopt the following motion: To Move, effective January 26, 2004 to adopt the proposed "Town of Mansfield Code Enforcement Relocation Plan" to the Code of the Town of Mansfield Connecticut.

So passed unanimously.

Return to Public Hearing 2. Proposed Adult Oriented Establishment Ordinance

Mr. Rudy Favretti, Chairman of the Planning and Zoning Commission, supported the letter from the Town Planner which supported adoption of the proposed ordinance regulating adult-oriented establishments in Mansfield, subject to a revision of the setback from residential zones from 250 to 500 feet (Section 5), to be consistent with the zoning definition of "Neighborhood of a given lot."

Mrs. Kay Holt, a member of the Planning and Zoning Commission, spoke in favor of this ordinance with the suggested revision.

At 7:48 p.m. the hearing was closed.

Return to item #4.under old business.

Ms. Blair moved and Mr. Hawkins seconded to table this item under old business for the next agenda.

# Town of Mansfield Code Enforcement Relocation Plan

## I. PURPOSE

This Relocation Plan is adopted by the Town of Mansfield pursuant to the provisions of the Uniform Relocation Assistance Act ("URAA"), Connecticut General Statutes Sec. 8-266 et. seq., and URAA Regulations, Connecticut Agencies Regulations Sec. 8-273-1 through Sec. 8-273-41.

Connecticut General Statutes Sec. 8-266 states that the purpose of the URAA "is to establish a uniform policy for the fair and equitable treatment of persons displaced by . . . code enforcement activities . . ."

In furtherance of the stated purpose, the Town promulgates this Relocation Plan for the provision of URAA benefits and assistance to individuals and families displaced by the Town's code enforcement activities as a result of substandard conditions.

## II. ADMINISTRATIVE STRUCTURE

Determination of displacement and provision of relocation benefits and assistance under this Relocation Plan shall be accomplished by cooperative effort of Town of Mansfield Code Enforcement Officials and the Social Services Official of the Town of Mansfield in consultation with all other appropriate Town agencies.

## III. APPLICATION PROCESS

Upon notice from any occupant of any building who believes that building is unfit for occupancy or upon notice from a Town of Mansfield Code Enforcement Official, the Social Services Official shall immediately provide the occupant with an Application *for Relocation Assistance* (attached hereto as Exhibit A) and *Notice of Rights and Services* (Exhibit B). At the same time, the Social Services Official shall also notify the owner of the property of the occupant's application and the owner's potential liability for relocation benefits (See Exhibit C, *Notice of Potential Liability*).

Along with a completed application, the occupant may file an inspection report by a Town agency in support of the occupant's claim for relocation benefits and assistance. If no such report is filed with the application, the Social Services Official shall forward a copy of the completed application to the appropriate Code Enforcement Official together with a request that an inspection of the property and written report be completed within five (5) business days.

## IV. DETERMINATIONS OF DISPLACEMENT

- A. The Town Code Enforcement Official makes the determination that a property constitutes a threat to the health and safety of the occupant. Upon making such determination, the Code Enforcement Official will notify the Social Services Official. If an inspection resulting in any such determination is completed on premises whose occupant has not filed an application, the

Social Services Official will immediately invite the occupants to apply for benefits under the URAA. The Social Services Official will at the same time provide the occupant with *Notice of Rights and Services* and provide the owner with *Notice of Potential Liability*.

- B. If, upon review of an inspection report from the appropriate Town agency, the Code Enforcement Official finds that the property is in such a condition as to constitute an immediate and serious threat to the health and safety of the occupant, the occupant shall be immediately determined to be a displaced person under the URAA. Within three (3) business days of the date of the determination, the Social Services Official shall provide an adult occupant and the property owner with *Notice of Displacement*, attached as Exhibit D.
- C. Procedure for property which does not constitute an immediate threat to health and safety:
  - 1. If, upon review of an inspection report from the appropriate Town agency, it is determined that the property is in such condition that it does not constitute an immediate threat to the health and safety of the occupant, the Code Enforcement Official shall proceed as follows:
    - a. Determine on the basis of the totality of the circumstances, including but not limited to the seriousness of the condition(s), their effect on the occupant, and the owner's capacity to remedy them, a reasonable deadline by which the owner must complete the necessary repairs or incur the consequences of a determination that the occupant has been displaced under the URAA; and
    - b. Provide as soon as possible to the owner a written notice (*Notice to Owner* – Attachment F is reserved for this notice in the event that a standard format is developed in the future) informing him/ her of the deadline. This notice shall include a copy of the inspection report or key findings of that report. A copy of the notice shall be delivered to the occupant.
  - 2. Immediately following the expiration of the deadline, the Code Enforcement Official shall reinspect or cause to be reinspected the property. If the Code Enforcement Official concludes that any of the identified conditions have not been remedied to the extent that the premises are habitable, the Code Enforcement Official shall:
    - a. Determine the occupant to be displaced and notify the Human Services Official to provide an adult occupant and the property owner with *Notice of Displacement*; or
    - b. Determine under the totality of the circumstances that the necessary repairs will soon be made and offer the owner the option of temporarily relocating the occupant to adequate replacement housing until the conditions are remedied, by providing the owner with a *Temporary Relocation Proposal*, attached as Exhibit G.
      - (i) If the owner fails to either remedy the conditions or agree to a temporary relocation within three (3) business days thereafter, issue *Notice of Displacement* to the occupant and the owner;
      - (ii) If the owner agrees to temporarily relocate the occupant, the owner shall sign a *Temporary Relocation Agreement*, attached as Exhibit H, and accomplish the temporary relocation at the owner's expense within a reasonable time frame established by the Town.

- (iii) Once a reinspection shows to the Town's satisfaction that the conditions have been remedied, the owner shall restore the occupant to the building at the owner's expense.
  - (iv) If the Code Enforcement Official determines that it is in the best interests of the occupant, it may permit a temporary relocation of the occupant by the owner at any time after the Town issues Notice to Owner to the property owner.
3. If at any time after a Town of Mansfield Code Enforcement Official initially finds the existence of conditions that violate health and safety standards of the local code, the owner informs the Town that s/he cannot or will not make the necessary repairs, the Town shall immediately issue a *Notice of Displacement* to the occupant and owner.
  4. If it is determined that it is in the best interests of the occupant, the Code Enforcement Official may grant an extension of any deadline it sets in applying section IV.C. of the Plan.

## V. RELOCATION OF DISPLACED PERSONS

### A. General

1. The Town of Mansfield shall file this Relocation Plan with the State of Connecticut Department of Economic and Community Development, together with the information required by the Connecticut General Statutes Sec. 8-281, for the approval of the Commissioner of Economic and Community Development.
2. Town of Mansfield Code Enforcement Officials together with the Social Services Official shall administer a relocation program for persons displaced from property by the Town's code enforcement activities. The program shall include such measures as may be necessary to ensure that, prior to displacement by code enforcement activities, there will be available to every displaced person a replacement dwelling which is:
  - a. "decent, safe, and sanitary," as that term is defined in URAA Regulations Sec. 8-273-4 (a);
  - b. in an area not generally less desirable than the area in which the displacement dwelling is located in regard to public utilities and public and commercial facilities;
  - c. reasonably accessible to the displaced person's place of employment; and
  - d. available at a price or rental within the financial means of the displaced person.
3. The Social Services Official shall ensure that a copy of this Relocation Plan is provided to every appropriate Town agency or department. Upon request, a copy of this Relocation Plan shall be provided at no expense to any indigent person.

### B. Relocation Benefits and Assistance

1. Within two (2) business days of issuing *Notice of Displacement* to any displaced person, the Social Services Official shall mail a *Request for Priority Consideration* (attached hereto as Exhibit I) to the Mansfield Housing Authority.
2. Also within two (2) business days of issuance of *Notice of Displacement* to any displaced person, the Social Services Department shall move the displaced person and his or her family and personal property from the displacement dwelling to a permanent replacement dwelling. If no permanent replacement dwelling is then available, the displaced person and his or her family and personal property shall be moved from the displacement dwelling to a temporary replacement dwelling. If no temporary replacement dwelling is then available, the displaced person and his or her family shall be moved to emergency housing, normally the Holy Family Home and Shelter, 88 Jackson Street, Willimantic, CT, or if that is unavailable, to the Access Emergency Shelter, 51 Reynolds Street, Danielson, CT, and the personal property of the displacee(s) shall be placed in storage, if necessary.

Notwithstanding the provisions of the preceding paragraph, if a displaced person elects to receive the fixed cash payment described in Section V. (B) (4) in lieu of actual and reasonable moving and storage expenses, the Town shall be under no obligation to move or store personal property owned by the displaced person and his or her family.

3. The Social Services Official shall permit any displaced person who elects to have the Town move and store his or her personal property to choose from a mover from a list of moving companies to be maintained by the Town. The moving company selected shall, at the sole expense of the Town, pack, crate, and transport the displaced family's personal property, including household appliances owned by the family. If a temporary or permanent replacement dwelling is not then available, the Town shall arrange for the storage of the personal property. The Town's obligation to move a displaced family's personal property shall extend to subsequent moves from storage to a permanent replacement dwelling, from storage to a temporary replacement dwelling to a permanent replacement dwelling. The Town shall insure all personal property against loss or damage while being moved and while in storage. The Town's moving obligation shall include the cost of removing, reinstalling, and reconnecting all household appliances owned by the displaced family.
4. The Social Services Official shall provide fixed cash payment to any displaced person who elects to receive such a payment in lieu of actual and reasonable moving expenses. The payment shall be made with the next Town payment cycle after the date of the request. The exact amount of the fixed cash payment shall be determined in accordance with URAA Regulations Sec. 8-273-3.
5. The Social Services Official shall assist the displaced family to relocate to a permanent replacement dwelling which is a "comparable dwelling" as that term is defined in URAA Regulations Sec. 8-273-4(a) and 8-273-4(b). Any proposed permanent replacement dwelling shall be inspected to determine whether or not it is "decent, safe, and sanitary," as that term is defined in URAA Regulations Sec. 8-273-4(a).
6. Any displaced person who actually and lawfully occupied the displacement dwelling for at least 90 consecutive days immediately before the date of displacement and who subsequently rents a permanent replacement dwelling shall receive a replacement housing payment of not more than \$4,000.00. The amount of the replacement housing payment shall be determined in accordance with URAA Regulations Sec. 8-273-32, and shall be 48

times the monthly rent paid by the displaced person for the permanent replacement dwelling diminished by 48 times the average monthly contract rent the displaced person or family had agreed to pay during the three months immediately before the date of displacement; or (b) if that average monthly rent was not reasonable, 48 times the monthly economic rent for the displacement dwelling determined by the Social Services Official of the Town of Mansfield.

After a displaced person has rented and occupied a permanent replacement dwelling, the Social Services Official shall make the replacement housing payment directly to him or her, unless requested by the displaced person to make the payment directly to the lessor.

Replacement housing payments shall be made in monthly installments upon receipt of verification that the displaced person or family still occupies the replacement dwelling.

Upon request of a displaced person who has not yet rented a proposed permanent replacement dwelling which has been found to be decent, safe, and sanitary by the appropriate Town agency, the displaced person will receive a replacement housing payment on the date that he or she rents and occupies the proposed permanent replacement dwelling. The Social Services Department shall further certify in writing what the total amount of the replacement housing will be, which amount shall be determined in accordance with URAA Regulations Sec. 8-273-32. Attached hereto as Exhibit J is the *Certificate of Eligibility* to be submitted by the Social Services Official to the lessor at the election of the displaced person.

7. Any displaced person who actually and lawfully occupied the displacement dwelling for at least 90 consecutive days immediately before the date of displacement and who subsequently purchases a permanent replacement dwelling shall receive a replacement housing payment of not more than \$4,000.00. The amount of the replacement housing payment shall be determined in accordance with URAA Regulations Secs. 8-273-27(b), 8-273-31, and 8-273-34, and shall be that amount necessary for the displaced person to (a) make the down payment on the permanent replacement dwelling required for a conventional mortgage loan; and (b) pay the incidental expenses described in URAA Regulations Sec. 8-273-31.

The Social Services Official shall pay the full amount of the first \$2,000.00 of the required down payment. The Social Services Official shall pay 50 percent of the remainder of the down payment, and the displaced person must provide the other 50 percent of the remainder of the down payment.

After a displaced person has purchased and occupied a permanent replacement dwelling, the Social Services Official shall make the replacement housing payment directly to him or her, unless requested by the displaced person to make the payment directly to the seller.

Upon request of a displaced person who has not yet purchased a proposed permanent replacement dwelling which has been found to be decent, safe, and sanitary by the appropriate Town agency, the Social Services Official shall certify in writing to the lending agency, financial institution, or other interested party that the displaced person will receive a replacement housing payment on the date that he or she purchases and occupies the proposed permanent replacement dwelling. The Social Services Department shall further certify in writing what the total amount of the replacement housing payment will be, which amount shall be determined in accordance with URAA Regulations Secs. 8-273-27(b), 8-

273-31, and 8-273-34. Attached hereto as Exhibit K is the *Certificate of Eligibility* to be submitted by the Social Services Department to the lending agency, financial institution, or other interested party.

8. In accordance with URAA Regulations Sec. 8-273-39, if two or more families, or an individual and a family, occupy the same displacement dwelling, each individual or family who chooses to relocate separately shall be entitled to a separately computed replacement housing payment. However, two or more individuals, not a family, who occupy the same displacement dwelling pursuant to the same rental agreement, shall be treated as a single family in computing a replacement housing payment.
9. If a permanent replacement dwelling is not available at the time of the initial move from a displacement dwelling, or at the expiration of a displaced person's stay in an emergency shelter, the Social Services Department shall assist the displaced family or individual to relocate to a temporary replacement dwelling. A temporary replacement dwelling must meet the standards for "adequate replacement housing" set forth in URAA Regulations Secs. 8-273-4(a) and 8-273-4(c).

The provisions of Secs. 47a-2(1) and 47a-2(4) C.G.S. shall apply to the occupancy of temporary replacement dwellings by displaced persons.

In no event shall a displaced individual or family remain in a temporary replacement dwelling permanently; the Social Services Department shall help the displaced individual or family to relocate to a permanent replacement dwelling as soon as possible under the circumstances.

10. If neither a permanent replacement dwelling nor a temporary replacement dwelling is available at the time of the initial move from a displacement dwelling, the Social Services Department shall relocate the displaced individual or family to emergency shelter. For purposes of the Relocation Plan, emergency shelter means the Holy Family Home and Shelter, 88 Jackson Street, Willimantic, CT, or if that is unavailable, the Access Emergency Shelter, 51 Reynolds Street, Danielson, CT, or any other similar area facility. As soon as possible, the Human Services Department shall assist the displaced individual or family to relocate from emergency shelter to a permanent replacement dwelling or, if no permanent replacement dwelling is then available, to a temporary replacement dwelling.

#### VI. SPECIAL CIRCUMSTANCES – FIRE OR CASUALTY

If fire or other casualty causes a dislocation, this section of the relocation plan shall apply. If displacement is caused by local code enforcement activities subsequent to a fire or other casualty, other sections of this plan shall apply.

Sec. 47a-14. CGS outlines tenant remedies in the event that a dwelling unit is damaged or destroyed to an extent that it is not habitable. The remedy established in this section does not provide supports to tenants to prevent homelessness. In the event of loss of housing as a result of fire, hurricane, flood, tornado or other catastrophic occurrence, it shall be the goal of the Town to prevent displacement that results in homelessness. Town departments shall provide assistance as follows:

- A. The Social Services Official will coordinate services with the American Red Cross, emergency shelters and other charitable organizations.

- B. If, upon inspection by the Code Enforcement Official, it is determined that the property might reasonably be returned to a safe and healthy condition, the Code Enforcement Official will develop a timetable for such in conjunction with the property owner. That timetable shall be provided to the Social Services Official.
- C. If it is determined that housing code violations caused the event leading to dislocation, the Social Services Official will determine the occupant to be a displaced person as outlined in previous sections of this plan.
- D. In the event of fire or other casualty, it is expected that the property owner will move quickly to make necessary repairs so that the tenant will be able to return to the dwelling. The Code Enforcement Official may establish reasonable deadlines for the completion of repair work related to code violations that are created by fire or other casualty. If the property owner fails to comply with reasonable deadlines, the Code Enforcement Official may implement procedures to determine the occupant to be a displaced person as outlined in previous sections of this Plan.
- E. In the event that a person displaced by fire or other casualty is not eligible for other assistance, the Social Services Official will provide assistance to that person which may include but is not limited to the following:
  - 1. Referral to legal counsel.
  - 2. Pursuit of Fair Housing remedies.
  - 3. Referral to services provided by state agencies and private not for profit organizations.
  - 4. Provision of emergency financial assistance for moving expenses and/ or rental security deposits.

## VII. MISCELLANEOUS RIGHTS AND RESPONSIBILITIES

- A. The Town's obligation under the URAA, URAA Regulations and this Relocation Plan to provide relocation assistance and benefits to displaced persons shall not be affected or diminished by the availability to such persons of other rights or remedies under state or federal law.
- B. A displaced person's decision to refuse a portion of the relocation assistance and benefits available to him or her under the URAA, URAA Regulations and this Relocation Plan shall not affect or diminish the Town's obligation to provide remaining relocation assistance and benefits to that person.
- C. Any displaced person aggrieved by any action on the part of the Town of Mansfield shall be advised by the Social Services Department of his or her right to appeal the Town of Mansfield's determination to the State of Connecticut Department of Economic and Community Development, and shall be provided with a copy of URAA Regulations Sec. 8-273-1, (attached hereto as Exhibit L).

So passed unanimously.

8. USDA Rural Business Enterprise Grant

Mr. Hawkins moved and Mr. Thorkelson seconded to adopt the following motion: To move, effective January 26, 2004, to authorize the Town Manager to submit the attached Rural Business Enterprise Grant application in the amount of \$50,000 to the United States Department of Agriculture to help fund the preparation of the municipal development project plan for the "Downtown Mansfield Revitalization and Enhancement Project."

So passed unanimously.

9. Community Center and General Obligation Refunding Bonds

Director of Finance, Jeffrey Smith, introduced Mr. Douglas W. Gillette, from Day, Berry & Howard, the Town's Bond Counsel and Mr. William N. Lindsay, the Town's Financial Advisor, to answer any questions the Council may have on this authorization of 1999 bond refunding.

Mr. Schaefer moved and Mr. Clouette seconded to adopt the resolutions prepared by the Town's Bond Counsel authorizing the issuance of refunding bonds for payment of all or a portion of the outstanding principal and interest of the general obligation bonds.

So passed unanimously.

Resolutions attached.

10. Contract with Regional School District No. 19

Mr. Hawkins moved and Mr. Schaefer seconded to adopt the following motion: To move to authorize the Town Manager to execute the proposed Contract agreement between the Town of Mansfield and the Regional School Board for accounting, bookkeeping, data processing and risk management.

So passed unanimously.

11. Small Cities Community Development Block Grant Public Hearing

Mr. Thorkelson moved and Ms. Blair seconded to adopt the following motion:

To move to authorize the holding of a public hearing on February 23, 2004 at 7:30 p.m. to review and discuss proposed Small Cities Grant applications.

RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF MANSFIELD  
JANUARY 26, 2004

AUTHORIZING THE ISSUANCE OF REFUNDING BONDS FOR PAYMENT OF ALL OR A PORTION OF THE OUTSTANDING PRINCIPAL OF AND INTEREST ON THE TOWN OF MANSFIELD'S \$2,300,000 GENERAL OBLIGATION BONDS, ISSUE OF 1999 AND COSTS RELATED THERETO

RESOLVED,

(a) That the Town of Mansfield issue its refunding bonds, in an amount not to exceed TWO MILLION DOLLARS (\$2,000,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, and to apply the balance held in such escrows, together with the investment earnings thereon, to the payment in whole or in part, as to be determined by the Town Manager, the Director of Finance and the Treasurer of the Town, or any two of them, of the outstanding principal of and interest and call premium, if any, on the Town's \$2,300,000 General Obligation Bonds, Issue of 1999 (consisting at original issue of \$1,300,000 School Bonds and \$1,000,000 General Purpose Bonds), including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, bond insurance premiums, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(b) That the Town Manager, the Director of Finance and the Treasurer of the Town, or any two of them, shall sign the bonds by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the bonds to be redeemed and the amount, date, interest rates, maturities, redemption provisions, form and other details of the refunding bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds and escrow agent with respect to the escrow of proceeds of the bonds being applied to refund the Town's \$2,300,000 General Obligation Bonds, Issue of 1999; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or

advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(d) That the Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the Board of Education and other proper officers and officials of the Town are authorized to execute and file all necessary applications, agreements and documents with the State Board of Education in order to obtain State grants to finance in part principal and interest on and issuance costs with respect to the refunding bonds authorized hereby to the extent such bonds are allocable to the refunding of portions of the Town's \$2,300,000 General Obligation Bonds, Issue of 1999, representing school bonds issued pursuant to Section 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended.

(f) That the Town Manager, the Director of Finance and the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$2,300,000 General Obligation Bonds, Issue of 1999, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents, bond insurers and others to facilitate the issuance of the refunding bonds, the escrow and investment of the proceeds thereof and investment earnings thereon, and the payment of outstanding bonds in whole or in part as contemplated hereby.

(g) That the above authorization to issue refunding bonds shall lapse on June 30, 2004.

RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF MANSFIELD  
JANUARY 26, 2004

AUTHORIZING THE ISSUANCE OF REFUNDING BONDS FOR PAYMENT OF ALL OR A PORTION OF THE OUTSTANDING PRINCIPAL OF AND INTEREST ON THE TOWN OF MANSFIELD'S \$2,500,000 GENERAL OBLIGATION BONDS, ISSUE OF 2001 AND COSTS RELATED THERETO

WHEREAS, the Town of Mansfield issued its \$2,500,000 General Obligation Bonds, Issue of 2001 (the "2001 Bonds"), the proceeds of which were allocated to finance a portion of the costs of design, construction, equipping and furnishing of a community center located on land adjacent to the Audrey P. Beck Municipal Building property (the "Community Center project"); and

WHEREAS, the Town anticipated that the Community Center project would be used in a manner such that interest on the 2001 Bonds would be excluded from gross income for Federal income tax purposes pursuant to the provisions of Section 103 and related sections of the Internal Revenue Code of 1986 and the regulations promulgated thereunder; and

WHEREAS, the Town entered into a Tax Compliance Agreement in connection with the issuance of the 2001 Bonds in which the Town made various representations and covenants to establish and maintain the continued exemption from federal income taxation of interest on the 2001 Bonds; and

WHEREAS, the Town is now contemplating uses of the Community Center project which are inconsistent with certain of said provisions of the Internal Revenue Code of 1986 and the regulations promulgated thereunder; and

WHEREAS, the Town, in order to preserve such exemption from federal income taxation of interest on the 2001 Bonds and to conform with the various representations and comply with the various covenants made in the Tax Compliance Agreement for the 2001 Bonds, has proposed that the Town refund all or a portion of the 2001 Bonds with a taxable bond issue in order to allow the Town the ability to proceed with such contemplated uses;

NOW, THEREFORE, RESOLVED,

(a) That the Town of Mansfield issue its refunding bonds, in an amount not to exceed THREE MILLION DOLLARS (\$3,000,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, and to apply the balance held in such escrows, together with the investment earnings thereon, to the payment in whole or in part, as to be determined by the Town Manager, the Director of Finance and the Treasurer of the Town, or any two of them, of the outstanding principal of and interest and call premium, if any, on the Town's \$2,500,000 General Obligation Bonds, Issue of 2001, including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, bond insurance premiums, net interest and other financing costs and other costs related to the payment

of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(b) That the Town Manager, the Director of Finance and the Treasurer of the Town, or any two of them, shall sign the bonds by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the bonds to be redeemed and the amount, date, interest rates, maturities, redemption provisions, form and other details of the refunding bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds and escrow agent with respect to the escrow of proceeds of the bonds being applied to refund the 2001 Bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its intent that costs of the refunding may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding.

(d) That the Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the Town Manager, the Director of Finance, the Treasurer and other proper officers of the Town are authorized to file notices and other documents, enter into written agreements and to take all other action which is necessary or desirable to maintain the continued exemption from federal income taxation of interest on the 2001 Bonds, including without limitation the taking of any or all such remedial actions as are described by Federal Income Tax Regulation Section 1.141-12.

(f) That the Town Manager, the Director of Finance and the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$2,500,000 General Obligation Bonds, Issue of 2001, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters; trustees, escrow agents, bond insurers and others to facilitate the issuance of the refunding bonds, the escrow of the proceeds thereof and investment earnings thereon, and the payment of outstanding bonds in whole or in part as contemplated hereby.

(g) That the above authorization to issue refunding bonds shall lapse on June 30, 2004.

So passed unanimously.

VII. DEPARTMENTAL REPORTS

By consensus the Town Council requested that a letter be sent to the Mansfield Conservation Commission regarding sending of letters to State offices prior to approval of Council.

There will be a hearing on changing the structure of Trash Fees on Feb. 3, 2004 at 7:30 p.m. in the Council Chamber of the Town Hall

VIII. REPORTS OF COUNCIL COMMITTEES

Mr. Gregory Haddad moved to accept the following appointments and reappointments to Town Committees:

Reappoint: Donna McLaughlin, 141 Lorraine Drive to Mansfield School Readiness Council

Appoint: Nancy Hovorka, 47 Monticello Lane to Mansfield School Readiness Council

Appoint: Tresca Marr-Smith, 45 Candide Lane to Mansfield School Readiness Council

Seconded by Mr. Clouette.

Motion so passed unanimously.

Mr. Gregory Haddad moved to accept the following appointment of Gretchen Hall, 62 Crane Hill Road, to the Mansfield Housing Authority.

Seconded by Mr. Clouette

Motion so passed unanimously.

By consensus the Council will send a letter of thanks to Esther McCabe for her years of service on the Housing Authority.

IX. REPORTS OF COUNCIL MEMBERS

Mr. Schaefer presented an article on recycling/waste management to Town Manager who will include it in the next packet.

Mayor reported that she and Mr. Haddad are on a subcommittee for the Downtown Partnership. This subcommittee is sponsoring a fall event on Sept. 12, 2-4 p.m.

The Mayor attended a ceremony for Eagle Scouts Jeremy Crossgrove and David Rogers. Both completed projects in Mansfield.

#### X. TOWN MANAGER'S REPORT

The Judge was ruled in favor of the Town, Planning and Zoning Commission, on the issue of the Hellenic Society project on Dog Lane. There is a twenty-day appeal by the neighbors.

There will be an EIE on the proposed football practice facility on the UConn campus tomorrow at the Bishop's Center at 6:30 p.m.

The Community Conversation follow-up was held on January 24, 2004 and was well attended. It was held from 9-11 am in the Audrey P. Beck Building. Approximately 60 people attended.

Kevin Grunwald, Director of Social Services was complimented on the excellent job his staff and volunteers did on this project. Over 100 persons participated in the program. The persons participating gave positive feedback and had a positive experience. The group is now looking at some action plans-on all day kindergarten, assessing the needs of young persons, and further discussed how we finance early education. The Mayor, Town Manager and Council member Mr. Hawkins attended the session.

The State Legislature will come into session in the next few weeks.

The Downtown Partnership finance committee has met and discussed the grant, which was passed tonight.

Congressman Simmons is looking for ideas for entitlement and is looking to a possible project with the Downtown Partnership. This would be submitted through WINCOG.

The Town/Gown held a meeting on the 13<sup>th</sup>.

Downtown Partnership Director Cynthia vanZelm, has put together a brochure on the town of Mansfield giving information about the Town and its services.

The Planning and Design Committee is going to Princeton N.J to gather information on their downtown.

Assistant Town Manager, Matt and wife Kara have just had their first baby, a girl Sophie Ann. Both baby and parents are well.

There will be a special meeting of the Town Council on Feb. 7, 2004 in the Senior Center at 9:00 a.m.

XI. FUTURE AGENDAS

XII. PETITIONS, REQUESTS AND COMMUNICATIONS

12. FEMA re: Emergency Snow Declaration, December 5-7, 2003

13. William Casper Graustein Discovery Grant

14. Mansfield Pre-paid Trash Proposal

15. UCONNDOT re: 2004 Construction Season Paving Program

16. UCONN Hazardous Waste Storage Facility Site Study

XIII. EXECUTIVE SESSION

Not needed.

XIV. ADJOURNMENT

At 8:50 p.m. Mr. Haddad moved and Mr. Thorkelson seconded to adjourn the meeting.

So passed unanimously.

Elizabeth Paterson, Mayor

Joan E. Gerdson, Town Clerk

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**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: Issues Regarding the UConn Landfill Including the UConn Consent Order, Public Participation Relative to the Consent Order and Well Testing**

Dear Town Council:

Attached please find new correspondence concerning the UConn Landfill. At this time, the Town Council is not required to take any action on this item.

Respectfully submitted,

Martin H. Berliner  
Town Manager

Attach:(2)

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University of Connecticut  
*Division of Business and Administration*

Architectural and  
Engineering Services

**January 30, 2004**

Raymond L. Frigon, Jr.  
Environmental Analyst  
State of Connecticut, Department of Environmental Protection  
Waste Management Bureau/PERD  
79 Elm Street  
Hartford, CT 06106-5127

**RE: CONSENT ORDER #SRD 101, STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION (CTDEP)  
PROGRESS REPORT – JANUARY 2004  
UNIVERSITY OF CONNECTICUT LANDFILL, STORRS, CT  
PROJECT # 900748**

Dear Mr. Frigon:

The University of Connecticut (UConn) is issuing this Progress Report to the Connecticut Department of Environmental Protection (CTDEP). Project progress is discussed for the following topics:

- UConn Landfill Closure
- Update on Extension of Water Service - Meadowood and North Eagleville Road
- UConn F-Lot Landfill Closure
- UConn Landfill Interim Monitoring Program
- Remedial Action Plan Implementation, Landfill and Former Chemical Pits
- Closure Schedule Following CTDEP Approvals
- Hydrogeologic Investigation – UConn Landfill Project
- Long-Term Monitoring Plan
- Technical Review Sessions
- Technical Review Session Information
- UConn's Technical Consultants - Hydrogeologic Team
- Discussion on Activities Completed in January 2004
- Schedule for Compliance (Revision No. 3)
- Listing of Project Contacts
- Reports
- Certification

**CTDEP CONSENT ORDER  
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The following actions undertaken or completed during this period comprise of the following:

**UConn Landfill Closure**

Project Status Background

On June 26, 1998 the Department of Environmental Protection issued a Consent Order to the University of Connecticut. The order requires UConn to thoroughly evaluate the nature and extent of soil, surface water and groundwater pollution emanating from the UConn landfill, former chemical pits and an ash disposal site known as F Lot. The order also requires UConn to propose and implement remedial actions necessary to abate the pollution.

The Comprehensive Hydrogeologic Report and Remedial Action Plan have been submitted to CTDEP. UConn released the Draft Final Comprehensive Hydrogeologic Investigation Report and Remedial Action Plan for the UConn Landfill for public view on January 20, 2003. Copies of the eight-volume report, comments from reviewers (CTDEP, United States Environmental Protection Agency - USEPA, and the Town of Mansfield) and a summary fact sheet are available in the research section of the Mansfield Public Library, in the Town Manager's Office, at University Communications and at the CTDEP in Hartford

Narrative Report -Nature of Construction

The project consists of capping of the former UConn landfill and former chemical pits area. Paved parking areas are planned over top, relatively flat portion of the landfill. Drainage from the parking areas will be managed by a proposed stormwater drainage system. Leachate interceptor trenches are proposed to the north and south of the landfill to intercept leachate-contaminated groundwater that would otherwise discharge to adjacent streams and wetlands. Contaminated sediments will be remediated by excavation, dewatering and placement of sediments in the landfill prior to final grading and capping. Excavation, filling and construction activities will be required along the perimeter of the landfill to consolidate landfill refuse that was disposed of in areas now comprised of wetlands. The closure of the UConn landfill and former chemical pits is an integrated approach designed to manage contaminated sediments and solid waste through consolidation and capping, and collect leachate-contaminated groundwater to prevent discharge to waters of the State of Connecticut.

Permit Applications

*ACOE NE:* As part of the U.S. Army Corps of Engineers New England District (ACOE NE) Individual Permit Application for the Closure Plan for the UConn Landfill and Former Chemical Pits, a vernal pool survey was completed within a 600-foot radius of the UConn Landfill in Storrs, CT. Vernal pools are considered "special wetlands" under ACOE NE Programmatic Permit for Connecticut. On July 15, 2003 the ACOE NE published a Public Notice regarding UConn's request for a permit under Section 404 of the Federal Clean Water Act.

A wetland mitigation plan has been prepared in response to comments received from the Corps of Engineers on the federal wetland permit application (Letter C. Rose to J. Kastrinos, October 30 2003). The mitigation plan addresses restoration of federally regulated wetlands disturbed during the remediation project construction and other mitigation for wetlands that will be permanently lost due to the project. It also addresses implementation of the restoration plan, including topsoil requirements, plantings, and control of invasive species.

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*CTDEP*: On September 12, 2003, Permit Application Transmittal Forms for the UConn Landfill Project Number 900748 were submitted to CTDEP for Water Discharge to Sanitary Sewer, Inland Wetlands and Watercourses, Inland 401 Water Quality Certification, and Flood Management Certification permits. On November 6, 2003 UConn submitted the Permit Application Transmittal Forms to CTDEP for the Discharge of Groundwater Remediation Wastewater to a Sanitary Sewer. A December 3, 2003 transmittal from Haley & Aldrich to CTDEP provided responses to comments by CTDEP on the ACOE NE Application No. WQC 200302988, IW-2003-112, FM-2003-205.

Conditional Approval Letter Received

A Conditional Approval Letter dated June 5, 2003 regarding the Comprehensive Hydrogeologic Report and Remedial Action Plan was issued by CTDEP to UConn.

CTDEP approved the Plan, which includes the following elements:

- Landfill regrading
- Installation of a final cover over the landfill and former chemical pits
- Elimination of leachate seeps
- Regrading and capping of the chemical pit area
- Establishing a vegetative cover
- Plan for post-closure maintenance
- Long-term program for monitoring groundwater and surface water quality
- Schedule for implementing the work.

Comprehensive Hydrogeologic Report

Haley & Aldrich on behalf of UConn requested the elimination of the installation of one new deep monitoring well B402R (MW) from the Long-Term Monitoring Plan (LTMP).

Closure Plan

On August 4, 2003 the Closure Plan report was submitted to CTDEP, Town of Mansfield, Eastern Highlands Health District (EHHD), and the USEPA. The plan describes how the Remedial Action Plan will be implemented to close the UConn landfill, former chemical pits and F-Lot disposal site. Elements of the closure plan included:

- Site preparation, limited waste relocation, compaction and subgrade preparation and capping
- Landfill cap construction, which includes a gas collection layer, low permeability layer and protective cover/drainage layer
- Construction and operation of a gas collection system to manage methane gas emissions from the landfill and prevent uncontrolled migration
- Collection of a leachate collection system
- Construction and operation of a storm water management system
- Development of a comprehensive post closure maintenance and monitoring program
- Development of the former chemical pits area as green space
- Use of the landfill and F-Lot site as parking lots

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On January 22, 2004 the revised Closure Plan report was submitted to CTDEP, Town of Mansfield, Eastern Highlands Health District (EHHD), and the USEPA.

The closure plan sets aside areas for a number of activities to take place, including soil processing and stockpiling, room for storing materials and equipment, and soil and waste removal areas. UConn's construction management firm will have to comply with odor, noise, dust and other controls, including keeping any relocated waste covered. The contractor will also build a construction fence around the site for security. The first steps in closing the landfill will focus on removing sediments and consolidating waste.

Intended Sequence of Operations

The following is a sequential list of the proposed operations:

- Mobilization, Site Preparation, and Stormwater/Erosion Control
- Staging of field offices and related equipment
- Security fencing
- Construction of service roads
- Contaminated Sediment Removal and Relocation
- Waste Consolidation
- LIT Construction
- Installation of Pre-Cast Concrete Buildings
- Land reshaping and grading
- Cover System Installation
- Road and Parking Lot Construction
- Project Completion, Demobilization and Closeout

Area of Disturbance

Approximately 2.58 acres of wetland will be disturbed by landfill closure and removal of contaminated sediment north and south of the landfill. Approximately 1.39 acres of wetland will be permanently filled during the project.

Private Property Access

UConn had previously requested access to property described on Town of Mansfield, CT Assessor's Map 15, Block 23, Parcel #7. Request to the property owner was made again in October 2003 by UConn to remediate sediments, continue to collect samples, to install wells, and to purchase parcel. A landowner response has been received by UConn to remediate sediments, continue to collect samples, and to install wells.

Interim Monitoring Program Update

The Interim Monitoring Program Report October/November 2003 Sampling Round # 12 dated January 2004 was distributed to CTDEP and others.

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**Update on Extension of Water Service - Meadowood and North Eagleville Road**

CTDEP Conditional Approval

The CTDEP Conditional Approval letter required UConn to offer several residences the opportunity (see table that follows) to be connected to UConn's water supply. UConn authorized Lenard Engineering, Inc. to conduct surveying, review existing property information, and to accomplish the design of the water main and services for these residences. UConn has notified owners at these properties of the CTDEP requirements and has requested owner approval to install a service connection and abandon the existing well. The table that follows notes which residences an offer was made and the responses by property owners received to date.

Table 1 Offer to Connect to UConn Water System and Well Abandonment Responses

<u>Address</u>	<u>Offer to Connect</u>	<u>Well Abandonment</u>
10 Meadowood Road	Accepted	Accepted
11 Meadowood Road	Accepted	Accepted
21 Meadowood Road	Accepted	Accepted
22 Meadowood Road	Rejected	Rejected
28 Meadowood Road	Accepted	Accepted
213 North Eagleville Road	Accepted	Accepted
219 North Eagleville Road	Accepted	Accepted

Tentative Schedule for the Design, Approval, and Construction for Extension of Water Service

- Bid Results for: North Eagleville and Meadowood Roads Water main Extension, Project MAC-BI-901004, MCC Construction @ \$150,872.45
- Awarded contract - January 2004

Since UConn awarded a contract, construction will be scheduled for spring 2004.

- Review of contractor's submittals - January to March 2004
- Start construction - April 1, 2004
- End construction - August 1, 2004

**UConn F-Lot Landfill Closure**

UConn F-Lot Landfill Closure work completed included pavement removal, filling and compacting to grade, electrical system installation, installation of geotextile and 40-mil liner materials, and three inches of asphalt paving.

**UConn Landfill Interim Monitoring Program (IMP)**

IMP sampling continued during this period. Thirty-one monitoring wells were identified and are being sampled in this current program, consisting of seven monitoring wells for shallow groundwater, five locations for surface water, and nineteen active residential water supply wells. Sampling, as part of the IMP, will continue until the LMP is initiated in 2004.

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CTDEP has requested UConn to sample residences on Meadowood and Separatist Roads utilizing a state certified laboratory.

**Remedial Action Plan Implementation, Landfill and Former Chemical Pits**

UConn accepted Pre-Qualification Applications on March 31, 2003 from Construction Management firms for the following Project: Remedial Action Plan Implementation, Landfill And Former Chemical Pits, UConn Project Number 900748. UConn is evaluating the Construction Management firms' information.

Project Objective: UConn plans to award a Construction Manager firm an at-risk contract with a Guaranteed Maximum Price (GMP) with separately negotiated pre-construction services. The selection process will include, but not be limited to, a firm's proven performance to manage large projects of similar scope and complexity and deliver it on time and within budget. The Management team and its key staff members to be assigned to the project are expected to be of the highest caliber, possess technical excellence and share UConn's utmost concern with maintaining schedule compliance. The firms who are pre-qualified will be provided with available materials and given a tour of the site and brief presentation of the complexities of the project.

After pre-qualification, each pre-qualified firm will be asked to respond to a Request for Proposal by providing information relative to such items as project staffing, schedule compliance, project controls, construction plan, fee for construction management services, general conditions costs and fee for pre-construction services, including producing estimates based on existing design schedules. A combination of technical qualifications, possible oral presentation, and fees will be considered in the final selection process. The GMP will be negotiated during the contract document phase of project development.

Request for Proposal packages are currently being assembled by Haley & Aldrich, but final drawings and specifications are dependent on USCOE and CTDEP permit requirements. The packages to be sent pre-qualified project management firms will include:

- UConn General Conditions
- Technical Specifications (latest sets with revisions)
- Drawings (latest sets with revisions)
- Closure Plan
- Boring/Well Information
- Soil/Groundwater/Sediment quality data
- Earthwork Quantities
- Schedule
- Permit Information (Army Corps & CTDEP)
- Other Information

**Closure Schedule Following CTDEP Approvals**

- Preparation of Bid Documents Weeks 1-4
- Hire Project Construction Management Weeks 2-3
- Review Contractor Submittals Weeks 3-11
- Mobilization, Site Preparation, and Stormwater/Erosion Control Weeks 11-16
- Contaminated Sediment Removal and Relocation Weeks 17-22
- Waste Consolidation Weeks 23-34
- Construction of the leachate interceptor trenches (LITs) Weeks 35-40
- Land Reshaping and Grading Weeks 38-42
- Cover System Installation Weeks 43-49
- Road and Parking Lot Construction Weeks 38-50
- Project Completion, Demobilization and Closeout - Installation of Monitoring Wells Weeks 51-54

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- Preparation of closure certification report Weeks 55-58

**Hydrogeologic Investigation – UConn Landfill Project**

Data were qualified using standard procedures and noted on analytical result tables that accompanied reports. Haley & Aldrich and other members of the team are confident that the data from ERI is suitable for the purposes of this hydrogeologic investigation and for design of the proposed remediation.

To satisfy various citizen and regulatory concerns, all of the samples to be taken at the end of September to early October 2003 from residential wells as part of the ongoing interim monitoring program will be analyzed by an independent, state-certified lab. The certified laboratory will also perform the surface water and monitoring well sampling. ERI will conduct 10% to 20% duplicate sampling. H&A will assess this data and will provide all of the information to homeowners, the Town of Mansfield, EHHD, CTDEP and U.S. EPA. Phoenix Environmental Laboratories, Inc. (Phoenix) is located in Manchester, CT and is an independent State-certified laboratory (<http://www.phoenixlabs.com/Profile.html>).

**Long-Term Monitoring Plan (LTMP)**

A multi-year plan will continue sampling of soil gas, surface water, shallow monitoring wells and bedrock wells in the study area and several adjacent private properties to monitor water quality and protect human health and the environment. The results will be reported to CTDEP and property owners and evaluated on a long-term basis.

The CTDEP Conditional Approval letter call for the following Mansfield residences to be included in the LTMP:

- |                     |                       |                       |
|---------------------|-----------------------|-----------------------|
| • 38 Meadowood Road | • 65 Meadowood Road   | • 206 Separatist Road |
| • 41 Meadowood Road | • 202 Separatist Road | • 211 Separatist Road |

**Technical Review Sessions**

Public involvement principles are summarized as follows:

- Public involvement includes the promise that the public's contribution can influence decisions.
- The process must be periodically updated to ensure that it is effective in facilitating these principles.
- The process provides participants a way to define how they want to be involved and participate.
- The process supplies participants with information they need in order to participate in a meaningful way.
- The public involvement process seeks out and facilitates the involvement of all those potentially affected.

The specific goals of public involvement at the UConn Landfill Project are:

- To design a process for public involvement that can be fully implemented and is consistent with available time and resources of the sponsoring agencies and other key parties.
- To encourage the broadest possible involvement by the public in all aspects of the site investigation, environmental monitoring programs, and cleanup at the UConn landfill.

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- To ensure that information is easily accessible and is as clear as possible to the interested public.
- To ensure the development and dissemination of accurate, comprehensive information about all aspects of the site investigation, environmental monitoring programs, and cleanup, including timely information on potential risks posed by the landfill.
- To provide specific procedures for consideration and incorporation of relevant public comments and concerns in key site investigations, environmental monitoring programs, and cleanup decisions.

**Technical Review Session Information**

General

To summarize, the public involvement process is being utilized to provide public involvement in the CTDEP decision-making process regarding the investigation, environmental monitoring programs, and potential cleanup of the site

Public Availability Review Session

There were no public availability sessions held during this reporting period.

UConn Project Web Site

UConn announced in Spring 2003 that a new web site would provide up-to-date information on the UConn Landfill Remediation Project. The web site was created in response to comments made by the public during public involvement review. The site's Internet address is <http://www.landfillproject.UConn.edu>. The web site includes a description of the project, timeline, project contacts and list of places to find documents, copies of recent notices, releases and publications that site visitors can download a project map, and links to other sites, such as the CTDEP.

**UConn's Technical Consultants - Hydrogeologic Team**

Haley & Aldrich: Haley & Aldrich have completed fieldwork for the IMP and monitoring well samplings. Work also included technical input. Continued review of permitting and design work comments for landfill and former chemical pits remediation based on draft Remedial Action Plan. Consultant submitted Closure Plan and Permit applications to CTDEP.

Mitretek Systems: Mitretek's work included meeting attendance and input, technical review of data, fieldwork and coordination with the hydrogeologic team. Consultant assisted in the preparation of the Comprehensive Hydrogeologic Report and Remedial Action Plan, as well as public meeting preparation. Continued review of permitting and design work comments for landfill and former chemical pits remediation based on draft Remedial Action Plan. Reviewed *UConn Update*, Responses to Comments on the Comprehensive Hydrogeologic Investigation Report and RAP, various other responses to regulatory comments on permit applications, and a Technical Memorandum evaluating ERI data split with Phoenix Laboratories.

United States Geologic Survey: The USGS work tasks included Final Supplemental Hydrogeologic Investigation Scope of Work contribution and reviews. The USGS interpreted surface geophysical survey data, conducting and interpreting borehole geophysical surveys and collecting bedrock ground-water level

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information. The USGS was also involved in hydrogeologic data assessment and evaluation. Consultant assisted in the preparation of the Comprehensive Hydrogeologic Report and Remedial Action Plan, as well as public meeting preparation.

Environmental Research Institute: ERI's work tasks included Final Supplemental Hydrogeologic Investigation Scope of Work contribution and reviews. ERI is conducting limited sample analyses as part of the UConn Landfill project and IMP. ERI has completed groundwater profiling and soil gas surveys, along with public meeting preparation.

Phoenix Environmental Laboratories, Inc.: Phoenix is conducting sample analyses as part of the UConn Landfill project and IMP.

Epona Associates, LLC: As subcontractor to Haley & Aldrich, Epona provided professional risk assessment services as well as meeting attendance and technical input. This consultant was involved in data assessment and data evaluation plus coordinating ecological sampling and risk assessment issues. Consultant assisted in the preparation of the Comprehensive Hydrogeologic Report and Remedial Action Plan.

Regina Villa Associates: RVA is the community information specialist. RVA continues to produce and distribute the *UConn Update*. Work also included the integration of review comments and assistance with public involvement as well as public meeting preparation.

**Discussion on Activities Completed in January 2004**

UConn:

- Continued review of permitting and design work for landfill and former chemical pits remediation based on draft Remedial Action Plan (RAP)
- Evaluation of Construction Management firms for RAP Implementation
- Received forms from property owner on Hunting Lodge Road Property, Town of Mansfield, CT Assessor's Map 15, Block 23, Parcel #7.
- UConn complied with the sampling of residences on Meadowood and Separatist Roads utilizing a state certified laboratory.
- Responses to Comments on the Comprehensive Hydrogeologic Investigation Report and RAP, various other responses to regulatory comments on permit applications

Haley & Aldrich:

- Submitted IMP Round 12 Report to Connecticut Department of Environmental Protection (CTDEP)
- Mailed IMP sampling results to respective homeowners
- Continued design and permitting work for landfill and former chemical pits remediation based on draft RAP
- Prepared Request for Proposal packages for Construction Management firms
- Revised LTMP
- Prepared revised Closure Plan, Engineering Drawings, and Responses to CTDEP and Town of Mansfield Comments on the August 2003 Closure Plan

USGS:

- Reviewed *UConn Update*

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Mitretek:

- Continued review of permitting and design work for landfill and former chemical pits remediation based on draft RAP

ERI:

- Conducted analyses of sampling from IMP and additional residential areas

Phoenix

- Conducted analyses of sampling from IMP and additional residential areas

Epona:

- Continued review of permitting and design work for landfill and former chemical pits remediation based on draft Remedial Action Plan

RVA:

- Continued to communicate with public and respond to public queries
- Updated project web site
- Reviewed permit submittals

**Schedule for Compliance (Revision No. 3)**

The submitted Plan for presentation and the Schedule for Compliance for Consent Order SRD-101 Hydrogeologic Investigation - University of Connecticut Landfill, F-Lot, and Chemical Pits, Storrs, CT, has been proposed for modification as follows (*completed items in italics*):

<b>Schedule for Compliance (Revision No. 3) Hydrogeologic Investigation of UConn Landfill, F-Lot, and Former Chemical Pits, Storrs, Connecticut (<i>completed items in italics</i>):</b>		
<b>Consent Order Deliverable</b>	<b>Contents</b>	<b>Dates of Presentations and Submittals to CTDEP</b>
<i>UConn Landfill and Former Chemical Pits — Ecological Assessment</i>	<i>Results of Ecological Assessment and Implications of the Assessment on Evaluation of Remedial Alternatives</i>	<i>January 9, 2002 (presentation completed); April 11, 2002 (interim report submitted*)</i>
<i>UConn Landfill and Former Chemical Pits — Conceptual Site Model (CSM), impact on bedrock groundwater quality</i>	<i>CSM details and supporting geophysical, hydrological, and chemical data</i>	<i>February 7, 2002 (presentation completed) April 8, 2002 (interim report submitted*)</i>
<i>Remedial alternatives for the UConn Landfill, former chemical pits, F-Lot, and contaminated ground water</i>	<i>Report will be included as the Remedial Action Plan in the Comprehensive Report</i>	<i>June 13, 2002 (presentation completed)</i>

CTDEP CONSENT ORDER  
 PROGRESS REPORT – JANUARY 2004  
 JANUARY 30, 2004

Schedule for Compliance (Revision No. 3) Hydrogeologic Investigation of UConn Landfill, F-Lot, and Former Chemical Pits, Storrs, Connecticut ( <i>completed items in italics</i> ):		
Consent Order Deliverable	Contents	Dates of Presentations and Submittals to CTDEP
<i>Comprehensive Hydrogeologic Report and Remedial Action Plan - integration of information in all interim reports and all previous reports</i>	<ul style="list-style-type: none"> <li>▪ <i>Results of Comprehensive Hydrogeologic Investigation</i></li> <li>▪ <i>Remedial Action Plan</i></li> <li>▪ <i>Long Term Monitoring Plan</i></li> <li>▪ <i>Schedule (to include public and agency review, permitting, design, and construction)</i></li> <li>▪ <i>Post-Closure</i></li> <li>▪ <i>Redevelopment Plan for the UConn Landfill and F-Lot</i></li> </ul>	<p><i>August 29, 2002 (presentation**)</i></p> <p><i>October 31, 2002 (Comprehensive Report Submitted to CTDEP)</i></p>
<i>Comprehensive Final Remedial Action Plan Report</i>	<i>Release of Report and Plan for CTDEP and public review of remedial design</i>	<i>January 2003</i>
<i>Remedial Action Design to include comprehensive interpretive design of the Landfill final cap</i>	<i>Detailed design drawings and specifications of the preferred remedial alternative(s)</i>	<p><i>A TRC Meeting was held Wednesday, June 25, 2003.</i></p> <p><i>Summer 2003 (Comprehensive Design Submittal)</i></p> <p><i>A public review session for the UConn landfill design took place at the Town of Mansfield council chambers at the Audrey P Beck Municipal Building, Mansfield, CT on Wednesday, September 3, 2003.</i></p>
Implement Remedial Action Plan for the UConn Landfill, former chemical pits, F-Lot and contaminated groundwater	Finalize detailed construction drawings, and specifications Develop bid packages based on approved Remedial Action Plan - Competitive Bidding Process - Select Contractor - Obtain Permits as detailed in the Remedial Action Plan Mobilization & Fieldwork	<p><i>July 2003 through January 2004 (Contractor(s) selection)</i></p> <p><b>REVISED ****</b></p>
Initiation of Construction of Approved Remedial Option	Selection of contractors and the beginning of construction of approved remedial options	<p><i>January/February 2004 mobilize contractor(s) (Contingent on Construction Timetable ***)</i></p> <p><b>REVISED ****</b></p>
Initiation of Long Term Monitoring Plan (LTMP)	IMP sampling continues quarterly to this point	<p>January 2004</p> <p><b>TO BE REVISED ****</b></p>

CTDEP CONSENT ORDER  
 PROGRESS REPORT – JANUARY 2004  
 JANUARY 30, 2004

Schedule for Compliance (Revision No. 3) Hydrogeologic Investigation of UConn Landfill, F-Lot, and Former Chemical Pits, Storrs, Connecticut ( <i>completed items in italics</i> ):		
Consent Order Deliverable	Contents	Dates of Presentations and Submittals to CTDEP
Completion of Remedial Construction	Comprehensive final as-built drawings and closure report for the UConn Landfill, former chemical pit area.	August 2004 (Winter - Spring 2004) - Anticipated completion of construction (Contingent on Construction Timetable ***)  <b>TO BE REVISED ****</b>
Post-Closure Monitoring	Begin post-closure monitoring program of the Remedial Action upon approval from CTDEP	August 2004 (Contingent on Construction Timetable ***)  <b>TO BE REVISED ****</b>

- \* Interim reports submittals are the data packages that support the presentation accompanied by interpretive text sufficient for review. Comments received at the presentation will be addressed in the interim reports.
- \*\* Results will not be complete until evaluation of data from MW 208R, if permission to drill from the property owner is received.
- \*\*\* Contingent on CTDEP approvals, construction timetable based on bidding market, weather conditions, numerous permitting issues, along with State and local reviews and conditions.
- \*\*\*\* *UPDATED January 26, 2004*

CTDEP CONSENT ORDER  
PROGRESS REPORT – JANUARY 2004  
JANUARY 30, 2004

**Listing of Project Contacts**

*Town of Mansfield*

Martin Berliner  
Town of Mansfield  
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(860) 429-3336

*U.S. Environmental  
Protection Agency*

Chuck Franks  
U.S. Environmental  
Protection Agency  
Northeast Region  
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Boston, MA 02114-2023  
(617) 918-1554

*Haley & Aldrich, Inc.*

Rick Standish, L.E.P.  
Haley & Aldrich, Inc.  
800 Connecticut Blvd.  
East Hartford, CT 06108-7303  
(860) 282-9400

*CT Department of Environmental Protection*

Raymond Frigon, Project Manager  
CT Department of Environmental Protection  
Water Management Bureau  
79 Elm St.  
Hartford, CT 06106-5127  
(860) 424-3797

*University of Connecticut*

Scott Brohinsky, Director  
University of Connecticut, University Communications  
1266 Storrs Road, Unit 4144  
Storrs, CT 06269-4144  
(860) 486-3530

Richard Miller, Director, Environmental Policy  
University of Connecticut  
Gulley Hall, Unit 2086  
Storrs, CT 06269-2086  
860-486-8741

James Pietrzak, P.E., CHMM, Senior Project Manager  
University of Connecticut, Architectural & Engineering Services  
31 LeDoyt Road, Unit 3038  
Storrs, CT 06269-3038  
(860) 486-5836

**Reports**

Copies of all project documents are available at:

*Town Manager's Office*

Audrey P. Beck Bldg.  
4 South Eagleville Road  
Mansfield, CT 06268  
(860) 429-3336

*CT Dept. of Environmental Protection*

Contact: Ray Frigon  
79 Elm St.  
Hartford, CT 06106-5127  
(860) 424-3797

*Mansfield Public Library*

54 Warrenville Road  
Mansfield Center, CT 06250  
(860) 423-2501

*UConn at Storrs*

Contact: Scott Brohinsky  
University Communications  
1266 Storrs Road, U-144  
Storrs, CT 06269-4144  
(860) 486-3530

**CTDEP CONSENT ORDER  
PROGRESS REPORT – JANUARY 2004  
JANUARY 30, 2004**

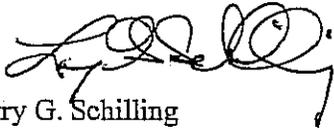
**Certification**

As part of this submission, I am providing the following certification:

I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense.

Please contact James M. Pietrzak, P.E. at (860) 486-5836 or me at (860) 486-3116 if you need additional information.

Sincerely,



Larry G. Schilling  
Executive Director  
Architectural and Engineering Services

LGS/JMP

**CTDEP CONSENT ORDER  
PROGRESS REPORT – JANUARY 2004  
JANUARY 30, 2004**

cc:

Gail Batchelder, HGC Environmental  
Consultants  
Martin Berliner, Town of Mansfield  
Scott Brohinsky, UConn  
Thomas Callahan, UConn  
Marion Cox, Resource Associates  
Brian Cutler, Loureiro  
Amine Dahmani, ERI  
Elida Danaher, Haley & Aldrich  
Dale Dreyfuss, UConn  
Nancy Farrell, RVA  
Charles Franks, USEPA  
Peter Haeni, F.P. Haeni, LLC  
Allison Hilding, Mansfield Resident  
Traci Iott, CTDEP  
Carole Johnson, USGS  
Ayla Kardestuncer, Mansfield Common Sense  
John Kastrinos, Haley & Aldrich  
Alice Kaufman, USEPA  
Brian Toal, CTDPH  
Wendy Koch, Epona  
Prof. George Korfiatis, Stevens Institute of  
Technology  
George Kraus, UConn  
Peter McFadden, ERI  
David McKeegan, CTDEP  
Richard Miller, UConn  
Robert Miller, Eastern Highlands Health District  
Elsie Patton, CTDEP  
Dr. John Petersen, UConn  
James Pietrzak, UConn  
Susan Soloyanis, Mitretek  
Rick Standish, Haley & Aldrich  
William Warzecha, CTDEP

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INTENTIONALLY

Haley & Aldrich, Inc.  
110 National Drive  
Glastonbury, CT 06033-4318  
Tel: 860.659.4248  
Fax: 860.659.4003  
www.HaleyAldrich.com



Letter of Transmittal

Date 22 January 2004  
File Number 91221-606  
From Richard P. Standish

---

To Connecticut Department of Environmental Protection  
Water Management Bureau/PERD  
79 Elm Street  
Hartford, Connecticut 06106-5127

Attention Raymond L. Frigon, Jr.

Copy to W. Warzecha, CTDEP  
B. Toal, CTDPH  
R. Miller, EHHD  
M. Berliner, Town of Mansfield  
S. Soloyanis, Mitretek Systems  
J. Pietrzak, UConn  
J. Kastrinos, Haley & Aldrich

Subject UConn Landfill  
Interim Monitoring Program Report

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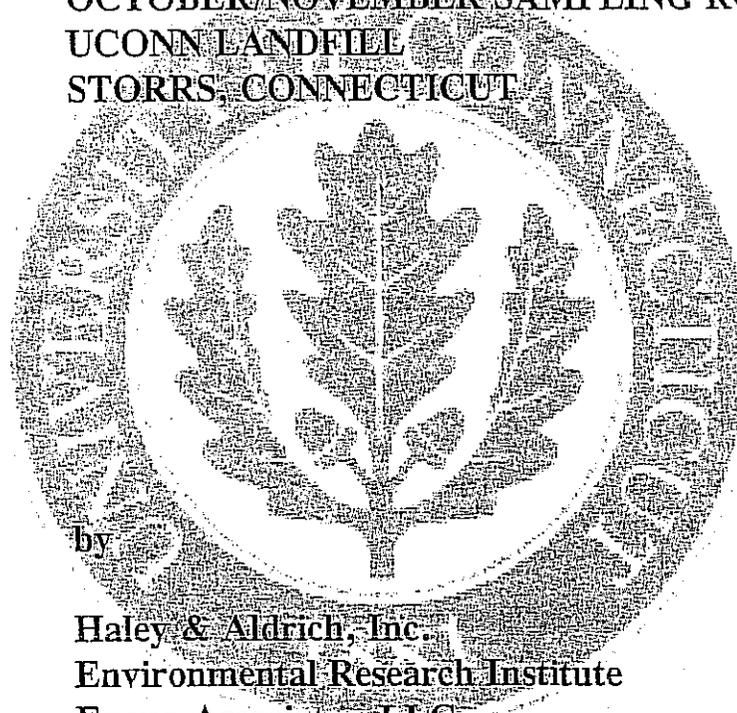
Copies	Date	Description
1 each	January 2004	Interim Monitoring Program Report October/November 2003 Sampling Round #12

First class mail  Overnight express  Hand delivery  Other

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Remarks

**INTERIM MONITORING PROGRAM REPORT  
OCTOBER/NOVEMBER SAMPLING ROUND #12  
UCONN LANDFILL  
STORRS, CONNECTICUT**



by

**Haley & Aldrich, Inc.  
Environmental Research Institute  
Epona Associates, LLC  
Regina Villa Associates, Inc.**

for

**University of Connecticut  
Storrs, Connecticut**

**File No. 91221-608  
January 2004**

Haley & Aldrich, Inc.  
800 Connecticut Blvd.  
Suite 100  
East Hartford, CT 06108-7303  
Tel: 860.282.9400  
Fax: 860.282.9500  
Dir: 860.282.9600  
www.HaleyAldrich.com



19 January 2004

Connecticut Department of Environmental Protection  
Water Management Bureau/PERD  
79 Elm Street  
Hartford, Connecticut 06106-5127

Attention: Raymond L. Frigon, Jr.

Subject: Interim Monitoring Program Report  
October/November 2003 Sampling Round #12  
UConn Landfill  
Storrs, Connecticut

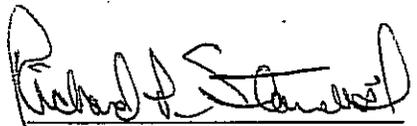
Ladies and Gentlemen:

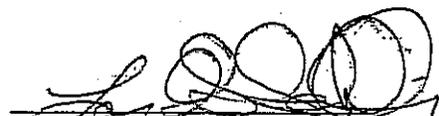
The following certification is being submitted to the Department of Environmental Protection in accordance with the terms as delineated in the Consent Order No. SRD-101 issued 26 June 1998 for the document specified below:

- Interim Monitoring Program Report  
October/November 2003 Sampling Round #12  
UConn Landfill  
Storrs, Connecticut

I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense.

Agreed and accepted as stated above:

  
Richard P. Standish, P. G., LEP  
Vice President  
Haley & Aldrich, Inc.

  
Larry G. Schilling  
Executive Director of  
A & E Services  
University of Connecticut

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OFFICES  
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Cleveland  
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Dayton  
Ohio  
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I	Summary of Analytical Results

**LIST OF FIGURES**

<b>Figure No.</b>	<b>Title</b>
1	Interim Monitoring Program Sampling Locations

## I. INTRODUCTION

This Interim Monitoring Program (IMP) Report was prepared pursuant to the Consent Order # SRD-101 between the State of Connecticut Department of Environmental Protection (CTDEP) and the University of Connecticut (UConn) regarding the solid waste disposal area north of North Eagleville Road (Landfill and Chemical Pits) and the former disposal site in the vicinity of Parking Lot F (F Lot). An initial IMP was submitted on 25 September 1998 in response to the Department of Environmental Protection's (CTDEP) June 30, 1998 letter to Earth Tech Inc. regarding review comments of the UConn Landfill Closure Plan. The existing monitoring program was discontinued in 1999 in lieu of the sampling being conducted during the Phase I Hydrogeologic Investigation. This IMP was implemented in order to monitor shallow ground water, surface water, and active residential well water quality until the program required pursuant to paragraph B.4.e of the Consent Order is implemented.

A revised IMP was submitted to CTDEP on 22 November 1999 for review and approval. UConn received comments on the IMP in early February 2000 and a meeting was held between UConn representatives and CTDEP on 9 February 2000 to discuss the addition of several active residential water supply wells to the IMP. In May, UConn received a letter from CTDEP specifying the active residential wells to be added to the IMP. Access permission letters were received from the affected property owners and the initial round of IMP sampling was conducted in September and October 2000 in conjunction with a groundwater sampling round for the hydrogeological investigation of the landfill, former chemical pits, and F Lot area.

In August 2001, five active residential wells supplying water to six homes that were included as part of the IMP, were connected to UConn's water system. A letter dated 28 September 2001 was prepared and submitted by Haley & Aldrich, Inc., on the behalf of UConn, to the CTDEP requesting that these five wells serving 194, 197, 203, 204, 207 and 208 North Eagleville Road, be eliminated from sampling as part of the IMP. UConn received approval of the request in a letter dated 10 October 2001, from the CTDEP. In January 2002, 222 Separatist Road was also connected to UConn's water system therefore; it has been eliminated from the IMP.

Since the initiation of the IMP in September 2000, groundwater samples have been submitted to the Environmental Research Institute (ERI) for analysis. On 25 September 2003, in light of investigations being conducted at ERI by federal and state agencies, the CTDEP issued a letter to the University requesting groundwater samples collected in the next round of the IMP be submitted to a private laboratory certified by the Department of Public Health.

Groundwater samples collected in October/November 2003, also referred to as Round #12, were submitted to Phoenix Environmental Laboratories, Inc., in Manchester, Connecticut for analysis. Details of this sampling event are documented in this report. Subsequent sampling will be conducted on a quarterly basis.

## II. SCOPE OF PROGRAM

Twenty-five (25) monitoring locations were identified to be sampled in this round, seven monitoring wells for shallow groundwater, five locations for surface water, and thirteen active residential water supply wells. On 9 December 2003, UConn received permission to sample the water supply at 202 Separatist Road, not sampled during previous rounds as permission to access the property had not been granted. All IMP sampling locations are shown on Figure 1.

Seven shallow groundwater monitoring wells sampled were:

- Well 7 (previous existing well destroyed January 2003/replaced May 2003)
- Well 11 A (previous existing well);
- Well 13 (previous existing well);
- MW - 101 (installed July/August 1999);
- MW - 103 (installed July/August 1999);
- MW - 105 (installed July/August 1999); and
- MW - 112 (installed July/August 1999).

In addition, four of the five surface water monitoring locations were sampled:

- SW-A;
- SW-B;
- SW-D; and
- SW-E.

Note: Location SW-C was dry, therefore could not be sampled this round.

CTDEP is also requiring UConn to conduct quarterly sampling of thirteen active residential wells in locations south and southwest of the landfill. The locations were selected to represent bedrock water supply wells in the areas closest to the landfill in the direction of groundwater flow. The residential wells sampled were:

- 213 North Eagleville Road;
- 219 North Eagleville Road;
- 10 Meadowood Road;
- 11 Meadowood Road;
- 65 Meadowood Road;
- 143 Separatist Road;
- 157 Separatist Road;
- 202 Separatist Road;
- 206 Separatist Road;
- 219 Separatist Road;
- 3 Hillyndale Road;
- 233 Hunting Lodge Road; and
- 55 Northwood Road.

Samples collected from the monitoring wells, surface waters and residential water supply wells located at 3 Hillyndale Road, 233 Hunting Lodge Road, 11 and 65 Meadowood Road, and 55 Northwood Road were analyzed for the following parameters:

- Volatile Organic Compounds (VOCs)
- Semi-Volatile Organic Compounds (semi-VOCs)
- Chlorinated Herbicides
- Extractable Total Petroleum Hydrocarbons (ETPH)
- Organochlorine Pesticides
- Polychlorinated Biphenyls (PCBs)
- Total metals
- Other Inorganic Parameters (e.g. ammonia, nitrates, alkalinity, etc.)
- Field Screening Data (e.g. turbidity, conductivity, etc.)

Samples collected from eight of the remaining active domestic water supply wells were analyzed for VOCs only.

For this sampling round, all groundwater and surface water samples were submitted to Phoenix Environmental Laboratories, Inc. (Phoenix Laboratories) of Manchester, Connecticut for analysis. Approximately 20% of the samples collected were split and submitted to ERI for analysis as well.

As in previous IMP rounds, the Eastern Highlands Health District (EHHD) collected split samples from two residential locations which were submitted to the Department of Public Health's (DPH) laboratory for analysis.

Specific analytical methods and method reporting limits for these parameters are listed in Table I.

### III. SAMPLING PROCEDURES

Sampling procedures and analytical methods for the groundwater monitoring wells and surface water samples were followed in accordance with the Supplemental Hydrogeological Investigation Scope of Work dated May 2000.

Sampling procedures for the residential water supply wells were conducted in accordance with procedures previously established by CTDEP and the DPH for the health consultation study completed in 1999. Samples were collected from the water supply system prior to treatment after running the tap for approximately eight minutes. In most cases, sampling tap locations were duplicated from previous CTDEP/DPH studies.

Samples from the residential water supply wells were analyzed using EPA drinking water methods as noted on the enclosed Table I.

#### IV. SUMMARY OF RESULTS

The analytical results from the October/November 2003 IMP round # 12 sampling are summarized in Table I. A discussion of the results below is organized by general sample types and locations - shallow groundwater monitoring wells, surface water samples, and active residential wells.

##### Shallow Groundwater Monitoring Wells

In general, results show typical landfill leachate impact in shallow groundwater from wells located on or near the northern and northwestern toe of the landfill slope (MW-101, MW-103, and MW-112) and southwest of the landfill near the head of the western tributary of Eagleville Brook (MW-105). These impacts are generally characterized by VOCs, ETPH, higher metals, and other indicator parameters such as higher chemical oxygen demand, higher chloride, higher conductivity, and lower dissolved oxygen and oxygen reduction potential (ORP). PCBs, organochlorine pesticides and chlorinated herbicides were not detected in the wells sampled. In general, VOC concentrations were slightly higher in MW-101, and generally lower in MW-103, MW-105 and MW-112 than in the previous round # 11 collected in June/July 2003. In MW-101 and MW-103, metal concentrations generally remained the same, but were lower in MW-105 and MW-112 than in the previous round. Groundwater protection criteria were exceeded for benzene in MW101 and MW103; for chlorobenzene in MW101; and for ETPH in MW103.

Well B7 is considered a background quality monitoring well. No VOCs, semi-VOCs, chlorinated herbicides, organochlorine pesticides, ETPH or PCBs were detected in the groundwater from well B7. Metals and other parameters were within typical drinking water ranges.

Well B11A is located west of the landfill, not in an area of active landfill leachate migration in shallow groundwater. No VOCs, semi-VOCs, chlorinated herbicides, organochlorine pesticides, ETPH or PCBs were detected in the groundwater from well B11A. Metals and other parameters were within typical drinking water ranges.

Well B13 is located in the western tributary of the Eagleville Brook drainage. The on-going hydrogeologic investigation data has shown that it is likely that both landfill leachate and leachate from the former chemical pit area are migrating through the subsurface in the vicinity of B13. Chloroform and PCE were detected at low concentrations in the original and duplicate groundwater sample collected from well B13. No semi-VOCs, chlorinated herbicides, organochlorine pesticides, ETPH or PCBs were detected. Metals and other parameters were within typical drinking water ranges.

## Surface Water Samples

Four surface water samples were analyzed in this round of sampling. Surface water sample location SW-C was dry; therefore not sampled this round. No VOCs, semi-VOCs, chlorinated herbicides, organochlorine pesticides, ETPH or PCBs were detected. Metals and other parameters were within typical surface water ranges.

## Active Residential Wells

Five active residential wells (233 Hunting Lodge Road, 11 Meadowood Road, 65 Meadowood Road, 55 Northwood Road and 3 Hillyndale Road) did not have any detectable concentrations of VOCs, semi-VOCs, TPH, chlorinated herbicides, organochlorine pesticides, or PCBs. In the samples collected from 3 Hillyndale Road and 65 Meadowood Road, copper was detected above surface water protection criteria; however the concentrations were below drinking water criteria. All other metals and drinking water parameters were detected within acceptable ranges.

Of the eight active residential water supply wells sampled for VOCs only, six wells did not contain VOCs above method reporting limits. Two active residential wells located at 206 and 219 Separatist Roads, contained VOCs at trace concentrations, below state action levels. Chloroform was detected in the samples collected at 206 and 219 Separatist Road. MTBE was detected in the sample collected at 206 Separatist Road; however it was not detected in the sample from 219 Separatist Road as in previous rounds. The concentrations of VOCs detected are consistent with the previous sampling rounds results. No other VOCs or compounds were detected above method reporting levels.

The samples from 213 and 219 North Eagleville Road were split with EHHD and were analyzed at the DPH laboratory. Results from the split samples were in general agreement.

For quality control purposes, split samples were collected from 65 Meadowood, 202 Separatist and 219 North Eagleville Roads and submitted to ERI for analysis. Split sample results provided by ERI were in general agreement with the results provided by Phoenix Laboratories.

**TOWN OF MANSFIELD**  
**OFFICE OF THE TOWN MANAGER**



Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: An Ordinance Regulating Adult-oriented Establishments**

Dear Town Council:

Attached please find the proposed ordinance regulating adult-oriented establishments that we have been working on the past few meetings. As you may recall, although there are currently no adult-oriented establishments located in Mansfield, the Planning and Zoning Commission (PZC) requested that staff prepare an ordinance to provide restrictions and guidelines for these types of businesses should someone decide to locate an establishment in town. Mansfield is one of the few towns in the region not to have such an ordinance in place. To prepare the draft, we researched a number of model ordinances and wrote the document in consultation with the Town Attorney.

In essence, the proposed ordinance sets out certain requirements for adult-oriented establishments, including the prohibition of minors from such businesses, and the creation of lighting guidelines and location restrictions with respect to proximity to youth facilities, residential zones and other adult-oriented businesses. The draft also contains a detailed licensing procedure, as well as an appeal provision. The proposed ordinance is legally appropriate and is consistent with provisions enacted in neighboring towns.

As the Town Council had authorized, we referred the proposed ordinance regulating adult-oriented establishments to the Planning and Zoning Commission (PZC) for review and conducted a public hearing at your previous meeting. The PZC reported its support for the proposed ordinance, subject to the following comments:

- To be consistent with the zoning definition of "neighborhood of a given lot," the setback from residential zones in section 5 of the draft should be revised from 250 to 500 feet
- Increase the fine for violations of the ordinance in section 14 of the draft
- Amend section 3 of the draft to require that adult-oriented establishments maintain at times a minimum of \$1,000,000 of liability insurance

With respect to the PZC's comments, we have increased the setback from residential zones from 250 to 500 feet (see section 5), and we have added the suggested requirement for liability insurance (see section 3(H)). To strengthen the latter requirement, we have further amended the ordinance to require an applicant to provide proof of liability insurance during the license application and renewal processes (see sections 9(D)(11) and 11(A) respectively). We have researched the PZC's suggestion to increase the fine for violations of the ordinance, and our Town Attorney has confirmed that we cannot charge a fine greater than \$100 for each separate offense. Therefore, we have amended the draft to impose the maximum fine of \$100 in all cases (see section 14(A)).

At this point, staff recommends that the Town Council adopt the ordinance as amended by staff in the most recent draft (dated February 9, 2004). To reiterate the PZC's concern, while there currently are no adult-oriented establishments located in town, it would behoove us to have an ordinance in place to provide restrictions and guidelines for these types of businesses. While we cannot prohibit adult-oriented establishments from town altogether, we can impose reasonable guidelines and requirements upon these types of businesses. Consequently, we believe that the proposed ordinance provides such reasonable requirements and would be an effective tool to help manage the potential impact of adult-oriented establishments if someone decided to locate such an establishment in our community.

If the Town Council supports this recommendation, the following motion is in order:

*Move, effective February 9, 2004, to adopt the proposed "Ordinance Regulating Adult-oriented Establishments," as proposed by staff in its draft dated February 9, 2004, and which ordinance will become effective 21 days after publication in a newspaper having circulation in the Town of Mansfield.*

Respectfully submitted,



Martin H. Berliner  
Town Manager

Attach: (2)



## TOWN OF MANSFIELD

### Planning and Zoning Commission

Audrey P. Beck Building  
Four South Eagleville Road  
Storrs, Connecticut 06268  
Telephone (203) 429-3330

Memo to: Town Council  
From: Planning and Zoning Commission

Date: Rudy J. Favretti, Chairman  
January 21, 2004

Re: Proposed Ordinance regulating adult-oriented establishments

At a meeting held on January 20, 2004, the Mansfield Planning and Zoning Commission unanimously adopted the following motion:

"that the PZC report to the Town Council its support for adoption of the proposed Ordinance regulating adult-oriented establishments in Mansfield, subject to a revision of the setback from residential zones from 250 to 500 feet (Section 5) to be consistent with the zoning definition of "Neighborhood of a given lot." It is also recommended that higher fines be incorporated into Section 14 and that a requirement be included in Section 3 that all such operations maintain at all times a minimum of one million (\$1,000,000.00) of liability insurance."

If there are any questions regarding this action, the Planning Office may be contacted. The attached Jan. 13, 2004 memo from the Town Planner provides additional information for your consideration.

**Town of Mansfield  
Code of Ordinances  
Ordinance 2004-2**

**“An Ordinance Regulating Adult-oriented Establishments”**

*February 9, 2004 Draft*

**Section 1. Findings and Purpose.**

The Town Council of the Town of Mansfield, Connecticut finds:

- A. There are, or may in the future be, “adult-oriented establishments” located in the Town of Mansfield, which require special supervision from the Town’s public safety agencies in order to protect and preserve the health, safety and welfare of the patrons of such establishments, as well as the health, safety and welfare of the Town’s citizens.
  
- B. Statistics and studies covering a substantial number of cities and towns nationwide indicate that:
  - 1. Large numbers of persons, primarily male, frequent such “adult oriented establishments” including those which provide closed booths, cubicles, studios and rooms for the private viewing of so-called “adult” motion pictures and/or video tapes and/or live entertainment; and
  - 2. Persons under the age of eighteen may be attracted to adult-oriented establishments and seek to enter or loiter about them without the knowledge of their parents or guardians; and
  - 3. Such closed booths, cubicles, studios and rooms have been used by patrons, clients or customers of such “adult-oriented establishments” for the purpose of engaging in certain sexual acts; and
  - 4. Male and female prostitutes have been known to frequent such establishments in order to provide sex for hire to the patrons, clients or customers of such establishments within such booths, cubicles and rooms; and
  - 5. Doors, curtains, blinds and/or other closures installed in or on the entrances and/or exits of such booths, cubicles, studios and rooms which are closed while such booths, cubicles, studios and rooms are in use encourage patrons using such booths, cubicles, studios and rooms to engage in sexual acts therein with prostitutes or others, thereby promoting and encouraging prostitution and the commission of sexual acts which cause blood, semen and urine to be deposited on the floors and/or walls of such booths, cubicles, studios and rooms, which deposits could prove detrimental to the health and safety of other persons who may come into contact with such deposits; and

6. The reasonable regulation and supervision of such "adult-oriented establishments" tends to discourage such sexual acts and prostitution, and thereby promotes the health, safety and welfare of the patrons, clients and customers of such establishments; and
  7. The nature of "adult-oriented establishments" and the traffic they generate, and the potential and the propensity for such establishments to attract persons interested in explicit sexual activities or erotic art forms, and the potential for outdoor assembly of such persons around the premises of such establishments, are such to make them incompatible with nearby uses of land where children or youth may congregate.
  8. Sexually oriented businesses require special supervision from the public safety agencies of the Town in order to protect and preserve the health, safety, morals and welfare of the patrons of such businesses as well as the citizens of the Town.
- C. The continued unregulated operation of adult-oriented establishments including, but not limited to those specifically cited in paragraph (1) hereof, is and would be detrimental to the general welfare, health and safety of the citizens of the Town of Mansfield.
- D. The Constitution and laws of the State of Connecticut grant to the Town powers, especially police power, to enact reasonable legislation and measures to regulate and supervise "adult-oriented establishments" as hereinafter defined in order to protect the public health, safety and welfare.
- E. It is not the intent of the Town Council, in enacting this Ordinance, to deny any person rights to speech protected by the United States and/or State Constitution, nor is it the intent of the Town Council to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually oriented films, video-tapes, books and/or other materials. Further, by enacting this Ordinance, the Town Council does not intend to deny or restrict the rights of any adult to obtain and/or view any sexually oriented materials protected by the United States and/or State Constitution, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually oriented materials may have to sell, distribute or exhibit such materials.

## **Section 2. Definitions.**

For the purpose of this Ordinance, the words and phrases used herein shall have the following meanings, unless otherwise clearly indicated by the context:

- A. "Adult-oriented establishment" shall include, without limitation, "adult bookstores," "adult motion picture theaters," "adult mini-motion picture theaters" and commercial establishments containing one or more "adult amusement machines." "Adult oriented

establishment” further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, or any premises wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. An “adult-oriented establishment” further includes, but is not limited to any adult entertainment studio or any premises that are physically arranged and used as such, whether advertised or represented as adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio, or any other term of like import.

- B. “Adult bookstore” means an establishment having any portion of its stock and trade in books, films, video cassettes, DVD’s or magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined below, provided that this definition shall not apply to any establishment in which such materials constitute less than ten (10%) percent of the value of the inventory of said establishment and in which the display of such materials does not permit the viewing of “specified sexual activities” or “specified anatomical areas” within the establishment.
- C. “Adult amusement machine” includes any amusement machine that is regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities and specified anatomical areas, as defined below, for observation by patrons therein.
- D. “Adult entertainment” means any exhibition of any adult-oriented motion pictures, live performance, display or dance of any type, removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal services offered customers, which has a significant or substantial portion of such performance or any actual or simulated performance of “specified sexual activities” or exhibition and viewing of “specified anatomical areas.”
- E. “Adult motion picture theater” means an enclosed building with a capacity of fifty (50) or more persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined below, for observation by patrons therein.
- F. “Adult mini-motion picture theater” means an enclosed building with a capacity of less than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined below, for observation by patrons therein.
- G. “Amusement machine” includes any machine that upon the payment of a charge or upon insertion of a coin, slug, token, plate or disk, may be operated by the public for use as a

game, entertainment or amusement, whether or not registering a score and whether or not electronically operated.

- H. "Director of Public Safety" means the Town Manager of the Town of Mansfield, acting in his/her role as the Director of Public Safety.
- I. "Employee" means any and all persons, including independent contractors, who work in or at or render any services directly related to the operation of any adult-oriented establishment.
- J. "Entertainer" means any person who provides entertainment within an adult-oriented establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or independent contractor.
- K. "Inspector" means one or more employees of the Town of Mansfield designated by the Town who shall hereby be authorized to inspect premises regulated under this Ordinance and to take the required actions authorized by this Ordinance in case of violations being found on such premises, and to require corrections of unsatisfactory conditions found on said premises.
- L. "Minor" shall be deemed to refer to a person under the age of eighteen (18) years.
- M. "Operator" means any person, or any proprietor, shareholder, general partner or limited partner who holds any share or partnership interest of any business that is operating, conducting or maintaining an adult-oriented establishment.
- N. "Specified sexual activities" means:
1. Human genitals in a state of sexual stimulation or arousal;
  2. Acts of human masturbation, sexual intercourse or sodomy;
  3. Fondling or erotic touching of human genitals, pubic region, buttock or female breast.
- O. "Specified anatomical areas" means:
1. Less than completely and opaquely covered:
    - a. human genitals, pubic region;
    - b. buttocks;
    - c. female breasts below a point immediately above the top of the areola; and
  2. Human male genitals in a discernibly turgid state, even if completely opaquely covered.

- P. "Sexual activities," as used in this Ordinance, is not intended to include any medical publications or films or bona fide educational publications or films, nor does it include any art or photography publications which devote at least twenty-five percent (25%) of the lineage of each issue to articles and advertisements dealing with subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications or films that describe and report different cultures and which, from time to time, publish or show photographs or depictions of nude or semi-nude persons when describing cultures in which nudity or semi-nudity is indigenous to the population.
- Q. Town Council" means the Town Council of the Town of Mansfield, Connecticut.

### **Section 3. Requirements for Adult-Oriented Establishments.**

- A. No operator or employee of an adult-oriented establishment shall allow or permit any minor or intoxicated person to loiter in any part of such establishment, including parking lots immediately adjacent to such establishment used by patrons of such adult-oriented establishment.
- B. Every adult-oriented establishment shall display a sign outside each entrance bearing the words, "Adult-oriented establishment – persons under 18 not admitted" in letters three inches (3") high.
- C. No adult-oriented establishment shall be conducted in such a manner that permits the observation of any materials depicting specified sexual activities or specified anatomical areas, from the outside of the building that houses the adult-oriented establishment.
- D. Effective upon the passage of this Ordinance, every adult-oriented establishment doing business in the Town shall be well lighted at all times and be physically arranged in such a manner that the entire interior portion of the booths, cubicles, rooms or stalls, wherein adult entertainment is provided, shall be clearly visible from the common areas of the premises. Visibility into such booths, cubicles, rooms or stalls shall not be blocked or obscured by doors, curtains, partitions, drapers, or any other obstruction whatsoever. It shall be unlawful to install enclosed booths, cubicles, rooms or stalls within adult-oriented establishments for whatever purpose, but especially for the purpose of providing for the secluded viewing of adult-oriented motion pictures, or other types of adult-oriented entertainment.
- E. Effective upon passage of this Ordinance, the operator of each adult-oriented establishment shall be responsible for and shall provide that any room or other area used for the purpose of viewing adult-oriented motion pictures or other types of live adult entertainment shall be well lighted and readily accessible at all times and shall be continuously open to view in its entirety. The premises shall be equipped with overhead

lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one (1.0) foot-candle as measured at the floor level. It shall be the duty of the operator and its agents to ensure that the illumination described above is maintained at all times that any patron is present in the premises.

- F. Every act or omission by any employee constituting a violation of the provisions of this Ordinance shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge or approval of the operator, or as a result of the operator's failure to supervise the employee's conduct, and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.
- G. An operator shall be responsible for the conduct of all employees while on the premises regulated by this Ordinance, and any act or omission of any employee constituting a violation of the provisions of this Ordinance shall be deemed the act or omission of the operator for purposes of determining whether the operator shall be subject to the penalties imposed by this Ordinance.
- H. An operator of an adult-oriented establishment shall at all times maintain a minimum of one million dollars (\$1,000,000) of liability insurance applicable to the operations and premises regulated by this Ordinance.
- I. All adult-oriented establishments shall be open to inspection at all reasonable times by the Director of Public Safety, the Mansfield Police Department, inspectors employed by the Town, or such other persons as the Director of Public Safety may designate. Information regarding employees, including name, date of birth and social security number, must be maintained as part of the record and must be available for inspection by Town officials.

#### **Section 4. Minimum Distances from Youth Facilities.**

Adult-oriented establishments shall be located no less than one thousand feet (1,000') from any of the following uses, if existing at the time when the adult-oriented establishment is established: any public or private school serving grade 12 or lower; any day care center, nursery school or similar use; any public park or playground; or any playground associated with a church or other community building. Measurements of distance shall be from any portion of the building housing such adult-oriented establishment to any portion of a parcel of land containing such land uses. The separating distance required by this section shall be determined as of the date that any adult-oriented establishment commences to operate in accordance with this Ordinance and any applicable provision(s) of the Mansfield Zoning Regulations, Building Code, Health Code and other applicable state and local laws, and such adult-oriented establishment shall not be deemed to violate this section if, thereafter, one of the enumerated uses is established within the distance set forth herein.

**Section 5. Minimum Distance from Residential Zone.**

Adult-oriented establishments shall be located no less than five hundred feet (500') from any residential zone. Measurements of distance shall be from any portion of the building housing such adult-oriented establishment to any portion of a parcel of land residentially zoned. The separating distance required by this section shall be determined as of the date that any adult-oriented establishment commences to operate in accordance with this Ordinance and any applicable provision(s) of the Mansfield Zoning Regulations, Building Code, Health Code and other applicable state and local laws, and such adult-oriented establishment shall not be deemed to violate this section if, thereafter, a residential zone is established within the distance set forth herein.

**Section 6. Minimum Distances from Other Adult-Oriented Establishments.**

No adult-oriented establishments shall be permitted in any portion of a building that is less than one thousand feet (1,000') from that portion of a building occupied by an existing adult-oriented establishment. The one thousand feet shall be the straight horizontal distance from any part of a building housing an adult-oriented establishment to any part of the other building housing such use.

**Section 7. Exemptions for Pre-existing Uses.**

The provisions of the preceding sections 4 and 5 shall not be deemed to prohibit any use pre-existing the enactment of this Ordinance. Any pre-existing use that shall be discontinued for a period of thirty (30) days shall thereafter be required to conform to sections 4 and 5 of this Ordinance.

**Section 8. License Required.**

- A. Except as provided in subsection D below, from and after the effective date of this Ordinance, it shall be unlawful for any person, partnership, corporation or other entity to engage in, conduct, carry on or permit to be engaged in, conducted or carried on in or upon any premises in the Town, the operation of an adult-oriented establishment without first obtaining a license to operate from the Director of Public Safety.
- B. A license may be issued for only one adult-oriented establishment located at a fixed and certain place. Any person, partnership or corporation that desires to operate more than one adult oriented establishment must have a license for each such establishment.
- C. It shall be a violation of this Ordinance for any entertainer, employee, owner or operator to knowingly work in or about or to knowingly perform any service directly related to the operation of any unlicensed adult-oriented establishment.

- D. All existing adult-oriented establishments at the time of the passage of this Ordinance must submit an application for license within sixty (60) days of the effective date of this Ordinance. If no application is filed within said sixty (60) day period, then such existing adult-oriented establishment shall cease operations, unless any such establishment has appealed the enactment of this Ordinance, whereupon this Ordinance shall not be enforced as to such establishment until such appeal is dismissed and judgment rendered in favor of the Town. If an application is filed then this Ordinance shall not be enforced as to such establishment until such application is denied.
- E. Each license shall be specific to a licensee and to a location, and may not be sold, assigned or transferred to any person, corporation, partnership or other entity in any way.

**Section 9. Application for License.**

- A. Upon the effective date of this Ordinance, the operator of any adult-oriented establishment shall be responsible for and shall acquire a license from the Director of Public Safety in accordance with this section.
- B. The Director of Public Safety shall produce and disseminate an application form to be used by persons and other entities applying for a license under this Ordinance. The operator of each adult-oriented establishment shall submit an application in triplicate to the Police Department together with an application fee of five hundred dollars (\$500) prior to commencement of business or within sixty (60) days of the effective date of this Ordinance for any establishment already open for business. The Police Department shall date stamp all copies of the application and shall promptly deliver a copy of the application to the Director of Public Safety. In instances where a corporation or a partner is the applicant, the application shall be signed and filed by a person having direct control or management of the proposed adult-oriented establishment or by an officer, director, majority shareholder or majority partner of the corporation or general partner of the partnership or manager or managing member of any other entity.
- C. The applicant, within two (2) business days of submitting an application to the Director of Public Safety, shall erect and maintain for a period of not less than fourteen (14) consecutive days in a legible condition, a sign not less than four feet by four feet (4' X 4') upon the site to be operated as an adult-oriented establishment, which sign shall set forth the name of the proposed licensee and reflect the filing of an application for an adult-oriented establishment. The sign shall be posted along the front of the property in an area clearly visible from a Town road or state highway abutting the property. After the sign has been properly erected and maintained for fourteen (14) consecutive days, the applicant shall provide to the Director of Public Safety a photograph of the sign and a statement under oath attesting to compliance with the foregoing sign requirements.

D. The applicant for a license shall furnish the following information:

1. Name and residential address of the applicant, owner, operator, manager and any other person having direct control or management of the adult-oriented establishment, including all aliases, place(s) of employment, date of birth, social security number, driver's license number and federal tax identification number, if any.
2. Name and address of all employees and any other persons directly involved in the operation of the adult-oriented establishment, including aliases, date of birth, social security number, driver's license number and federal tax identification number, if any.
3. Written proof that the applicant is at least eighteen (18) years of age.
4. The exact nature of the entertainment to be conducted at the adult-oriented establishment.
5. The address of the adult-oriented establishment to be operated by the applicant.
6. Any adult-oriented entertainment or similar business license/permit history of the applicant whether such person has previously operated in this or another municipality or state under license or without license, and/or has had any such license revoked or suspended, stating the reason therefore and the business entity or trade name under which the applicant operated that was subject to the suspension or revocation.
7. If the application is a corporation, the application shall specify the name of the corporation, the date and state of incorporation and the name and address of the registered agent.
8. The statement by the applicant that he/she is familiar with the provisions of this Ordinance and is in compliance with them.
9. Any criminal convictions of the applicant, operator and other persons directly involved in the management or control of the adult-oriented establishment to any crime involving prostitution, obscenity, or other sex-related crime or drug offense in any jurisdiction within three (3) years of the date of the filing of the application. Such crimes include, but are not limited to, prostitution, soliciting prostitution, promoting or permitting prostitution, and sexual assault.
10. An accurate to-scale floor plan of the business premises clearly indicating the location of one or more manager's stations.

11. A certificate of insurance providing evidence that the operator maintains a minimum of one million dollars (\$1,000,000) of liability insurance applicable to the operations and premises regulated by this Ordinance. Said liability insurance certificate must indicate that the policy is in effect at the time the license is granted and that the policy remains valid throughout the entire period for which the license is effective.
- E. If a license to operate is granted, the information furnished in the application shall be updated within thirty (30) days of any changes. Said update shall be filed at the Police Department.

### **Section 10. Licensing Procedure.**

- A. No license shall be issued unless the Director of Public Safety has investigated the applicant's qualifications to be licensed. The investigation shall be conducted only to confirm the qualifications of the applicant and to inspect the premises for compliance with all laws and regulations. The results of the investigation shall be put in writing and filed with the Police Department and mailed to the applicant within sixty (60) days after the application was filed. Additionally, the premises of the adult-oriented establishment shall be inspected for compliance with the provisions of this Ordinance and all local and State codes and regulations, including but not limited to health, fire, building and zoning regulations. Said inspection shall be completed and a report issued to the Director of Public Safety within thirty (30) days of the filing of the application and shall be included with the investigation results. The Director of Public Safety shall either issue a license or notify the applicant of the denial of the application within seventy-five (75) days after receipt of a completed application. If the Director of Public Safety fails to meet this timeframe, the application shall be deemed granted.
- B. The Director of Public Safety shall issue to the applicant a license to operate an adult-oriented establishment within seventy-five (75) days from the date of the filing of an application if all the requirements for an adult-oriented establishment described in this Ordinance are met, unless he/she finds that:
1. The operation as proposed by the applicant if permitted would not have complied with all applicable laws and regulations, including but not limited to, the building, health, housing, zoning and fire codes of the Town. If the premises are not in compliance, the applicant shall be advised of the reasons in writing and what if any measures the applicant can take to bring the premises into compliance for a license to be issued.
  2. The applicant or any other person who will be directly engaged in the management and operation of an adult-oriented establishment has been convicted in this or any other state of any of the crimes specified in Section 9(D)(9) above, except those specified in subsection 3 below, within three (3) years of the date of filing of the application.

3. The applicant or any other person who will be directly engaged in the management and operation of an adult-oriented establishment has been convicted of any obscenity offense in violation of *Connecticut General Statutes* §§53a-194, 53a-196a, 53a-196b, 53a-196c within two (2) years of the date of the filing of the application.
  4. The applicant has submitted a false statement or representation or misleading information on the application.
  5. The applicant previously violated this Ordinance within five (5) years immediately preceding the date of the filing of the application.
  6. An applicant has been employed in an adult-oriented establishment in a managerial capacity within the preceding thirty-six (36) months and knowingly:
    - a. permitted alcoholic liquor or cereal or malt beverages to be illegally brought or consumed upon the premises; or
    - b. permitted the sale, distribution, delivery or consumption of any controlled substance or illegal drug or narcotic on the grounds; or
    - c. permitted any person under the age of 18 to be in or upon the premises of an adult entertainment business; or
    - d. permitted any act of prostitution or patronizing prostitution as defined under state law on the premises.
- C. Whenever an application is denied, the Director of Public Safety shall notify the applicant in writing within seventy-five (75) days of the date of the application stating the reasons for such denial.
- D. When an application is denied solely for the reasons stated in Section 10(B)(1), and such violation is correctable, the applicant shall be given an additional thirty (30) days from the date of such notification of denial to bring the premises into compliance. Upon verification by inspection that the correction has been made within thirty (30) days, which shall be determined no later than three (3) business days after receipt of written notice and corrections from the applicant to the Director of Public Safety, a license shall be issued to the applicant so long as no new violations or other disqualifying factors have occurred within those thirty (30) days.
- E. The license, if granted, shall state on its face the name and residence address for the applicant to whom it is granted, the expiration date, the address of the adult-oriented establishment and the department or public official and telephone number to report any violation of this Ordinance.
- F. The license shall be posted in a conspicuous place at or near the entrance to the adult-oriented establishment so that it may be easily read at any time.

**Section 11. Expiration and Renewal of License.**

- A. Each license issued to a qualified applicant shall expire one year from the date it is issued unless it is renewed upon application of the licensee accompanied by payment of a two hundred fifty dollar (\$250) renewal fee and a certificate of insurance providing evidence of liability insurance coverage as required by the terms of this Ordinance. Such application, application fee and insurance certificate shall be submitted by the licensee to the Police Department at least sixty (60) days before the expiration date, but not more than ninety (90) days. Provided that the application is filed within sixty (60) days of its expiration date, the insurance certificate indicates that the liability insurance coverage satisfies the requirements of this Ordinance and the application fee is paid, the license shall be renewed for the same licensee at the same location by the Director of Public Safety unless the licensee's file contains uncorrected violations of this Ordinance or uncorrected violations of health, fire, or safety codes and regulations of which the licensee has received written notice. The renewed license shall be mailed to the licensee by certified mail prior to the expiration date of the previous license. No establishment shall continue operations without a license except in accordance with the provision of Section 7 of this Ordinance.
  
- B. In the event that there are uncorrected violations of this Ordinance or uncorrected violations of health, fire or safety codes and regulations of which the renewal application has received written notice, license renewal shall be delayed for a maximum of thirty (30) days in order for all corrections to be completed and inspections performed to determine compliance. If such corrections of violations are not made by the applicant within the thirty (30) days beyond the expiration date, no license renewal will be issued. A notice of non-renewal shall be mailed by the Director of Public Safety to the licensee by certified mail within five (5) days after the extended thirty (30) day period stating the reasons for the non-renewal.
  
- C. Notwithstanding the provisions in subsection B above, in no instance shall a renewal be issued to a licensee that has two or more violations of Section 3(A) of this Ordinance to which the licensee has received written notice or one or more uncorrected violations of this Ordinance pending for over sixty (60) days. A written notice of such non-renewal shall be mailed by the Director of Public Safety to the licensee by certified mail prior to the expiration date of the license sought to be renewed, stating the reason for the non-renewal revocation.
  
- D. Should a license not be renewed for any violation provided herein, no license shall be issued to the same licensee for two (2) years.

**Section 12. Suspension and Revocation of License.**

- A. The Director of Public Safety may suspend the license for a period not to exceed thirty (30) days upon his/her determination that a licensee, operator or employee has violated any part of this Ordinance. Said suspension shall be issued in writing, mailed by certified

mail, return receipt requested, to the licensee at the address of the establishment or at the home of the licensee or served by process at the usual place of abode of the licensee or at the address of the establishment. If the suspension is issued for a correctable violation, said suspension shall be terminated upon verification by inspection that the correction has been made, which shall be determined no later than three (3) business days after receipt of written notice of correction from the licensee to the Director of Public Safety.

- B. The Director of Public Safety shall revoke any license where any of the following occur:
1. It is discovered that false or misleading information or data was given on any application or material facts were omitted from any application for licensure.
  2. Any cost or fee required to be paid under this Ordinance is not paid or is paid with a bank check drawn on an account with insufficient funds and returned to the Town.
  3. Licensee is no longer qualified due to conviction of any crime specified in Section 9(D)(9).
  4. Licensee has had two or more violations of Sections 3(A), 3(B), 3(C), 3(D), 3(E) or 3(H) of this Ordinance for which the licensee has received written notice.
  5. Licensee has one or more uncorrected violations of this Ordinance pending for over sixty (60) days.
  6. Failure of licensee to correct any violation within thirty (30) days for which the licensee's license was suspended pursuant to Section 8.
  7. The license or any interest therein is transferred in any way.
- C. Once revoked, no license shall be issued for the same licensee for two (2) years.

### **Section 13. Appeal**

If the Director of Public Safety denies the issuance of a license or suspends or revokes a license he/she shall, within ten (10) days of his/her decision, send to the applicant or operator at the address listed on the application by certified mail, return receipt requested, written notice of a decision and further shall specifically state the evidence presented, the reason for the decision and the right to an appeal. The aggrieved party may appeal the decision of the Director of Public Safety to the Town Council within thirty (30) days of receipt of the notice by filing a written application to the Town Clerk requesting a hearing before the Town Council. At the hearing, the applicant/licensee shall have the opportunity to present evidence bearing upon the question. If the applicant/licensee makes application for a hearing, a hearing shall be scheduled within thirty (30) days of the notice of appeal. The Town Council must render a decision within forty-five (45) days of the receipt of the appeal. Within five (5) days after such hearing, the Town Council

shall issue written notice of a final decision and issue any license or renewal of license where applicable. All operations of the adult-oriented establishment may be maintained pending the final decision being issued by the Town Council unless the Mayor and Director of Public Safety unanimously determine that continued operation of the establishment is a serious threat to the health, safety or welfare of any citizen.

#### **Section 14. Violations and Penalties.**

- A. Every person, partnership or corporation, whether acting as an individual owner, operator, licensee or employee of an adult-oriented establishment who operates, maintains or conducts an adult-oriented establishment without first obtaining a license and paying the applicable fee to the Town, or who violates any of the provisions of this Ordinance, shall be fined one hundred dollars (\$100.00) for each such violation and be subject to criminal prosecution under the laws of the State of Connecticut.
- B. Each violation of this Ordinance shall be considered a separate offense and any violation continuing more than one day shall be considered a separate offense.
- C. This Ordinance shall not preclude any additional enforcement action taken by any appropriate municipal, state or federal official conducted pursuant to any applicable Ordinance, regulation and/or law of the Town of Mansfield and/or the State of Connecticut and/or the United States of America.
- D. Any person or entity issued a citation(s) pursuant to this Ordinance may appeal such citation pursuant to the provisions of the Town of Mansfield Hearing Procedure for Citations Ordinance.

#### **Section 15. Enforcement.**

In addition to any fines or penalties imposed herein, this Ordinance may be enforced by injunctive relief by any court of competent jurisdiction.

#### **Section 16. Savings Clause.**

Should any court of competent jurisdiction declare any section or clause or provision of this Ordinance to be unconstitutional, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this Ordinance.

**Section 17. Gender, Number, Construction.**

In construing this Ordinance, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

**TOWN OF MANSFIELD**  
**OFFICE OF THE TOWN MANAGER**



Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: Proposed Budget Review Schedule**

Dear Town Council:

Attached please find a proposed schedule to review the upcoming fiscal year 2003/04 budget.

The following motion is suggested:

*Move, to adopt the fiscal year 2004/05 budget review calendar dated February 9, 2004, as proposed by town staff.*

Respectfully submitted,

A handwritten signature in cursive script that reads "Martin H. Berliner".

Martin H. Berliner  
Town Manager

Attach:(1)

TOWN OF MANSFIELD  
 PROPOSED BUDGET REVIEW CALENDAR  
 BY TOWN COUNCIL  
 FEBRUARY 9, 2004

<u>DATE</u>	<u>SUBJECT</u>	<u>LOCATION</u>	<u>Page Numbers</u>
Mar. 31 (Wed.) 7:30 p.m.	Budget Presented to Town Council Issues and Options General Government Capital Projects CNR	Conference Room C	
April 7 (Mon.) 6:00 p.m.	Mansfield Board of Education Public Safety Public Works Solid Waste	Conference Room C	
Apr. 12 (Wed.) 6:00 p.m.	Town-Wide Revenues Operating Transfers Out Town Aid Daycare Debt Service Internal Service Funds	Conference Room C	
Apr. 15 (Wed.) 6:00 p.m.	Public Hearing Health and Social Services Community Services Library Area Agency Contributions Community Development Recreation	Council Chambers	
Apr. 26 (Mon.) 7:30 p.m.	Adoption of Budget and Recommended Appropriations	Council Chambers	
Apr. 28 (Wed.) 6:00 p.m.	Adoption of Budget and Recommended Appropriations (if necessary)	Conference Room C	
May 11 (Tues.) 8:00 p.m.	Town Meeting	Mansfield Middle School	



**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: WPCA, Proposed Willimantic Sewer Budget for Fiscal Year 2003/2004**

Dear Town Council:

Attached please find the proposed fiscal year 2003/04 Willimantic Sewer Budget, as prepared by the Director of Finance. Staff requests that the Town Council adopt the budget in its role as the Water Pollution Control Authority (WPCA).

If the WPCA concurs with this recommendation, the following motion is in order:

*Move, effective February 9, 2004, to adopt the proposed fiscal year 2003/04 Willimantic Sewer Budget, as presented by the Director of Finance.*

Respectfully submitted,

Martin H. Berliner  
Town Manager

---

**INTER**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**OFFICE**

# MEMO

---

**FINANCE DEPARTMENT, TOWN OF MANSFIELD**

**To:** Martin H. Berliner, Town Manager  
**From:** Jeffrey H. Smith, Director of Finance   
**Subject:** Proposed Willimantic Sewer Budget 2003/04  
**Date:** January 15, 2004

Attached is a proposed 2003/04 budget for the Willimantic sewer users.

This budget anticipates no revenue change to the fund and will result in estimated operating income of \$15,105. Based on this budget we estimate that retained earnings will increase from \$767,937 to \$783,042 at June 30, 2004.

It is respectfully requested that the Town Council adopt the Willimantic Sewer Budget as presented.

JHS:awf

Attachment

TOWN OF MANSFIELD  
WILLIMANTIC SEWER ENTERPRISE FUND BUDGETS

	2002/03 Actual	2003/04 Proposed
<b>OPERATING REVENUES:</b>		
Sewer Charges	\$98,000	\$98,000
Other Revenues	1,044	500
Total Operating Revenues	99,044	98,500
 <b>OPERATING EXPENSES:</b>		
Sewer Billings	76,639	62,022
Purchased Services & Supplies	3,624	7,100
Depreciation	14,273	14,273
Total Operating Expenses	94,536	83,395
Operating Income	4,508	15,105
Retained Earnings/(Deficit), July 1	763,429	767,937
Retained Earnings/(Deficit), June 30	\$767,937	\$783,042

Estimate of Willimantic Sewer Expense 2003/2004

Over-Estimate for Jan - Jun 2003	(\$7,064.94)
Actual for July - December 2003	34,535.28
Estimate for January through June 2004 20.50 m/gallons at \$1685.47m/gallons	34,552.14
Total	\$62,022.48

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**TOWN OF MANSFIELD**  
**OFFICE OF THE TOWN MANAGER**



Martin H. Berliner, Town Manager

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Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: Clover Mill Road at Route 195**

Dear Town Council:

Attached please find a memorandum from the Director of Public Works discussing a recommendation from the Traffic Authority to ask the Connecticut Department of Transportation (ConnDOT) to examine the feasibility of improving the Clover Mill/Route 195 intersection as part of the Chaffeeville Road/Route 195 intersection improvement design project. Data recently collected concerning the Clover Mill Road/Route 195 intersection identified a considerable amount of rear-end accidents that could be reduced by the implementation of context-sensitive design improvements such as constructing a left turn lane or widening the shoulder at the intersection.

I recommend that the Town Council authorize staff to communicate with ConnDOT to inquire about the possibility of investigating the inclusion of improvements to the Clover Mill Road/Route 195 intersection as part of the Chaffeeville Road/Route 195 intersection improvement design project. If the Town Council agrees with this recommendation, the following motion is in order:

*Move, effective February 9, 2004, to authorize staff to communicate with the Connecticut Department of Transportation to inquire about the possibility of investigating the inclusion of context-sensitive design improvements to the Clover Mill Road/Route 195 intersection as part of the Chaffeeville Road/Route 195 intersection improvement design project.*

Respectfully submitted,

Martin H. Berliner  
Town Manager

Attach:(1)

TOWN OF MANSFIELD  
MEMORANDUM  
1/22/04

TO: Martin H. Berliner, Town Manager  
FROM: Lon R. Hultgren, Director of Public Works  
RE: Clover Mill Road at Route 195



When we collected the supporting data for the Town's rural minor collector grant for the Clover Mill Road loop (which will be reclaimed with grant funds), we found that in the last three years of recorded data there were fourteen accidents at the southerly Clover Mill/Route 195 intersection. Most of these accidents are rear-enders involving vehicles traveling North on Route 195 stopped to make a left turn onto Clover Mill Road.

Reducing this type of accident can involve constructing a left turn lane or widening the shoulder enough so that vehicles can get by or "bypass" the stopped vehicles (there is no room on the Eastern shoulder of Route 195 for cars to get by now).

As you will recall, the DOT is currently redesigning the Chaffeeville Road/Route 195 intersection (which lies about 600 feet to the north) to increase the sight lines for Chaffeeville Road (construction in 2005/6). This project was presented to the Council at least twice in concept form before Council approved it finally at its June 12, 2000 meeting. The project is planned to cut down the crest of the hill on Route 195, remove some of the obstructing bank to the south and provide bypass pavement (not a full lane) for southbound traffic at the Chaffeeville/Route 195 intersection. (Earlier DOT proposals which the Town rejected included full width [ten foot] shoulder bypasses.)

An opportunity exists now to have the DOT designers look at the feasibility of improving the Clover Mill/Route 195 intersection as part of the Chaffeeville intersection project. This would most likely include adding width to the eastern shoulder of Route 195 at Clover Mill Road as is being proposed for the western shoulder near Chaffeeville.

The Town's Traffic Authority recommends this be investigated and as such I recommend Council authorize staff to communicate to the DOT the following: "The Town of Mansfield, noting that there are a number of northbound, rear-end accidents that occur at the Route 195/Clover Mill Road intersection, asks that the DOT investigate as part of the Chaffeeville Road/Route 195 intersection improvement design project context-sensitive improvements to the Clover Mill Road/Route 195 intersection (such as northbound shoulder bypass capability) that will reduce accidents at this location. The Town would like to review whatever proposal is developed for this while it is still in concept form."

cc: Gregory J. Padick, Town Planner  
File



**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: William Caspar Graustein Memorial Fund Discovery Grant for 2004**

Dear Town Council:

Attached please find excerpts from the Graustein Memorial Fund Discovery Grant for 2004 as well as a memorandum from the Director of Social Services in support of the grant application. The Trustees of the William Caspar Graustein Memorial Fund work in conjunction with communities to improve the lives of young children and to increase opportunities for early school success.

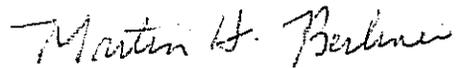
Specifically, the Town of Mansfield has been approved for the base level funding of \$10,000 for the year 2004, and the department is carrying over a balance of \$216 from the prior year. Staff is now requesting an additional \$29,844 for a total of \$40,060 in revenues from the Graustein Memorial Fund. If approved, the Memorial Fund contributions would be combined with \$14,000 of municipal in-kind services to support the position of School Readiness Coordinator, the addition of a part-time position for a Program Assistant, and training for parents to develop leadership and empowerment skills.

Because the grant deadline was in January, staff has already submitted an application. We are now retroactively requesting Town Council approval to submit the grant. We believe that the Discovery program has enabled the town to improve and expand programming for early care development, and we hope to continue this success in 2004.

If the Town Council supports this request, the following motion is in order:

*Move, effective February 9, 2004, to authorize staff to submit an application to the William Caspar Graustein Memorial Fund requesting \$29,844 in revenues to help fund the town's 2004 commitment to the Discovery initiative.*

Respectfully submitted,



Martin H. Berliner  
Town Manager

Attach:(4)



## Town Council Agenda Item Summary

**To:** Martin Berliner, Town Manager  
**From:** Kevin Grunwald, Director of Social Services *KG*  
**Date:** February 5, 2004  
**Re:** William Caspar Graustein Memorial Foundation Discovery Grant for 2004

### 1) **Subject matter/background –**

In 2001, the William Caspar Graustein Memorial Fund and 50 communities took the first step together to improve the lives of young children and increase opportunities for early school success. Mansfield was one of the communities that received initial funding under this initiative. The Memorial Fund has committed \$15 million over seven years, depending on the availability of funds, to support efforts across Connecticut to close the preparation gap among children entering school and improve their success in the early school years.

The Discovery Initiative recognizes that communities can be the agents for their own change through community dialogue and collective action. This approach also recognizes that success depends on making changes that go to the heart of how decisions affecting young children are made. Communities are working at including new voices into decision-making and rethinking how programs and services are designed, funded, delivered and governed.

For 2004-07, the Board of Trustees has agreed to continue to invest in those communities and partners that wish to participate and share one or more of the four Discovery objectives:

1. to expand the supply of high quality early childhood education
2. to increase the quality of existing early childhood education
3. to build strong connections between early care and elementary education
4. to improve students' social, emotional and academic performance.

In this spirit the Board of Trustees commits to:

- funding support for as many of the Discovery communities as are willing to continue to work on the four Discovery objectives
- making a four-year commitment to the strategic plans that are being developed by the communities
- approving a base grant to each community of \$10,000 per year

- approving a range of grants beyond the base of up to \$40,000 per year; therefore grants to communities total from \$40,000 to \$200,000 over four years
- supporting documentation and evaluation
- supporting continuing technical assistance and other grantmaking in support of the Discovery objectives

**2) Financial impact –**

The Town of Mansfield has been approved for the base level funding of \$10,000 for the year 2004, and we are carrying over a balance of \$216 from the prior year. We are submitting a grant application requesting an additional \$29,844 for this year for a total of \$40,060 in revenues from Graustein. These funds will primarily support the position of School Readiness Coordinator, the addition of a part-time position for a Program Assistant, and training for parents to develop leadership and empowerment skills. The Town has committed approximately \$14,000 in in-kind services to support this grant, which is primarily represented by staff support from the Director of Social Services, the Superintendent of Schools, and a variety of other staff that are involved in this initiative.

**3) Legal review –**

Not applicable.

**4) Recommendation –**

I strongly recommend that we submit this grant application. This program has served as a springboard for several other initiatives aimed at young children in Mansfield including the League of Women Voter's Community Conversation, the National League of Cities "City Challenge", and the CT Conference of Municipalities' Task Force on Early Childhood. It has also enabled us to provide technical assistance to the Superintendent's office in exploring the implementation of full-day kindergarten. As we actively participate in the Discovery initiative, the Town of Mansfield will continue to move towards a time when parents will experience greater opportunities to have an impact on decisions that are made that affect their children, decision makers will be better informed regarding the needs of families, and as a community we will support all of our children in getting access to the outstanding resources that we are fortunate enough to have.

**5) Attachments –**

Grant Application

## PROPOSAL ABSTRACT

Mansfield has chosen to address the Discovery objective of “building strong connections between early care and elementary education.” While we believe that there is a significant degree of overlap between all four of the objectives, and that focusing on one invariably requires attention to the others, we see this objective as having the most relevance to our Discovery work to date. We also see this objective as resonating with the issues and concerns that the residents of Mansfield have identified.

Mansfield is a unique community, primarily due to the influence of the University of Connecticut, and in many ways we are fortunate to enjoy a wealth of resources. According to the 2000 census, 91% of our residents have a high school degree or higher, and 54% have a bachelor’s degree or higher. This compares favorably to national statistics showing 80% of individuals with a high school diploma and 24% having a bachelor’s degree or higher. Our median family income is almost \$70,000 a year, with less than 5% of our families falling below the federal poverty level. Approximately 3% of our residents are under the age of 5 (600), and roughly 7% of all children are born into poverty. 57% of children come to kindergarten with some type of preschool experience, and by the time children enter the school system 12% are receiving some type of special educational services.

While these statistics are impressive, they sometimes tend to obscure the fact that even a community like this can still have significant opportunities to improve what is currently in place. We see the work of Discovery as truly being about systems change, and because our initiative does not target any one socioeconomic group, we expect to impact all 600 of those children and their families with our work under this grant.

Given the value that is placed on education by families in this community, residents tend to have high expectations for the public school system. While those expectations are generally met, there exist gaps in the connections between the early care and educational system and the public school system. In exploring our vision for children in this community, individuals spoke of the importance of seamless system of universally accessible, quality education for all. One element of that system included providing a range of options for families that allows for flexibility and responsiveness to individual needs, with early care being a critical part of this system. Individuals that we spoke with also expressed an interest in the importance of placing a community value on lifelong learning, access to a stimulating and caring environment, and an appreciation for individual differences. We believe that by focusing on strengthening the connections between early care and elementary education we will have the best opportunity for realizing this vision.

We have learned much from the past two years participating in the Discovery initiative, and that experience has positioned us well for our future work. We have moved from an emphasis on programs to a more macro orientation towards process and process change, and as a result we have significantly shifted the focus of our work. Compared to where we were two years ago we now have a much broader representation of the community in our collaborative process. Part of this change has involved expanding the work of Discovery to a much larger group of individuals, and it is no longer only our paid staff who are accountable for achieving outcomes. We also now have a number of key decision makers involved in this work including our Mayor, Town Council members, the Town Manager, and the Superintendent of Schools. We have also used these two years to collect data about our community, and specifically about the needs of parents, and consequently our work is much more reflective of those needs. We have heard that parents want

more of a voice in the system, and we have begun to create opportunities for them to use that voice. We have also leveraged our work on the Discovery grant with resources from other programs including the National League of Cities: "City Challenge" and the Connecticut Conference of Municipalities. Our mayor has recently been asked to chair a task force on early childhood success entitled "Towns Help Kids Succeed", with Mansfield being one of 18 "focus communities" sharing information, best practices, and access to training and technical assistance. Our involvement in Discovery has served as a "springboard" to these other activities, and we have been able to utilize resources gained through participation in these other initiatives to both inform and support our Discovery work.

Parent and community engagement has been enhanced in a number of ways, including expanding the membership of our collaborative. This has also been greatly enhanced by our hosting of two "Community Conversations", which raised collective consciousness regarding the importance of early care and educational issues. These events generated an incredible amount of enthusiasm around these issues, and also enabled us to identify individuals who are committed to working on specific tasks and issues that will further our work in this area. While having the conversation was important, we have been impressed by the willingness of individuals to collect information, develop communications plans and work to inform decision makers in a variety of ways. We believe that this kind of participation works to support the sustainability of this effort, and that ultimately this will continue in a much more institutionalized manner.

We believe that we have developed a community action plan that will support parent empowerment, facilitate access to key decision makers, and generally inform the community regarding the wide array of resources that are available to young children and their families. As our short-term outcomes are achieved, we see this community moving towards a time when parents will experience greater opportunities to have an impact on decisions that are made that affect their children, decision makers will be better informed regarding the needs of families, and as a community we will support all of our children in getting access to the outstanding resources that we are fortunate enough to have.

Suggested Format for Budget Information

Year: 2004

<b>Revenues</b>	<b>Budgeted Yearly total</b>	<b>Source and/or type of funding</b>
Graustein Memorial Fund	\$39,844	(\$10,000 base funding/\$29,844 additional)
Municipal	\$14,050	In-kind staff and support services
State		
Corporate	\$250	Food from local restaurants
Foundation(s)	\$216	Carry-over: Graustein 2003
Local resources	\$250	E.O. Smith High School Culinary Arts
Other: Childcare Subsidy	\$150	Local early care providers
Consultant	\$5000	Center for Survey Research and Analysis
<b>Grand Total Revenues</b>	<b>\$59,760</b>	

<b>Expenses</b>	<b>Graustein Memorial Fund</b>	<b>Other</b>	<b>Total</b>
Salaries	\$28,706	\$11,089	\$39,795
Fringe Benefits	\$2196	\$2661	\$4857
Consultants	\$5908	\$5000	\$10,908
Conferences/Meetings	\$250	\$100	\$350
Travel	\$200	\$200	\$400
Printing/Publications			
Rent and Utilities			
Postage	\$2000		\$2000
Equipment			
Telephone			
Other: Food	\$500	\$500	\$1000
Childcare	\$300	\$150	\$450
<b>Grand Total Expenses</b>	<b>\$40,060</b>	<b>\$19,700</b>	<b>\$59,760</b>

**DISCOVERY GRANT BUDGET NARRATIVE**  
**January 1- December 31, 2004**

**SALARIES/STIPENDS:**

**Graustein funds:**

**\$ 28,706**

School Readiness/Grant Coordinator: 910 hours @ \$22.60/hour = \$ 20,566

Program Assistant: 400 hours @ \$15.00/hour = \$6000

Director of Social Services: 50 hours @ \$42.80/hour = \$2140

**In-Kind Staff Services:**

Director of Social Services: 100 hours @ \$42.80 = \$4280

Secretary: 36 hours x \$19.40 = \$698

Superintendent of Schools: 24 hours @ \$70.72 = \$1697

Director of Special Services: 40 hours @ \$49.33 = \$1973

Head Librarian, Mansfield Public Library: 40 hours @ \$43.98 = \$1759

Children's Librarian: 24 hours @ \$28.42 = \$682

Fringe benefits for in-kind staff hours: \$2661

**TOTAL IN-KIND SALARY AND FRINGE: \$13,750**

**BENEFITS:**

**Graustein funds:**

**\$2196**

SS/Med. @ 7.65% Parent Education/Support Coordinator = \$1573

SS/Med. @ 7.65% Program Assistant = \$459

SS/Med. @ 7.65% Director of Social Services = \$164

**CONSULTANT:**

**Graustein funds:**

**\$5908**

Collaborative agent: \$1908 (Contract with Eastern Connecticut Educational Services - EASTCONN):

\$1908

UConn Cooperative Extension Service/PEP:

\$2000

In-service Trainers for Literacy Events and Connections Team:

\$2000

**In-Kind Consultation: Center for Survey Research and Analysis: \$5000**

**CONFERENCES/MEETINGS:**

**Graustein funds:**

**\$750**

Family Dinners/Literacy Events: food

\$250

Meetings and community events: food

\$250

Staff attendance at conferences and in-service training:

\$250

**In-Kind Contributions:**

Food from local businesses and E.O. Smith High School):

\$500

Municipal contribution to in-service training:

\$100

**TRAVEL:**

**\$200**

**Graustein funds:**

800 miles @ .25 per mile = \$200

**In-Kind contribution: Use of municipal vehicle: 800 miles @ .25 mile = \$200**

**OTHER:**

**\$2300**

**Graustein funds: childcare for meetings, and parent training:**

\$300

Postage for surveys and other bulk mailing:

\$2000

**In-Kind contribution: provider subsidy of childcare services: \$150**



**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

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Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: Proclamation in Honor of the National Education Association's *Read Across America's* National Celebration of Dr. Seuss' 100<sup>th</sup> Birthday**

Dear Town Council:

Attached please find a proposed proclamation in honor of the National Education Association's *Read Across America's* National Celebration of Dr. Seuss' 100<sup>th</sup> Birthday. Dr. Gordon Schimmel, Superintendent of the Mansfield Public Schools, has requested the proclamation to show the town's support for the number of activities the district has planned as part of the *Read Across America* program for the week of March 1<sup>st</sup>.

If the Town Council supports this request, the following motion is in order:

*Move, effective March 2, 2004, to authorize the Mayor to issue the attached Proclamation in Honor of the National Education Association's Read Across America's National Celebration of Dr. Seuss' 100<sup>th</sup> Birthday.*

Respectfully submitted,

Martin H. Berliner  
Town Manager

Attach: (2)

## Matthew W. Hart

---

**From:** MBOE Supt  
**Sent:** Wednesday, February 04, 2004 9:19 AM  
**To:** Matthew W. Hart  
**Subject:** Request for Town Council Approval

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Matt,

On behalf of the Mansfield Public Schools, I would like to ask that the Town Council approve the attached proclamation in honor of the National Education Association's *Read Across America's* national celebration of Dr. Suess' 100th birthday on March 2nd.

We have always been committed to promoting reading for our students and adult involvement in the education of our community's students. Throughout the week of March 1st there are a number of activities planned as part of the *Read Across America* program at all four of our schools.

If you or the Council have questions regarding this request, please do not hesitate to contact me.

Gordon Schimmel



Proclamation-Dr.  
Suess 100th.d...



***Town of Mansfield  
Proclamation***

***In celebration of the National Education Association's  
Read Across America  
National Celebration of Dr. Seuss' 100<sup>th</sup> Birthday***

*Whereas*, the citizens of Mansfield stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

*Whereas*, Mansfield has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that education investment is key to the community's well being and long-term quality of life; and

*Whereas*, "National Education Association's *Read Across America*," a national celebration of Dr. Seuss' 100<sup>th</sup> birthday on March 2<sup>nd</sup>, promotes reading and adult involvement in the education of our community's students;

**THEREFORE, BE IT RESOLVED**, by the Mayor and the Town Council calls on the citizens of Mansfield to assure that every child is in a safe place, reading together with a caring adult, on March 2, 2004;

**AND BE IT FURTHER RESOLVED** that this body enthusiastically endorses "National Education Association's *Read Across America*" and recommits our community to engage in programs and activities to make America's children the best readers in the world.

***IN WITNESS WHEREOF***, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 2<sup>nd</sup> day of March in the year 2004.

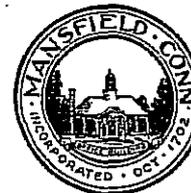
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Elizabeth C. Paterson  
Mayor, Town of Mansfield  
March 2, 2004

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**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
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MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: Amendment to Town of Mansfield Fee Schedule – Adoption Fee for Domestic Cats**

Dear Town Council:

Attached for your review and consideration is a proposed change to the town's fee schedule to add a fee for the adoption of domestic cats. Due to a serious overpopulation problem at the animal control shelter's cat room and the increasing cost associated with caring for the animals it is necessary to institute a fee for rendering a cat to the shelter. Currently, there is no charge applied for this type of activity.

Staff recommends that owners rendering a cat to the animal control shelter pay a charge of \$25.00 in order to reduce the cat population at the shelter and to offset the costs incurred to care for the cats. If the Town Council supports this recommendation, the following motion is in order:

*Move, effective February 9, 2004, to adopt an amendment to the Town of Mansfield Fee Schedule adding a \$25.00 adoption fee for domestic cats, which fee shall be effective 21 days after the Town Clerk's publication of the amendment in a newspaper having circulation in the Town of Mansfield.*

Respectfully submitted,

Martin H. Berliner  
Town Manager

Attach:(1)

**TOWN OF MANSFIELD**  
**PUBLIC SAFETY DEPARTMENT**



DIANNE GAUDREAU, Animal Control Officer

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 487-0137  
Fax: (860) 429-6863

**To:** Martin H. Berliner, Town Manager  
**From:** Dianne Gaudreau, Animal Control Officer  
**Subject:** Change to fee schedule  
**Date:** November 22, 2003

I would like to suggest the following change to be made to our fees:

1. Cats turned over for adoption by owner \$25.00

Thank you for your consideration. If you have any questions, please feel free to contact me at my office.

In response to your questions:

1. Do we currently charge anything?

No, currently we do not charge anything. We try very hard not to take cats except for quarantine purposes or if we get a complaint about a sick or injured cat (due to the rabies problems), or stray mother cats with kittens. As we have discussed many times, there is a serious cat overpopulation problem. If we were to get involved with cats we would need an addition to our cat room. However, we have had situations where people cannot keep their cat for whatever reasons, i.e.; divorce, moving, owner died, allergies, etc. To help in preventing to add to the cat overpopulation we take these cats. So to help with expenses from these animals this is why I suggest the \$25.00 fee for surrender.

2. Why \$25.00? What are my costs? How much is a dog turned over for adoption?

We presently charge \$45.00 for an owner to surrender a dog to us. I feel that \$45.00 is too high of a fee for a cat to be surrendered for the following reasons. Cleaning a dog kennel entails more time as they have inside/outside runs, the cat cages are much smaller, a more expensive cleaner is used for dogs and needs a ten minute set time before it can be rinsed, for cats we use a bleach/water solution which doesn't require a set time or rinsing off, usage of hot water for pre-rinsing and rinsing of dog kennels and dogs eat more food than cats.



**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

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(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: Fundraising Request from the Connecticut Twenty-ninth Colored Regiment  
Monument Fund**

Dear Town Council:

Attached please find a fundraising request from the Connecticut Twenty-ninth Colored Regiment Monument Fund. Please let us know if you would like to make a donation or have staff review this particular request for additional information. As you know, we do not specifically budget for this type of request and would need to appropriate funds from our contingency account to make such as gift.

Respectfully submitted,

Martin H. Berliner  
Town Manager

Attach:(2)

# *The Connecticut Twenty-Ninth Colored Regiment Monument Fund*

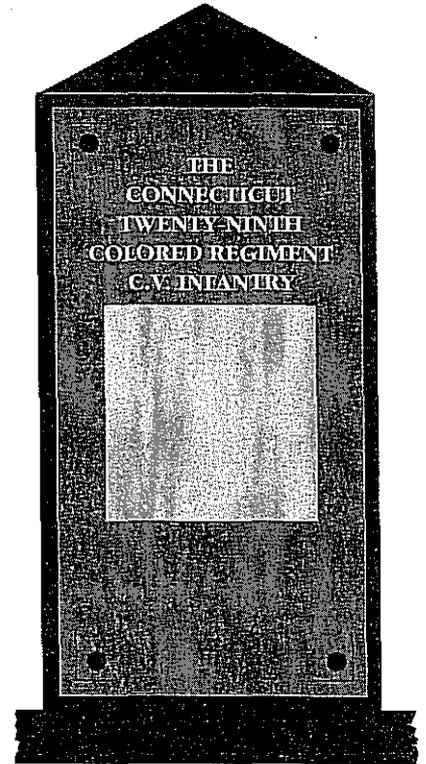
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Raymond L. Sims, Sr. Chairman  
Emanuel Gomez, President  
Albert W. Mero, Vice President  
Harrison H. Mero, Secretary  
Terrance Simmons, Treasurer

REC'D JAN 21 2004

January 12, 2003

Martin H. Berliner, Town Manager  
Four South Eaglevill Road  
Mansfield, CT 06268



Dear Town Manager Berliner:

The Descendants of 29<sup>th</sup> Connecticut Colored Regiment C.V. Infantry, a not-for-profit organization based in New Haven, Connecticut is currently engaged in a project to raise funds to build a monument to honor the men of this historic regiment.

This regiment was mustered into service in 1863 by order of then Governor William A. Buckingham. By November 1863 the regiment established its encampment in Fair Haven on a parcel of land then known as Grape Vine Point (now Criscuolo Park). In March of 1864 the regiment marched off to join in the great battle to save the Union. The men who made up the regiment came from every walk of life, from freemen to ex-slaves, and Native American as well as Caucasian officers.

Through our research, we have been able to identify men from your town who fought with the 29<sup>th</sup> Infantry. We are hopeful that you will find it fitting to honor them by supporting our fundraising efforts to erect this monument.

Famed sculptor/artist Edward Hamilton has signed on to produce the faceplate for the 29<sup>th</sup> Monument. Hamilton is recognized nationally for his evocative public sculptures, including *The Amistad Memorial* in New Haven, Connecticut; the *Spirit of Freedom* monument in Washington D.C., honoring African Americans who fought for the Union in the Civil War; the York Monument in Louisville, Kentucky honoring the slave, York, who was part of the Lewis & Clark expedition; the Joe Lewis Memorial in Detroit; and the Booker T. Washington Memorial at Hampton University in Virginia.

MANSFIELD - 6

Pvt.	Bowman, John Henry	-	B
Pvt.	Johnson, Samuel	-	G
Pvt.	Anderson, William	-	K
Pvt.	Burden, Samuel	-	K
Pvt.	Coleman, Walter P.	-	K
Pvt.	Wooster, James P.	-	K

TODAY  
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HIGH 48 LOW 33  
DETAILS, PAGE D10

181st YEAR No. 314

# New Haven Register

MONDAY, NOVEMBER 10, 2003

NEWSSTAND 50¢

## Monument will honor black Civil War soldiers

### Descendants set goal of \$80G for memorial in Fair Haven park

By Kara Ouellet  
Special to the Register

**NEW HAVEN** — The white Union Army regiments based in Annapolis were excited upon learning they would be joined in training by the Connecticut 29th Regiment.

The soldiers, however, were stunned to learn that the members of the 29th were black, and

the white soldiers forced them to camp three miles outside the Maryland capital.

During the Civil War, a time when black soldiers were used as shock troops to soften up the Confederate enemy for white Union regiments, the members of the 29th Regiment were paid less than their white counterparts. Despite their mistreatment, the black troops fought on. And fought hard.

Now, more than 140 years after they first set up their encampment at Grape Vine Point, which is Fair Haven's Criscoolo Park, soldiers from the Connecticut

29th Regiment (Colored Volunteers) Infantry are on their way to receiving recognition.

Fund raising has begun for an \$80,000, 7-foot-tall monument honoring the 29th. The monument will include the history of the regiment, the names of its officers, enlisted members and battles fought. It will also include the names of members of the Descendants of the Connecticut 29th Colored Regiment C.V. Infantry, who worked on the project.

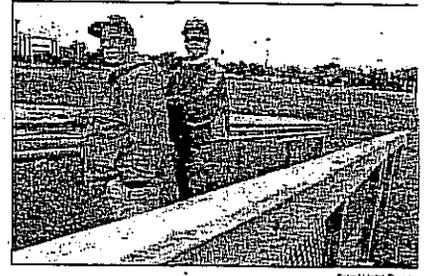
"We decided we needed to be on an educational mission to see that the children of New Haven had an opportunity to explore

historical significance," said Harrison Mero, a Hamden resident and secretary of the nonprofit organization behind the monument movement.

The 29th Regiment assembled in New Haven in August 1863 and departed for Annapolis in March 1864, said historian Thomas Acri of Milford.

Led by Lt. Col. William B. Wooster, the 29th Regiment included about 1,600 African-American soldiers from 137 towns in Connecticut, said Raymond L. Sims Sr., 72, of Ham-

See Overdue, A5



Harrison Mero, left, and Raymond Sims, both of Hamden, look over site of proposed monument to 29th Regiment at Criscoolo Park in New Haven.

MONDAY, NOVEMBER 10, 2003

FROM THE FRONT PAGE

NEW HAVEN REGISTER A5

## Overdue: Finally, black soldiers of the 29th Regiment will be recognized

Continued from A1

den, chairman of the monument fund. Last year through a Register obituary, Sims' wife, Elsie, learned that her grandfather, the late John W. Ross, served in the 29th Regiment as an orderly.

The 29th Regiment also included some whites and American Indians, as well as at least one man of Hispanic descent, Mero said. Mero, 62, is related to Samuel D. Franklin, and the brothers Joseph K. and Robert S. Sims, all of whom were attached to the 29th Regiment.

The 29th Regiment fought in several battles, including Roll House in Virginia, Deep Bottom Run in North Carolina and at Petersburg, Va.

The 29th Regiment's most important fight, Acri said, was the Battle at Fair Oaks, Va., on Oct. 27-28, 1864, where the infantry stood its ground against Confederate troops for 23 straight hours.

The regiment was also the first to march into Richmond, Va., on April 3, 1865, contributing to the fall of the capital of the Confederacy, said Acri.

The 29th Regiment's experience was unique because it has to deal with the dual stresses of war and racism, historians agree. Black soldiers during the Civil War era were especially concerned that they would be killed if captured in battle, Acri said. Acri cited an incident at Fort Pillow, Tenn., as an example. There, black Union soldiers laid down their weapons and were massacred instead of taken prisoner.

In addition, "The [black] infantry's battle was not only against the Confederacy," said Acri. "It was also against other [white Union] soldiers."

Initially, black soldiers were paid \$3 less than whites, which caused hardships for their families back home. The War Department eventually resolved the disparity, said Acri.

And with the all-black Massachusetts 54th Regiment's battle



Photo of the Connecticut 29th Regiment (Colored Volunteers) believed to have been taken at Annapolis, Md., in 1864.

at Fort Wagner, Ga., (depicted in the movie "Glory") came "the accusation that black troops were being used to soften the Confederacy and whites would come in afterward," minimizing the number of white Union soldiers being sacrificed for the cause, said Julian Madison, a history professor at Southern Connecticut State University.

Sims, the black soldiers fought for the Union because "ending slavery was in their best interest," said Madison. "They had something to prove and they had greater interest in the outcome than anyone else."

When the Civil War was over, there were still battles for black soldiers to fight. They were excluded from a Union victory parade in Washington, D.C., said Sims. And the victorious black soldiers continued to suffer discrimination.

"They came home and the [Connecticut] legislature denied them the right to vote until five years later," said Acri.

Most of the casualties of the 29th Regiment were to diseases,

such as cholera, which was rampant during the Civil War era, said Acri. About 20 infantrymen died before the regiment left for Annapolis.

It is difficult to know how many blacks fought and died for the Union because the records are inaccurate, historians said. "But I've seen estimates that about 185,000 black troops and sailors fought for the Union," said Madison.

The number of black soldiers who fought for the Confederacy is even more difficult to calculate.

They did not join until the end of the war, when the Confederacy passed a law that allowed 300,000 black men to be freed to fight if their owners consented.

"But that doesn't mean that 300,000 fought," said Madison.

The descendants of the 29th Regiment began developing plans for a monument at the park about a year ago, said Mero.

First assembled in 1965, the group organized as a nonprofit

Sims.

Also, sculptor Edward Hamilton, who developed the Amistad Memorial in front of City Hall and the Spirit of Freedom in Washington, D.C., to honor blacks who served in the Union Army, is designing for the local monument a bronze plaque depicting the 29th Regiment engaged in battle, said Mero.

When the monument is completed, it will become a stop on the state's Freedom Trail, said Sims.

The monument will exemplify the evolution of people's struggles for freedom, justice, and equality, said Mero. "We

hope it will be a symbol that the work begun by these men and women is ongoing."

The Descendants of the Connecticut 29th Colored Regiment C.V. Infantry encourages anyone who wants to find out more about the organization or make a donation to call Mero at 776-0571.

Checks can also be mailed in care of Mero to 91 Burke St., Hamden 06514.

"We are not restricted by race, sex. ... We are an organization dedicated to the perpetuation of history," Mero said.

Kara Ouellet is a Register intern.



**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 9, 2004

Town Council  
Town of Mansfield

**Re: Recreational Trails Program Grant – Greenway/Blueway Project Along the  
Willimantic River at Plains Road**

Dear Town Council:

In June 2002, the Town Council authorized staff to negotiate a lease agreement with the University of Connecticut for the town's recreational use of the university's property at Plains Road along the Willimantic River. To initiate this project, the town has prepared a grant application to the Connecticut Department of Environmental Protection to develop a greenway/blueway, including a canoe launch and multi-use recreation area, at the subject property.

As explained by staff, the total project cost is estimated at \$48,800. If funded, the grant would contribute \$39,040 to the project and the town and a local landscape architect would contribute the balance through in-kind services and previously budgeted capital improvement funds.

Staff recommends that the Town Council authorize the Town Manager to submit the application and to execute any necessary paperwork to process the grant.

If the Town Council supports this recommendation, the following resolution is in order:

*Resolved, effective February 9, 2003, to authorize the Town Manager, Martin H. Berliner, to submit an application seeking funds in the amount of \$39,040 from the Connecticut Department of Environmental Protection's Recreational Trails Program to fund a greenway/blueway project along the Willimantic River at Plains Road in Mansfield. In furtherance of this resolution alone, the Town Manager is duly authorized to enter into and sign said contracts on behalf of the Town of Mansfield. The Town Manager is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, rescissions and revisions thereto.*

Respectfully submitted,

*Martin H. Berliner*

Martin H. Berliner  
Town Manager

Attach:(2)



**Mansfield**  
Community  
Center

**Town of Mansfield  
Parks and Recreation  
Department**



*Jennifer Kaufman*  
*Parks Coordinator*

10 South Eagleville Road  
Storrs/Mansfield, Connecticut 06268  
Tel: (860) 429-3015 Fax: (860) 429-9773  
Email: [Parks&Rec@MansfieldCT.org](mailto:Parks&Rec@MansfieldCT.org)  
Website: [www.MansfieldCT.org](http://www.MansfieldCT.org)

**TO:** Martin H. Berliner, Town Manager  
Matt Hart, Assistant Town Manager

**FROM:** Jennifer S. Kaufman, Parks Coordinator

**DATE:** February 4, 2004

**SUBJECT** Recreational Trails Program Grant

Attached you will find a project description and budget to develop a greenway/blueway, including a Canoe Launch and multi-use recreation area with a nature trail, along the Willimantic River at UConn's Plains Road Property. This greenway/blueway would greatly enhance the Willimantic River as a "Canoe/Kayak Trail." In addition, this project provides another link in the greenway trail from Merrow Meadow Park to Eagleville Preserve, permanently preserved parcels along the Willimantic River. Both the Town and University see this project as an excellent partnership opportunity.

The total project cost is \$48,800. If funded, the grant would contribute \$39,040 to the project. In-kind services and cash would be provided by the Town and a local Landscape Architect and would total \$9,760 and will be paid out of existing capital improvement funds.

It is respectfully recommended that the Town Council consider authorizing the submittal of this grant application to the Recreational Trail Program.

## **Development of a Greenway/Blueway Along the Willimantic River**

### **1. Project Summary**

The Town of Mansfield proposes to develop a greenway/blueway, including a Canoe Launch and multi-use recreation area with a nature trail, along the Willimantic River at UConn's Plains Road Property. This greenway/blueway would greatly enhance the Willimantic River as a "Canoe/Kayak Trail." In addition, this project provides another link in the greenway trail from Merrow Meadow Park to Eagleville Preserve, permanently preserved parcels along the Willimantic River. The Town and University have negotiated a lease and both parties see this project as an excellent partnership opportunity.

In 2003, the Willimantic River was designated an Official State Greenway. One of the goals of this greenway is to enhance the river as a waterway and to create additional launch sites. Development of this greenway/blueway trail provides more river access and would draw residents of Mansfield and surrounding towns to the Willimantic River, which runs 25-miles through 9 towns from Stafford Springs to Willimantic. Use of the greenway/blue trail will be enhanced by a multiuse green space with a nature trail. This space will be used as a ball field and for other recreational uses such as picnicking, kite flying, and summer concerts. The Plains Road location is ideally suited for a canoe launch because of its location immediately above the Eagleville Lake impoundment. Proximity to the lake provides paddlers with relatively flat waters and is the only location along the river where beginners can learn to canoe in a river with slow current. In addition, the Plains Road location is the only point between Eagleville Lake and the Willimantic River's headwaters where there is enough water flow year round to float a canoe. The Plains Road location is ideal for a multiuse green space and nature trail because it is surrounded by undeveloped land that would not conflict with recreational uses.

The property was the site of UConn's former sewage treatment facility. The area of the proposed multi-use green space has since been refurbished and graded with a layer of topsoil. The site was hydroseeded in 2001 to stabilize the soil and prevent erosion. The Canoe Launch would be installed adjacent to the multiuse green space and would be incorporated as part of the nature trail.

In order to develop this property as a waterfront recreation area with a nature trail and canoe launch the Town of Mansfield would perform the following tasks:

- Consult with a UConn's Department of Landscape Architecture to develop a plan for greenway/blueway trail, development. The plan would guide the initial installation of the items detailed below. The plan would also include additional items such as plantings, and stone walls that would require additional funding at a later date.
- Develop a parking area and appropriate fencing to provide easy public access.
- Develop a multiuse green space with a nature trail.
- Install a gravel walking path area from field to the Canoe Launching area.
- Install a Canoe Launch.
- Develop trail and install appropriate waterbars and walking bridges where needed to connect this site to UConn's Plains Road site.
- Develop and install appropriate signage.

**PROJECT BUDGET TO DEVELOP A  
GREENWAY/BLEUEWAY ALONG THE  
WILLIMANTIC RIVER**

Item	Cost=
<i>Hire a Landscape Architect to develop a Plan</i>	\$5,500.00
<i>Install Parking Area</i>	\$5,000.00
<i>Install Fencing</i>	\$6,500.00
<i>Develop Multi-use green space</i>	\$22,000.00
<i>Develop nature trail with appropriate walking bridges ing wet areas</i>	\$4,000.00
<i>Install Gravel Walkway from Parking Area to Canoe Area</i>	\$1,500.00
<i>Install Canoe Access Area</i>	\$1,800.00
<i>Develop, Purchase and Install Signage</i>	\$2,500.00
<b>Totals</b>	<b>\$48,800.00</b>
<i>In Kind Contribution</i>	\$9,760.00
<b>Money Requested</b>	<b>\$39,040.00</b>
	\$48,800.00

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CC Kevin G



REC'D JAN 22 2004

January 21, 2004

Mr. Martin Berliner  
Town Manager  
Audrey P. Beck Building  
4 South Eagleville Rd  
Mansfield, CT 06250

Dear Mr. Berliner:

Enclosed please find 2<sup>nd</sup> quarter statistics for FY 2004 for services provided by VNA East to the town of Mansfield.

If there are any questions, please contact me at 456-7288, extension 212.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Bergeron". The signature is written in dark ink and is positioned above the printed name and title.

Susan Bergeron  
Executive Assistant

Encl.

**VNA EAST**  
**34 LEDGEBROOK DR**  
**MANSFIELD CTR, CT 06250**  
**PH: 456-7288 FAX: 423-5702**

**VISIT STATISTICS**  
**7/30/03 - 12/31/03**

<u>SERVICE</u>	<u>MANSFIELD</u>	<u>AGENCY</u>
Skilled Nursing	2003	13,674
Physical Therapy	537	2,973
Speech Therapy	10	53
Occupational Therapy	81	351
Medical Social Work	95	346
Home Health Aide	1729	9,850
Home Health Aide Sprvsn.	10	47
Homemaker	48	91
Companion	0	0
<b>TOTAL</b>	<b>4,513</b>	<b>27,385</b>
<b>COMMUNITY ACTIVITIES</b>		
Adult Health Screening	224	1,395
Flu & Pneumonia	0	0
<b>TOTAL</b>	<b>224</b>	<b>1,395</b>
<b>MEALS TO HOME</b>	<b>1370</b>	<b>12,875</b>

**RECREATION ADVISORY COMMITTEE**  
**MEETING MINUTES**  
**October 29, 2003**

**ATTENDING:** Darren Cook, Sheldon Dyer, Don Field, Dave Hoyle, Mia John  
**STAFF:** Jay O'Keefe, Curt Vincente  
**GUEST:** Lauren Moran

- A. Call to Order – Chairman S. Dyer called the meeting to order at 7:35pm
- B. Approval of Minutes – D. Cook moved and D. Hoyle seconded that the minutes of September 24, 2003 be approved. So passed unanimously.
- C. Co-Sponsorship Reviews – No action needed at this time. The three existing co-sponsored organizations will be invited to present their application for renewal at the next meeting.
- D. Old Business – C. Vincente briefly reviewed the Building Committee minutes, Job Meeting minutes No. 39 and the October 20, 2003 Construction Manager's report. C. Vincente updated committee members on the Community Center marketing plan, membership sales analysis and gave a donation update. The recent fee waiver correspondence to the Town Council was discussed. No formal action was taken. C. Vincente also reviewed the building description and features sheet. A lengthy discussion was held on the program rate structure. Committee members expressed concern that the department is not being allowed to operate the programs and membership as was originally approved and according to marketing strategies. The proposed facility rental rates were reviewed. D. Cook moved and D. Field seconded that the rates be approved. So passed unanimously. On other Community Center matters, S. Dyer talked about fundraising and parking, D. Field inquired about floatation use in the pool, D. Hoyle discussed gym scheduling.
- E. Correspondence – S. Dyer re-appointment acknowledged
- F. Director's Report – C. Vincente noted that most of his report was covered under Old Business or will be discussed under New Business items.
- G. New Business – J. O'Keefe gave a brief update on Fall Programs.

Having no other business, D. Hoyle moved and D. Cook seconded that the meeting be adjourned. So passed unanimously at 9:38pm. The next meeting is scheduled for December 17, 2003, 2003 in the Community Center.

**RECREATION ADVISORY COMMITTEE**  
**MEETING MINUTES**  
**December 17, 2003**

**ATTENDING:** Darren Cook, Sheldon Dyer  
**STAFF:** Jay O'Keefe, Curt Vincente  
**GUESTS:** Lauren Moran, Nellie Hankins

- A. Call to Order – Chairman S. Dyer called the meeting to order at 7:40pm. Lack of a quorum prevented formal business actions.
- B. Approval of Minutes – Tabled to next meeting
- C. Co-Sponsorship Reviews – D. Nadeau, President of the Tri-Town Youth Football and Cheerleading Association (TTYFCA) and Treasurer for the Mansfield Little League, presented applications for co-sponsorship renewal. After a detailed review and discussion of both organizations, D. Nadeau noted that the organizations would like to come back to a future meeting to discuss the need for facility improvements at Southeast Park and expressed concerns about the Little Leagues loss in banner sponsorship.
- D. Old Business – C. Vincente briefly reviewed the updated Community Center membership numbers, recent positive editorials in the Courant and the Chronicle, and the special Chronicle insert on the Grand Opening. S. Dyer noted that RAC member D. Hoyle, who could not attend the meeting tonight, called him to discuss the benefits explained on the Community Center membership registration form. Concerns were expressed that the program rate structure and registration restrictions placed on non-resident Community Center members will create less incentive for them to renew their membership next year. Guests L. Moran and N. Hankins, prospective EOS Student Representatives to serve on RAC were asked about ways to get more student involvement in the Teen Center. A number of avenues will be explored with the Teen Center Coordinator. The recent fee waiver correspondence and approvals from the Town Council were discussed. The approved facility rental rates were also reviewed.
- E. Correspondence – None
- F. Director's Report – C. Vincente noted that most of his report was covered under Old Business or will be discussed under New Business items.
- G. New Business – J. O'Keefe gave a brief update on Fall Programs and Winter Program brochure planning. The 2004 meeting schedule was reviewed and approved.

Having no other business, the meeting was adjourned at 9:27pm. The next meeting is scheduled for January 28, 2004 in the Community Center.

**Mansfield Parks Advisory Committee**  
**Draft Minutes for January 7, 2004**

**Members present:** Sue Craig, Jean Haskell, David Silsbee, Jennifer Kaufman. **Absent:** Pat Bresnahan, John Fisher, Jacquelyn Perfetto. **Guests:** none.

I. The meeting was called to order at 7:40 pm. The December 3 meeting minutes were accepted.

II. **New Business.** The previous PAC Year-end Review was measured and a new list was made for PAC 2003 accomplishments and PAC 2004 plans. Jennifer will forward it to the Town.

**III. Continuing Business**

- **A. PAC member recruitment** for three positions continues.
- **B. Electronic Trail Guide.** Jennifer presented Kristin Schwab's interpretation of UConn participation on this project. The students will learn GPS methods from a Green Valley Institute trainer. Students requested site visits with PAC members, to be arranged later.
- **C. Implementation Task Review for new Budget.**
- Jennifer distributed implementation schedule spreadsheets for the three preserves selected to work on in 2004: Mt. Hope, Old Spring Hill Field, and Schoolhouse Brook. According to the Director, the current system tells us that regular maintenance tasks should be requested of DPW, put in their queue, and come out of their budget. Within the Parks budget, there are only two categories to work with; Capital Improvements (none expected) and Parks Improvements (request up \$5000, to \$15000). PAC's suggestions will be considered for the Parks Improvement expenditures. While reviewing the three implementation schedules, PAC decided next to make a target 2004 list to submit to Parks. The list will be finalized at the PAC February meeting, and should include PAC's top five suggestions each for DPW work, volunteer workdays, and service projects.

**D. PAC Reports**

1. **Volunteers.** The December workday was cancelled due to weather. The next workday is February 7 at Old Spring Hill Field. Workday information is now available on the Town website.
2. **Education.** Jennifer reported work with MMS teacher Dena Mehalakes continues. A FOMP Winter tracking program will be lead by Sue Craig at Fifty-Foot, Feb. 8. Sue has also volunteered to lead a Spring Bird & Breakfast FOMP program May 1.
3. **Budget.** Completing a PAC 2004 Budget List is the next step in a budget proposal.
4. **Management. Communications. Enhancements. Executive.** No reports.

**E. Park Updates.**

1. **Dunhamtown Forest.** Jennifer distributed a description and trail map asking for PAC's help in correcting it.
2. **Merrow Meadow.** Jennifer distributed a Trail Stations sheet, asking PAC's help in editing it into a shorter version.
3. **Old Spring Hill Field.** Jean reported that DPW had a recent field day, clearing the northwest end of the property. Better supervision is suggested for further DPW work at the site.

**F. Non-PAC Reports.** No comments.

**IV. Correspondence.** Jennifer distributed information sent to her about the *Coventry Land Use Symposium 2004*. PAC agreed that Parks should help distribute information about their scheduled April 17 program at Mansfield Hollow State Park.

**V. Future Agendas.** Finalize PAC's 2004 Budget List and submit to Parks Dept.  
The meeting adjourned at 9:00 pm.

Respectfully submitted,  
Jean Haskell, Secretary, January 11, 2004

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Minutes of the December 17, 2003 Meeting  
Conference Room B, Audrey P. Beck Building

Present: Jennifer Kaufman, Quentin Kessel, Lanse Minkler (acting chairman), and John Silander

Absent: Denise Burchsted, Robert Dahn, Robert Thorson and Frank Trainor..

1. The meeting was called to order at 7:35 PM.
2. The final draft of the 11/20/03 letter from the CC to the TC asking that the TC consider urging the University of Connecticut to move their Hazardous Waste Storage Facility out of the Public Water Supply Watershed of the Fenton River was discussed (Attachment 1).
3. Kaufman reported that Town Planner Padick has drafts of the final maps for the Town's Plan of Conservation and Development and is currently working on the text.
4. The CC discussed the 11/20/03 letter (Attachment 2) from the CC to the TC regarding a November 10, 2003 letter from Samuel Dodd (in whose opinion the maintenance of Albert E. Moss Sanctuary is inadequate and that the Sanctuary "is now in a very sorry state."). Kessel reported that Rich Miller had forwarded his copy of the correspondence to Forestry Professor David Schroeder who, in turn, called Kessel to discuss the matter. Schroeder noted that the Moss Sanctuary Committee had not been as active as he would have liked, and that he will attempt to rejuvenate the group.
5. The meeting adjourned at 8:00 P.M.

Respectfully submitted,

Quentin Kessel  
Secretary

Mansfield Conservation Commission  
DRAFT, DRAFT, DRAFT, DRAFT, DRAFT, DRAFT

Minutes of the January 21, 2004 Meeting  
Conference Room B, Audrey P. Beck Building

Present: Robert Dahn (chairman), Jennifer Kaufman, Quentin Kessel, Lanse Minkler, John Silander, Robert Thorson and Frank Trainor.

Absent: Denise Burchsted.

1. The meeting was called to order at 7:35 PM.
2. The Minutes of the December 17, 2003 meeting were approved, following a motion by Minkler, seconded by Kaufman.
3. New Business.
  - a) It was voted to commend CC member Robert Thorson for his fine article in the PLACE series "Commentary About Where We Live," in the Sunday, January 18, 2004 editorial section of the Hartford Courant. The article was titled "The Sand Trap - What Keeps Our Roads Safe In Winter Is Harming Our Streams And Wetlands," and included photographs of silt and sand runoff-filled wetlands and culverts.
  - b) Fenton River. The CC reviewed the OPM map titled, "Proposed Plan of Conservation and Development Areas, Town of Mansfield, CT," provided by DEP's Eric Thomas. Frustration was expressed that DEP's Corinne Fitting has yet to answer the CC's request for copies of memos or scientific justification for the aquifer protection guideline that excludes drainage basins being drained by perennial streams from "Level A/B Aquifer Protection" On the Conservation and Development Area map, this significantly affects two drainage basins that contribute to the Fenton aquifer utilized by the University of Connecticut and the Town of Mansfield. The streams draining these basins, an unnamed brook on the east side of the Fenton River and Fishers Brook on the west side, clearly disappear into the stratified drift of the aquifer during dry periods, never reaching the river as surface runoff. Because of the otherwise regular flow in these streams, one could reasonably argue that year around, they contribute more water to the aquifer than do the neighboring watersheds, which are given the greater Level A/B Aquifer Protection on the proposed map. The CC voted unanimously to address this issue in a letter to Arthur Rocque, Commissioner of the Connecticut Department of Environmental Protection (Attachment 1).
  - c) Torrey Boundary Marking Update. Dahn and Kessel have marked most of the boundary with ribbons. Dahn will obtain a copy of the map for the Town-owned property that was deeded to the Town as a part of the Holley Drive subdivision, so that they may complete the job.
  - d) Shelter Falls Boundary. Silander volunteered to help with the marking of this property.
  - e) Town Plan of Conservation and Development. An email from Kaufman reported that the Lands of Unique Value study has been completed and can be viewed on the on the Town's web page. The Town is still working with the consultant to ensure full use of digital mapping issues. It is expected that the LUV mapping will be able to be modified for incorporation into a finalized Town Plan. During the next few months' staff

will be working with a subcommittee of the Planning and Zoning Commission and other Town committees to complete a draft plan update for presentation to the public.

#### 4. IWA Referrals.

W1243 - Gorin - White Oak Road. Map date 11/17/03. This is an application for a new residence on a lot previously approved but now beyond the 10 year statutory permit time limit. Kessel moved, and Trainor seconded, that this construction should have no significant negative impact on the nearby wetlands as long as the sedimentation and erosion controls shown on the map were in place during construction and removed after the site has stabilized. The motion passed unanimously.

W1244 - Andalib - Browns Road. Map date 12/01/03. This is an application for a new residence on the "first cut" parcel of the recent Parrow Subdivision. Kessel moved, and Trainor seconded, that this construction should have no significant negative impact on the nearby wetlands as long as the sedimentation and erosion controls shown on the map were in place during construction and removed after the site has stabilized. The motion passed unanimously.

W1245 - Adams - Wormwood Hill Road. Map date 12/5/03. This is an application for a 3-lot subdivision, one lot of which is the existing house. Kessel moved, and Silander seconded that the CC express concern on two issues.

i) The possible negative impact on the wetlands and urge IWA to do everything possible to minimize the impact.

ii) The proposed conservation area consists of land of limited use or conservation value in that it fails to link up with any significant natural area. The CC asks that the IWA/PZC consider asking for an easement on the eastern portion of lot 3, either in addition to or in place of the proposed area. The CC notes that an easement may be written so as not to preclude farming, forest management, or other activities that might be specified by the owner in the easement document.

The motion passed unanimously.

W1246 - Town of Mansfield - Birch Road. Map date 7/8/03. This project is for intersection improvement work. The drainage portion of the work involves a considerable extension of drainage from the Goodwin School area to an outlet on Birch Road. The CC expressed concern that the extended drainage system might contribute additional road runoff directly to the wetlands. With this reservation Minkler moved, and Dahn seconded, that this construction should have no significant negative impact on the nearby wetlands as long as the sedimentation and erosion controls shown on the map were in place during construction and removed after the site has stabilized. The vote was 4 in favor of the motion with 1 against and 1 abstention.

#### 5. The meeting adjourned at 8:00 P.M.

Respectfully submitted,

Quentin Kessel  
Secretary

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## MINUTES

### MANSFIELD PLANNING & ZONING COMMISSION

Regular Meeting, Tuesday, January 20, 2004

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), A. Barberet, B. Gardner, R. Hall, K. Holt, P. Kochenburger  
Members absent: J. Goodwin, P. Plante, G. Zimmer  
Alternates present: B. Pociask, B. Ryan  
Alternates absent: B. Mutch  
Staff present: C. Hirsch (Zoning Agent), G. Padick (Town Planner)

Chairman Favretti called the meeting to order at 7:21 p.m., appointing Alternate Pociask and Alternate Ryan to act as voting members.

Minutes – 1/5/04 - Hall MOVED, Ryan seconded to approve the Minutes as presented; MOTION CARRIED, all in favor but Kochenburger, who was disqualified.

1/13/04 field trip – Barberet MOVED, Gardner seconded to approve the Minutes as presented; MOTION CARRIED, Barberet, Favretti, Gardner and Holt in favor (Holt abstaining on items 4 and 5), all else disqualified.

Zoning Agent's Report – The December, 2003 Enforcement Activity Report and 1/14/04 status report on pending court cases were noted. Mr. Hirsch announced at the meeting that the Paideia court case has been decided in favor of the Town, although an appeal is still possible. In addition, he advised members to read the article in the Nov., 2003 CT Bar Ass'n. *Planning & Zoning Newsletter* which addresses the issue of a recent court decision which determined that an approved subdivision lot was forever governed by the zoning regulations in place at the time of its creation. Both Mr. Hirsch and Mr. Padick felt this could be very important in terms of our subdivision regulations. Although Mr. Padick felt the decision should not be taken as automatic at this point, they agreed that it bears watching.

#### Old Business

"Smith Farms" subdivision application, 6 proposed lots off Coventry Rd., Reja Acquisitions, o/a, file 1214 – Memos were noted from the Ass't. Town Engineer (1/15/04) and Health Dep't. (1/12/04), and neighborhood notification receipts have been submitted. The applicants were represented by R. Messier, project surveyor, and Att'y. D. Berry, who submitted a copy of a 1/14/04 letter providing information on the proposed trail surface, open space dedication and the planned driveway for lots 1, 2 and 3.

Members briefly discussed the drainage issue with the applicants and Mr. R. Latouche and Mr. J. Brown, both project abutters. Mr. Latouche voiced concern that drainage to his pond might be adversely affected, and was told that is not anticipated. Mr. Brown's concerns were that the foundations of the original Smith farmhouse be preserved, and concern for noise and vibration during construction, and concern for the effect of the development on neighboring property values.

Mr. Messier agreed with Mr. Meitzler's 1/15/04 comment that there would be no adverse effect on Mr. Latouche's drainage situation or his pond. He added that the only additional noise or traffic on the proposed driveway to lots 1, 2 and 3 would be during the construction period, and that impact on the Brown site would be no greater than that from Browns Rd., which is closer than the proposed driveway. Discussion then closed with Mrs. Holt and Mrs. Gardner volunteering to work on a draft motion for the next meeting.

Draft State Conservation & Development Policies Plan – Mr. Padick's 1/13/04 memo, accompanied by a 1/7/04 report to the Town Council with suggested comments for the State Office of Policy and Management, was noted. At the meeting, he reported that he had attended the Public Hearing this afternoon and had gathered comments from other regional and area planners. Afterwards, he concluded there are no major differences from Mansfield's previous comments, particularly concerning redesignation of the Univ. of CT Storrs and Depot campuses and Eastbrook Mall area as Regional Centers. Mr. Padick also related that OPM representatives said at the Hearing that the latest information on aquifer delineations would always take precedence, and he recommended that this be included in the Town's comments. He stated that, while the present mapping is generally accurate, it should in some instances be updated or clarified. Barberet MOVED, Holt seconded to authorize the Chairman, with staff

assistance, to co-endorse with the Mayor a letter to the State Office of Policy and Management with comments and recommendations for revisions to the draft 2004 State Policies Plan for Conservation and Development. It is understood that any significant recommendations that were not identified in the 1/7/04 report from the Town Planner or agreed upon at the PZC's 1/20/04 meeting shall be resubmitted for further consideration by the PZC at its 2/2/04 meeting. MOTION PASSED unanimously.

Notice of Scoping: Proposed UConn football/intramural/recreational complex, tennis courts relocation – The Town Planner's 1/14/04 memo was noted. A public scoping meeting is scheduled for 1/27/04 at 6:30 p.m. in the Bishop Center, with a comment deadline of 2/5/04. Mr. Padick advised waiting until after that meeting to make any comments, as a different location will be proposed for the relocated tennis courts.

PZC By-laws on conduct of Public Hearings – Mr. Padick's 1/13/04 memo details proposed changes to Art. XI of the By-laws. After discussion, Holt MOVED, Gardner seconded to approve the proposed additions to Article XI of the Planning and Zoning Commission By-laws as attached to the Town Planner's 1/13/04 memo, to be effective immediately. MOTION PASSED unanimously.

#### Town Planner's Verbal Updates

Storrs Center "Downtown" project – No new news.

UConn Hazardous Waste Facility Comparative Site Study – Mr. Padick will report after the next committee meeting, on Feb. 9<sup>th</sup>. He noted an Environmental Impact Evaluation is to be performed and said the committee is probably going to recommend a location next to the University's sewage treatment plant.

UConn Env. Policy Advisory Council and Master Plan Update presentations previously announced have been postponed until a Town Council meeting in February or March.

Mansfield Plan of Conservation & Development update from Town Planner dated 1/7/04, as included in members' packets, was noted.

New Business – Holt MOVED, Barberet seconded to add a 1/15/04 request from L. Sabatelli for tree removal on Lot 3, Pond View Estates (file 1193) to the agenda under New Business at this time. MOTION PASSED unanimously. Members discussed Mrs. Sabatelli's request for removal of a diseased red pine grove from Lot 3 for the purpose of house construction on that lot. After discussion, Barberet MOVED, Hall seconded that the Planning and Zoning Commission authorize the removal of red pine trees within the conservation easement area on Lot 3 of the Pond View Estates subdivision, subject to compliance with the removal process outlined in a 1/15/04 letter from Linda Sabatelli, subject to immediate stabilization of any areas disturbed by the removal process, and subject to providing advance notice to the Zoning Agent of the timetable for tree removal. Consistent with the PZC's approval, there shall be no stump removal within the conservation easement area. MOTION PASSED unanimously.

Proposed Ordinance regulating adult-oriented businesses – Mr. Padick's 1/13/04 memo was acknowledged. At the meeting, he noted that a Public Hearing on the proposal is scheduled during the Town Council's 1/26/04 meeting. The Ass't. Town Manager and Town Attorney have reviewed similar ordinances in other CT towns. It is felt that an Ordinance would provide the Town with greater enforcement latitude than is allowed through the Zoning Regulations. Mr. Padick has reviewed our present regulations and zoning map to make sure that there are locations in Mansfield where such establishments could legally be located. During discussion, the possibility of increasing the staff's recommended 500 ft. distance from residential zones was suggested and discussed at some length. Mr. Padick felt strongly that the distance that is finally decided upon should be one that will protect the Town from possible legal challenges in the future. He felt that 500 feet would surely be a defensible distance, but others, such as 1,000 or 750 feet, are potentially excessively limiting. Mr. Favretti pointed out that 500 feet is the distance used in our regulations for special permits, and almost any adult-oriented business would have to have special permit approval. Further discussion related to mandating liability insurance for such establishments and establishing higher fines. At the close of discussion, Kochenburger MOVED, Holt seconded that the PZC report to the Town Council its support for adoption of the proposed Ordinance regulating adult-oriented establishments in Mansfield, subject to a revision of the setback from residential zones from 250 to 500 feet (Section 5) to be consistent with the zoning definition of "Neighborhood of a given lot." It is also recommended that higher fines be incorporated into Section 14 and that a requirement be included in Section 3 that all such operations maintain at all times a minimum of one million dollars (\$1,000,000.00) of liability insurance. MOTION PASSED unanimously.

Proposed telecommunication tower on Knowlton Hill Rd. in Ashford (can be seen from Mansfield and Willington)  
– awaiting staff report.

Proposed temporary signs for Zoning Board of Appeals applications – The Regulatory Review Committee Minutes of 1/15/04 outline discussion of the proposal and the reasons the committee is not in favor of such signs. Discussion was continued at tonight's meeting, where many concerns regarding the desirability of such signs were raised. Other possibilities, such as the adequacy of certified letter/return receipt notification to property-owners or notice within 500 feet of a site, as required for special permit and zone change applications. The Commission also agreed that the proposed signage is not considered a public sign pursuant to Article X, Section C.4.a. At the close of discussion, Holt MOVED, Pociask seconded that the Zoning Board of Appeals be informed that the Planning and Zoning Commission supports Item #3 in the Minutes of its Regulatory Review Committee's 1/15/04 meeting. MOTION PASSED unanimously.

Regulatory Review Committee – scheduled for Wednesday, 1/28/04, at 1 p.m., weather permitting.

Communications and Bills – As noted on the Agenda.

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

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Mansfield Downtown Partnership

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1244 Storrs Road  
PO Box 513  
Storrs, CT 06268  
(860) 429-2740  
Fax: (860) 429-2719

February 3, 2004

Board of Directors  
Mansfield Downtown Partnership

**Re: Item #4 - Meeting Minutes**

Dear Board members:

Attached please find the minutes for the Board meeting held on January 6, 2004.

The following motion would be in order:

*Move, to approve the minutes of January 6, 2004.*

Sincerely,

A handwritten signature in cursive script that reads "Cynthia van Zelm".

Cynthia van Zelm  
Executive Director

Attach: (1)

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**MANSFIELD DOWNTOWN PARTNERSHIP, INC.**  
**BOARD OF DIRECTORS MEETING**  
**Mansfield Community Center**  
**Tuesday, January 6, 2004**

**MINUTES**

Present: Steve Bacon, Martin Berliner, Tom Callahan, Dale Dreyfuss, Al Hawkins, Janet Jones, Philip Lodewick, Betsy Paterson, John Petersen, Dave Pepin, Steve Rogers, Chris Thorkelson, Betsy Treiber, Frank Vasington, David Woods

Staff: C. van Zelm

**1. Call to Order**

Philip Lodewick called the meeting to order at 4:00 p.m.

**2. Opportunity for Public to Comment**

Howard Raphaelson referenced the Market Study that was done for the Mansfield Downtown Partnership as part of the Municipal Development Plan. He said the Study indicated that within the 15-mile Mansfield trade area, there are 2,211 households that are aged 65 or older with an income higher than \$50,000. With this data in hand, the Study indicated there is a likely demand for a 100 household Continuing Care Retirement Community in the Mansfield trade area. Mr. Raphaelson thought that there was even a larger demand for such housing as many people in Mansfield tend to stay in the area after they retire.

**3. Approval of Minutes**

Betsy Paterson made a motion to approve the December 3, 2003 minutes. Dale Dreyfuss seconded. The minutes were approved unanimously.

**4. Director's Report**

Cynthia van Zelm said the brochure was continuing to be revised. She had e-mailed the Board the latest draft and reiterated the need for comments by this Thursday.

Ms. van Zelm said she has a conference call this week with the Storrs Center Alliance and LRK team to check-in on progress with the Municipal Development Plan and other development related tasks. The team is currently sharing completed projects on a website set up by Marquette Property Investments to facilitate the efficient transfer of information.

She said that Annie Howard, an MPA student at UConn, would be starting as an intern in the office on January 23 for about 5 to 8 hours per week.

Ms. van Zelm said she had shared a proposed two year Work Plan with the Town of Mansfield, UConn, and President Philip Lodewick. The Finance and Administration Committee will be reviewing the draft Work Plan at their meeting in two weeks. She hopes to have it for the Board to review at its meeting in February.

F:\\_Common Work\Downtown Partnership\Director

## 5. Update on Municipal Development Plan and Master Developer Negotiations

Tom Callahan reported that negotiations on land between UConn and Storrs Center Alliance are on-going. He said he hopes to have the Development Agreement between Storrs Center Alliance and the Partnership ready for the February meeting. Storrs Center Alliance is still working on its Business Plan and Development Program.

## 6. Report from Committees

2004 Fall Event – Betsy Paterson said that the Fall Event Committee has suggested changing the date of the event from September 11 to Sunday, September 12 in the afternoon. She said that she and Ms. van Zelm have been talking to property owners to update them on plans for a festival and ascertain whether the Partnership can use their property. The Committee is expanding and there is a lot of enthusiasm for putting on the festival. She reported that the Town's Arts Advisory Committee will most likely be able to work with the Partnership on bringing artists to be part of the festival.

Business Development and Retention – In Mike Gergler's absence, Ms. van Zelm reported that the Business Development and Retention Committee had met and developed an outline of how the Committee might work with the master developer, Storrs Center Alliance. The Committee also developed some questions and issues for Storrs Center Alliance that are important to business and property owners in Storrs Center including parking, and access to businesses during construction.

Finance and Administration – Mr. Callahan said the Finance and Administration Committee would be reviewing the Partnership Work Plan and budget for the next couple of years and expects to bring these two items to the Board in February.

Membership Development – Betsy Treiber reported that Partnership membership is now at 262 members with over \$10,000 in membership dues collected. The Committee is finalizing a letter from the Partnership to UConn faculty and staff regarding membership.

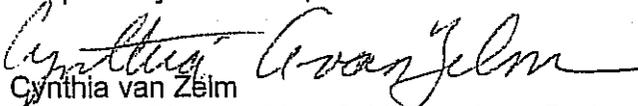
Nominating – Philip Lodewick said the Nominating Committee had just met prior to this meeting and was reviewing any potential available Board positions.

Planning and Design – Steve Bacon reported that the Planning and Design Committee was working on some recommendations on sustainable design for review by the master developer and the Board. The Committee has also discussed a trip to Princeton, New Jersey during the design process to work with Looney Ricks Kiss. The next Committee meeting is January 20.

## 7. Adjourn

Mr. Callahan made a motion to adjourn. Ms. Paterson seconded the motion. The motion was approved unanimously. The meeting adjourned at 4:20 PM. The next meeting is set for February 3.

Respectfully submitted,



Cynthia van Zelm  
Executive Director, Mansfield Downtown Partnership, Inc.

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## MINUTES

### MANSFIELD INLAND WETLAND AGENCY Special Meeting, Tuesday, January 20, 2004 Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), A. Barberet, B. Gardner, R. Hall, K. Holt, P. Kochenburger  
Members absent: J. Goodwin, P. Plante, G. Zimmer  
Alternates present: B. Pociask, B. Ryan  
Alternates absent: B. Mutch  
Staff present: G. Meitzler (Inland Wetlands Agent)

Chairman Favretti called the meeting to order at 7:05 p.m., appointing Alternates Pociask and Ryan to act as voting members.

W1231, "Smith Farms," proposed 6-lot subdivision off Coventry Rd., Reja Acquisitions, o/a – Mr. Kochenburger disqualified himself. It was noted that the Health Department has determined that the application complies with the State Health Code. After Mrs. Holt summarized the application and members briefly discussed issues of drainage and potential partial driveway relocation, Holt MOVED, Gardner seconded to grant an Inland Wetlands license under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Reja Acquisitions Corp. (file W1231) for work associated with a 6-lot subdivision on property owned by the applicant located on the north side of Coventry Road, as shown on a map dated August, 2003 revised through December 10, 2003 and as described in other application submissions and as heard at Public Hearings on Nov. 3, 2003 and Dec. 15, 2003. This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. Riprap shall be provided at the 15" pipe outlet located 300 feet back from Coventry Road on the shared drive for lots 1, 2 and 3;
3. Curtain drains shall be placed around the septic systems in accordance with Health Department requirements to protect nearby wetlands;
4. If there are further modifications to the plans that affect wetlands, they shall be brought back to this agency for review;
5. Because of proximity to wetlands, the driveways shall not be widened;
6. This approval is valid for a period of five years (until 1/20/09), unless additional time is requested by the applicant and granted by the Inland Wetland Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comments.

MOTION PASSED unanimously.

Wetlands Regulations Review Committee – Scheduled for Tuesday, Feb. 3<sup>rd</sup>, at 1 p.m.

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

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**INTEROFFICE MEMORANDUM**

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**TO:** MANSFIELD TOWN COUNCIL  
**FROM:** SUSANNA THOMAS, CHAIR  
MANSFIELD COMMISSION ON AGING  
**SUBJECT:** MAILBOX ACCESS  
**DATE:** 1/8/2004  
**CC:** STORRS POSTMASTER

---

I am writing on behalf of the Commission On Aging to express our concerns regarding the lack of an accessible drive-up mailbox located in Mansfield. At one time there was such a box on the road to the Storrs Post Office, but this was removed when the E.O. Smith athletic fields were relocated behind the post office. The Town's Advisory Committee on the Needs of Persons with Disabilities has been trying since 2000 to have this box relocated, but to date they have been unsuccessful.

As you are aware, we have an aging population in this town who work hard to maintain their independence. Mobility is often a problem for seniors, as it can be for individuals with disabilities, and easy access to something as simple as a mailbox can have a significant impact on their ability to carry on with basic daily activities. We understand that traffic safety needs to be taken into consideration in the placement of a drive-up mailbox, but we believe that there must be at least one location in Mansfield that could accommodate this.

We appreciate your willingness to look into this matter, and we will await your response to this issue.

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## **CONNECTICUT COUNCIL OF SMALL TOWNS 2004 LEGISLATIVE PLATFORM**

### **PROTECT TOWNS FROM CUTS IN STATE AID TO MUNICIPALITIES**

COST strongly urges the State Legislature to restore recent reductions in statutory state aid to municipalities. While COST recognizes the fiscal pressures facing the State, it does not believe these pressures justify recent steep cuts in state funding to towns. Reductions in state aid to towns merely shift the State's fiscal burdens to municipalities and result in untenable increases in local property taxes. Priority funding areas for FY 2004-05 include Educational Cost Sharing grants, Pequot/Mohegan grants, Town Aid Road grants, PILOT, Excess Cost Grants and LoCIP. COST will collaborate with other organizations to promote the passage of *all* its state aid funding priorities. However, because of the abbreviated nature of the 2004 legislative session, COST will focus its efforts on several key policy initiatives. These include:

#### **TOWN AID ROAD PROGRAM**

For many smaller communities, the Town Aid Road (TAR) program is one of their few sources of state aid. It provides towns with essential financial support that enables them to make critically important improvements in the local road network. Unfortunately, the Legislature and the Governor have cut the TAR program from \$35 million in FY 2001-2002 to \$12.5 million in 2003-2004 (an approximately 65% reduction). COST, working with the Connecticut Small Town Coalition, will undertake a campaign to promote the restoration of TAR funding to 2001-2002 levels of \$35 million at a minimum.

#### **SMALL TOWN ECONOMIC ASSISTANCE PROGRAM**

COST advocates the renewal of the Small Town Economic Assistance Program (STEAP) at a minimum of \$20 million per year. COST is also proposing to modify the program so that so-called "Urban Act" towns will be eligible to participate in STEAP if they opt out of the Urban Act grant program.

#### **CONVEYANCE TAX**

The FY 2003-04 budget agreement included a rise in the municipal portion of the conveyance tax from the current \$1.10 per \$1,000 to \$2.50 per \$1,000 of transaction sales price. This increase, scheduled to sunset on July 1, 2004, has provided towns and cities with sorely needed revenues. COST advocates continuing the municipal portion of the conveyance tax at its present rate.

#### **EXCESS COST GRANTS**

The cost of special education continues to grow at an exponential rate and is placing an untenable fiscal burden on many towns. COST advocates a removal of the cap on Excess COST grants and a reduction in the State threshold for special education excess cost grants from four and one-half times to a maximum of two and one-half times the average educational cost of the school district.

#### **DELINQUENT MOTOR VEHICLE TAX LAW**

COST advocates the passage of legislation creating a new system for the collection of delinquent property taxes on motor vehicles, whereby towns would pay the State of Connecticut a pro rata share of the costs, based upon the population of each town.

## **UNFUNDED STATE MANDATES**

Unfunded state mandates put an unfair fiscal burden on towns. Municipalities are experiencing enormous financial difficulties because of their over reliance on property taxes to pay for essential public services. In light of recent reductions in state aid and the threat of even more cuts, towns cannot afford new unfunded mandates. COST urges the Legislature to review and modify, where appropriate, existing unfunded mandates. COST also encourages the Legislature to refrain from enacting any new mandate that is not entirely paid for by the State of Connecticut.

## **PROPOSED ELIMINATION OF PART TIME HEALTH DEPARTMENTS**

The State of Connecticut's Department of Public Health is planning to introduce a proposal during the 2004 session of the Connecticut General Assembly that would effectively force towns to eliminate part-time health departments. COST opposes proposals that *mandate* the elimination of part-time health departments.

## **PREVAILING WAGE THRESHOLDS ON MUNICIPAL PROJECTS**

COST will seek the passage of legislation to increase the minimum amount that municipal public works projects must be worth before the prevailing wage has to be paid to workers on the project. COST proposes making the prevailing wage law apply to projects involving new construction costing at least \$1 million instead of \$400,000 and to projects involving repairs or alterations costing at least \$500,000 instead of \$100,000.

## **BINDING ARBITRATION MANDATES**

The binding arbitration mandate significantly increases the overall cost of town budgets. In these extraordinary economic times, current binding arbitration laws can no longer be justified. COST urges the passage of legislation to modify the Municipal Employee Relations Act and the Teacher Negotiation Act to give towns the right to reject arbitration awards by a two-thirds vote of the school board or the town's legislative body.

## **MANDATED STORAGE OF VOICE MAIL/E-MAIL MESSAGES**

The Connecticut Freedom of Information (FOI) Commission has issued a Proposed Declaratory Ruling (#94) that would, if adopted, require towns and other public entities to record and archive voice mail and e-mail communications. Such a proposal would prove enormously expensive and administratively difficult for small towns to comply with. In the event that the FOI Commission decides to adopt the proposed ruling, COST urges the Legislature to pass remedial legislation that would exclude voice-mail and e-mail messages from the definition of public records, for purposes of the Freedom of Information Act.

## **REVALUATION MANDATE REFORM**

Municipalities need significant relief from the inordinately expensive "statistical" (interim) revaluations they are required to perform under Connecticut statutes. COST strongly urges the Connecticut General Assembly to undertake the following further reforms to the State's revaluation mandate: provide towns with a three-year moratorium on their revaluations; extend the current four-year interim revaluation requirement to six years; and, consider other ways and means to provide towns with relief from the unexpectedly high cost of undertaking "statistical" (interim) revaluations required under the Connecticut statutes.

## **OTHER POLICY PRIORITIES**

### **BAN AGAINST VOLUNTEER FIREFIGHTERS**

Some cities in Connecticut have enacted contracts with their paid firefighters that prohibit them from serving as volunteer firefighters in their own hometowns. These "anti-volunteerism" contract provisions are creating a public safety crisis in many suburban and rural towns. COST will support legislation likely to be introduced during the 2004 session that would outlaw municipal contract prohibitions against volunteer firefighting.

### **PROPERTY TAX REFORM & SMART GROWTH**

A recent report by the Blue Ribbon Commission on Property Tax Burdens and Smart Growth Incentives clearly established that Connecticut municipalities are extremely over-reliant on the local property tax as the primary revenue source used to pay for essential municipal services. This over reliance has forced many towns to pursue development strategies that threaten the future of open space in COST urges state legislators to move forward cautiously on legislative action on the Commission's recommendations concerning property tax and smart growth reforms. COST also urges the Legislature to take no action that would undermine local control.

### **REGIONAL SCHOOL DISTRICT FINANCE OVERSIGHT BOARDS**

A key finding of a recent study by the Legislative Program Review and Investigations Committee was that "The regional school district governance structure gives regional school boards much greater autonomy over the budget process than local boards of education". The Committee recommended that the Legislature adopt enabling legislation granting voters in towns belonging to regional school districts the statutory authority to establish regional finance boards by a region-wide majority vote. Members of regional finance boards would be appointed from local Boards of Finance to oversee the regional school district budget approval process. COST urges the Connecticut General Assembly to pass enabling legislation granting voters in towns belonging to regional school districts the statutory authority to establish regional finance boards by a region-wide majority vote.

## **STANDING POLICY STATEMENTS**

### **MANDATED REMOVAL OF LEVER VOTING MACHINES**

COST members declared in 2001 that they were opposed to policies that would mandate the removal of mechanical lever voting machines from local voting districts. They expressed the strong belief that mechanical lever voting machines are efficient, affordable and extremely accurate. COST continues to oppose state or federal policies that mandate the replacement of all lever voting machines with electronic voting equipment.

### **PRESERVATION OF THE CURRENT MUNICIPAL PROBATE JUDGE SYSTEM**

COST has previously supported enabling legislation that provided specific towns with the authority to merge their local probate courts. Such consolidation initiatives should be optional, not mandatory. COST opposes mandatory consolidation of local probate courts (directly or indirectly) and supports the development of a fair and equitable fee structure to help relieve the financial pressures facing many probate courts.

## **MUNICIPAL ETHICS COMMISSION MANDATE**

During the 2003 session of the General Assembly legislation was introduced that would, among other things, mandate the establishment of local ethics commissions in every town in the State of Connecticut. *The fiscal note on the proposed legislation indicated that the cost to towns affected by this bill would be no less than \$60,000 per year.* COST opposed the proposed mandate not only because of its expense, but also due to the fact that the proposed bill contained elements that would discourage people from seeking local government leadership positions. COST is opposed to such "municipal ethics" mandate proposals.

## **PROMOTE AFFORDABLE HOUSING IN SMALL TOWNS**

The State's Affordable Housing Land Use Appeals Act provides that, unless 10% of a town's housing is affordable, the town cannot deny a developer's proposal for affordable housing without a very compelling reason. The law was modified during the 2002 session to allow a town to include "accessory apartments" as part of its 10% affordable housing count. However, under the amended Act, accessory apartments must have a 10 year deed restriction committing the owner to rent the apartment at 30% or less of the tenant's income, and to someone whose income is less than or equal to 80% of the area, or the state's median income, whichever is less. This onerous provision will reduce the number of homeowners willing to have their accessory apartments used to help meet the towns' "affordable housing" obligations. COST supports legislation to allow homeowners to use the state formula certifying a unit's affordability on an annual basis. Such certification would be made to the municipal town clerk and be recognized by the DECD in its tabulation of affordable housing.

*Adopted by the COST membership on January 29, 2004.*



# 2004 STATE LEGISLATIVE PROGRAM

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## CCM 2004 State Legislative Priorities: Property Tax and Land Use Reform A New Direction For Connecticut's Future

Connecticut must go in a new direction or risk losing our quality of life.

Our state's over-reliance on property taxes to fund local governments, K-12 public schools, and other public or "municipal" services must end. Our state's uncoordinated and inefficient land use patterns must be changed. These systems no longer work – local government services aren't adequately and fairly funded, our students are shortchanged and people on fixed incomes are hit hard. The breakdown of these systems results in traffic congestion that plagues communities of all types, development being detoured away from existing infrastructure into previously undeveloped green spaces, and the irretrievable loss of open space lands.

## Property Taxes And Sprawl: Hurting Connecticut

Findings by three very different groups -- the Roman Catholic Archdiocese of Hartford, the Connecticut Regional Institute for the 21st Century, and the State of Connecticut Blue Ribbon Commission on Property Tax Burdens and Smart Growth Incentives -- link Connecticut's present property tax and land-use policies with development "sprawl." These policies combine to drive people and business away from cities and other already-developed areas and eat up precious green spaces. The reports show that towns of all types -- suburban, rural and urban -- are being hurt:

- A growing number of *small cities and older suburbs*, home to nearly half of the state's population, *face significant and growing poverty*.
- A large group of *fast-growing, middle-class suburbs are struggling* to provide schools and infrastructure with insufficient resources.
- *Especially hard hit are Connecticut's central cities and urbanized towns*. These municipalities must cope with poverty rates nearly three times the statewide average and with local tax bases that are just 40 percent of the average and growing slowly.
- *Sprawl threatens the state's natural resources and farmland*. The amount of urban and suburban land in Connecticut continues to increase at a dramatic rate -- even though the population hasn't grown much over the last 20 years. Runaway growth devours farmland and churns out paved residential and commercial development -- changing an area, and our state, forever.

*Every part of Connecticut would benefit from reform*. Cooperative land-use planning among the State, towns and cities can strengthen communities, preserve the environment and help the economy by improving transportation systems. Reforms that shift the revenue burden away from property taxes can stabilize fiscally stressed schools, help communities pay for needed public services and reduce competition for tax base. The State, councils of government or other regional organizations can help solve regional problems while ensuring that all communities have a say in decision-making.

But it won't be easy, and it can't be solved with one bold gesture or stroke of the pen. It will take incremental but decisive steps to move away from the present property-tax system and down the path towards reform.

## The Route To A Stronger Future: Beyond 2004

The State of Connecticut Blue Ribbon Commission on Property Tax Burdens and Smart Growth Incentives has provided policymakers with a roadmap for moving forward with property tax reform and 'smart growth' development policies.

This report calls for, among other things, shifting more of the cost of K-12 public education from the property tax base to the state tax base, increasing payments-in-lieu-of-taxes for state-mandated property tax exemptions, establishing and implementing local-government accountability measures to ensure that state aid is well spent and that property taxes go down, and granting more power to regional groups of local officials for land use decision-making and revenue sharing.

Clearly, such measures are controversial and the details will be the subject of intense debate. But the goals are important and must be given priority. Before moving forward, however, several steps can and should be taken

this session that will provide state and local policymakers with the information needed to craft effective and supportable solutions to the challenges facing our state.

### **Building A Foundation For Reform: What Can Be Done In 2004**

Several things can be done in 2004 to fill an information and analytical void that contributes to public policy paralysis in our state.

#### **A. Needed Information Tools For Policy Making**

- Establish an ongoing ability for the State to conduct a **“tax incidence analysis”** which would enable policymakers to determine the way in which individuals, households and businesses are affected by the present federal-state-local tax burden, as well as proposed changes.
- Commission a **“build out analysis”** to understand how Connecticut will look 25, 35 and 50 years from now under current patterns of development. Provide a similar analysis to determine the way in which current patterns of development affect the state’s long-term capacity for providing drinking water.
- Conduct a **cost-of-sprawl** study, to quantify what the costs are to state and local governments due to unmanaged sprawl development.
- Develop a **coordinated Geographic Information System (GIS)** that allows for information exchanges on land use and other issues between state, regional and local planners and decision makers.
- Move towards stronger regional cooperation by (a) **providing incentives for conversion of all Regional Planning Organizations to Councils of Governments**, and (b) developing a framework for strengthening such councils so that they have greater authority to foster regional cooperation on land use, economic development, taxation and revenue sharing.

#### **B. Keep Municipalities From Falling Further Behind**

Cuts in state aid due to state budget problems have made towns and cities even more reliant on property taxes. For instance, the State is now contributing just 39.1% to the statewide cost of K-12 public education (the high point was 45.5% in 1990-91). The Town Aid Road grant, funded at \$35 million from 1999 to 2001, was cut to \$16 million in FY 2002-03 and to just \$12.5 million this year. Overall, municipal aid was cut by \$9 million last year after towns and cities absorbed over \$64 million in mid-year cuts. Yet local service demands and costs continued to rise.

If progress is to be made on the property tax-land use front, this trend must be halted and reversed. The General Assembly and the Governor should agree on a budget for 2004-05 that does the following:

- **Fulfill the State’s pledge to increase its share of the costs of K-12 public education** by: honoring the commitment to (a) remove the **funding cap on the Education Cost Sharing {ECS} grant**. Provide a cost-of-living allowance under the ECS program for non-capped communities, and (b) increase the State share of the cost of Special Education by decreasing the state reimbursement threshold on the **Excess Cost Grant** for locally placed Special Education students and removing the cap on its funding, and (c) **removing the funding caps** placed on the grants for Student Transportation, and Adult Education.
- **Restore funding to programs that were recently cut**, such as: (a) the **Town Aid Road** program, (b) the **Local Capital Improvement Program**, (c) state **payments-in-lieu-of-taxes (PILOT)** grants for

state property and for private colleges and hospitals which were funded below the levels (45% for state property and 77% for private colleges and hospitals) required by statute, and (d) the **Pequot-Mohegan grant**, which was cut to just 21% of the state's "take" from this revenue source (originally the local share was 78%.)

- Specify that municipalities and their property taxpayers – who have shared the pain during economic hard times -- **share the benefit when the economy improves and state revenues grow**. For instance, specify that local governments receive 50% of the growth of sales tax receipts above the levels expected in the budget as adopted for FY 04-05, or of any future state surplus.
- **Provide relief to municipalities from unfunded state mandates** that drive up the cost of local government by (a) enacting a **statutory prohibition against new unfunded mandates**, (b) **reforming the compulsory binding arbitration process**, (c) providing **relief from the prevailing wage requirement** that increases the cost of every capital project for both the municipalities and the State, (d) modifying the present **reevaluation system and schedule**, and (e) other measures to avoid increasing the cost of local government.
- **Give municipalities the tools to retain their middle-class residents by protecting them from dramatic property tax increases**. For instance, allow local governments to cushion the impact of revaluation on residents by giving them the authority to (a) **delay state-mandated revaluation**, (b) **tax different classes of property** at different tax rates, or (c) grant a **homestead exemption** to residents. Look at **alternatives to the property tax**, such as allowing municipalities to levy other taxes (on a local or regional basis).

### Summary

Changing directions is not easy, especially for the "Land of Steady Habits." But change is necessary. Taking a new route to property tax reform and land use reform can improve governmental efficiency, save state and local tax dollars, make the state more attractive for business investment, reinvigorate cities and inner-ring suburbs, and protect the rural character of our small towns.

We must take the road that has so far been untraveled. The Governor and the General Assembly have an opportunity to move carefully, but boldly, down this new path to improve the quality of life in our communities and make our state an even better place to live and do business.

###

Please see the next three pages for additional state legislative proposals endorsed by CCM.

# ADDITIONAL 2004 STATE LEGISLATIVE PROPOSALS

(Listed under the General Assembly committee in which they would most likely originate.)

## EDUCATION

1. Establish a *categorical grant* specifically for failing districts as determined by the "No Child Left Behind" federal mandate.

## ENVIRONMENT

1. Continue state assistance to municipalities in meeting the costs associated with clean-water mandates (approximately \$3 billion over 20 years) by *repealing the statute that, in 2006, ends all grants to municipalities for clean water projects.*
2. *Grant the Department of Public Health (DPH) the authority to protect reservoirs and their watershed lands by rejecting applications for reservoir abandonment by private water companies or water authorities when the Department determines that the reservoir may be needed for future statewide water supply.*

*In making this determination DPH shall, among other things, (a) consult with the municipality(ies) in which the reservoir is located and take their views into consideration, and (b) consider the potential impact of future conversions to water supply systems by entities currently using private wells.*

3. Increase the *grant level for all new and existing nitrogen-removal projects* needed to meet clean water requirements.

## FINANCE, REVENUE & BONDING

1. *Allow municipalities -- at local-option -- to tax for the unreimbursed portion of the property tax exemptions under the payment-in-lieu-of-taxes (PILOT) program for New Manufacturing Equipment.*

2. *Maintain (i) the increase, from \$1.10/\$1,000 to \$2.50/\$1,000, in the real estate conveyance tax, and (ii) the option of an additional \$2.50 conveyance tax for the "targeted investment communities."* This local revenue source was increased in 2003 and is scheduled to sunset on 6/30/04.

3. Treat the personal property of telecommunications companies whose taxes are assessed and collected by the State in a manner similar to all other businesses' personal property:

- a. give municipalities the information they need to plan for fluctuations in taxes by *providing municipalities with an inventory of all the personal property of telecommunications companies within the town by October 1<sup>st</sup> of the fiscal year in which payments are due to municipalities; and*

- b. *establish a minimum residual depreciation value of 20% for the personal property.*

4. *Repeal the 50-cent payment by municipalities to the Department of Motor Vehicles for the reporting of delinquent motor vehicle taxpayers.* By law, municipal tax collectors must notify the Department of Motor Vehicles (DMV) commissioner when property taxes on a motor vehicle or snowmobile are delinquent. The law requires municipalities to pay 50 cents for each such vehicle they report when they submit the notice and requires the payments to be deposited in the General Fund. It has proven difficult to interpret and administer. The State may generate additional revenue through the imposition of a \$5 charge on delinquent taxpayers.

## GOVERNMENT ADMINISTRATION & ELECTIONS

1. *Exempt municipalities from provisions of Public Act 03-215, including (a) contractor pre-qualification and (b) reporting requirements.* The Act requires all public construction projects worth \$500,000 or more and using any portion of state funds to use only "prequalified contractors" and places burdensome reporting requirements on the entity for which the construction is being done. This Act limits the contractors available for public projects and inhibits the ability of small, local contractors from bidding on local projects.

## HUMAN SERVICES

1. Maximize federal funding for State Administered General Assistance (SAGA) to: (a) *restore levels of cash benefits to \$350 (reduced to \$200 in 2003), and (b) reinstate eye care and physical therapy services to SAGA clients.*

## JUDICIARY

1. Amend CGS Section 47a-42, to *remove from municipalities the requirement to collect and store the personal property belonging to evicted tenants.* Municipalities were relieved in 1997 of the mandate to remove and store the possessions of evicted commercial tenants.

## LABOR & PUBLIC EMPLOYEES

1. *Modify state-mandated compulsory binding arbitration laws under the Municipal Employee Relations Act (MERA) and the Teacher Negotiation Act (TNA) by (a) providing that when a local legislative body rejects an arbitrated award by a two-thirds vote, the contract goes back to negotiation, as it does under the arbitration statute for state employees, rather than going to a second, final and binding arbitration panel, and (b) allowing local legislative bodies to reject stipulated board of education-teacher collective bargaining agreements.* Stipulated agreements are voluntary agreements between boards of

education and teachers within the arbitration process that are then incorporated into awards. There are thus no "last best offers" from each side on the issues that were previously at impasse, and therefore no ability for local legislative bodies to reject these awards and require a second arbitration on these issues.

2. *Enact a statewide, three-year moratorium on Connecticut's prevailing wage law (CGS 313-53).* Utilize the moratorium period to allocate savings to finance additional state and local infrastructure programs and to consider permanent structural reforms.

## PLANNING & DEVELOPMENT

1. *Continue to lay the groundwork for a "smart growth" land-use policy by (a) reinvigorating the State Plan of Conservation and Development to facilitate coordinated planning at the state, regional and local levels, and (b) adopting incentive-based programs to coordinate local, regional, and state land-use planning.*
2. *Allow municipalities to impose and collect impact fees for development.* Impact fees could be assessed to help pay for open space acquisition, as well as for such increased services such as roads, schools, sewers, utilities, police, fire, and medical services.

## PUBLIC HEALTH

1. *Restore funding for locally delivered public health and human service programs that were cut in 2003: (a) restore per capita grant funding to health departments and districts, and (b) increase funding for municipal Youth Services Bureaus.*

## PUBLIC SAFETY

1. *Allow municipal police departments to utilize photographic enforcement of red light violators by amending CGS 14-107 to include traffic control signals (14-299) to the list of registered owner - presumed operator violations.*

## PUBLIC SAFETY (cont'd)

2. Provide state funding for *incentives for towns and cities to enter into* regional initiatives for emergency preparedness.
3. *Reform firearm permit laws* by (a) requiring that applicants for firearm permits meet a minimum mandatory residency requirement of no more than 18 months to help determine a candidate's commitment, intentions, and behaviors in the community, and (b) lengthening, to 120 days, the time within which for law enforcement officials to evaluate and respond to applications to carry firearms.
4. *Regulate the application and service-activation process for pre-paid cellular phones.* Require the verification of an applicant's identity and other identifying information when purchasing a pre-paid cellular phone. Without this information, the calls are untraceable and a potential instrument to advance illegal acts.



If you have any questions concerning these or other proposals affecting towns and cities, please call *Jim Finley, Jr.*, Associate Director of CCM for Public Policy & Advocacy; *Gian-Carl Casa*, Director of Legislative Services; *Ron Thomas*, Manager of State and Federal Relations; *Bob Labanara*, Legislative Associate; *Kachina Walsh-Weaver*, Legislative Associate; or *Paul Nuñez*, Legislative Assistant, at (203) 498-3000.

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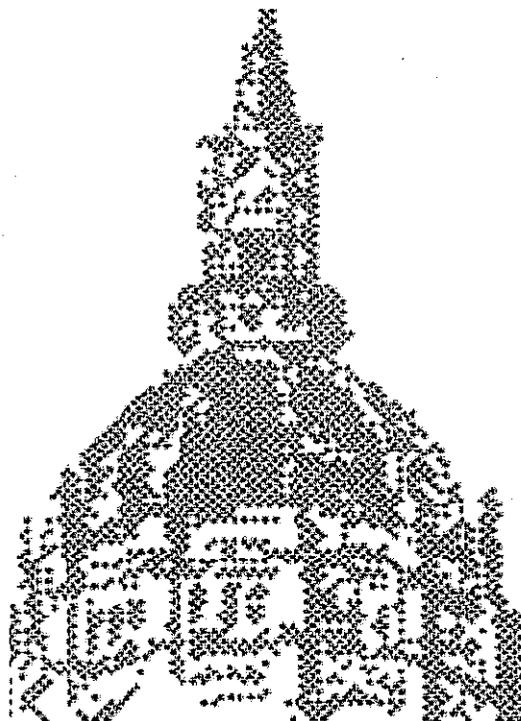
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# OLR RESEARCH REPORT

Item #15



Judith Lohman, Chief Analyst

2004-R-0044

January 16, 2004

## TO OUR READERS

Every year, legislative leaders ask the Office of Legislative Research (OLR) to identify and provide brief descriptions of important issues that the General Assembly may face in the coming session.

OLR compiled this report on the major issues for the 2004 session in consultation with the Office of Fiscal Analysis (OFA) and the Legislative Commissioners' Office (LCO). Except for the Appropriations Committee issue description, which was provided by OFA, the issue descriptions below were written by OLR analysts. OFA will be issuing its next report on state revenues and expenditures on January 30, 2004.

This report represents the professional, nonpartisan views of the OLR, OFA, and LCO staffs of what the upcoming legislative issues will be. It does not represent staff suggestions or recommendations. We identified issues based on interim studies; research requests; nonconfidential discussions with legislators, other legislative participants, and executive branch agencies; and subject matter knowledge.

We list issues according to the committee in whose jurisdiction they primarily fall. But, since more than one committee may consider aspects of the same issue, descriptions may overlap. Please contact OLR for additional information about these or other potential issues.

## **EDUCATION**

### *Universal Pre-School*

Since 1997, the state has funded spaces in public and private school readiness programs for three- and four-year-olds living in economically and educationally needy school districts. In November 2003, the State Board of Education (SBE) adopted a proposal to expand the state's early childhood program to all children over the next 10 years. SBE proposes to:

1. expand the existing K-12 public school program to require school districts to offer voluntary pre-school for three- and four-year-olds for at least 2.5 hours per day and 180 days per year,
2. assist low-income families so all children may attend preschool,
3. provide adequate funding for quality preschool programs, and
4. develop and maintain a career development system to increase the number of certified early childhood educators.

The SBE proposal presents many issues the General Assembly may wish to consider, including issues related to funding, educational priorities, and facilities and staffing needed for high-quality programs.

### *State Education Funding*

An increase in the state contribution to the cost of education is a major property tax reform recommendation of the Blue Ribbon Commission on Property Tax Burdens and Smart Growth Incentives as well as a perennial demand by municipalities in the state.

In 2003, the General Assembly postponed scheduled increases in the state's share of education funding by postponing (1) elimination of the Education Cost Sharing (ECS) grant cap and (2) an increase in contributions to the cost of special education. In 2004, the General Assembly may see proposals to increase state education aid to municipalities by removing the cap on annual increases in ECS grants to municipalities, increasing the ECS formula's foundation level, and

indexing the foundation for inflation.

### *Sheff v. O'Neill Settlement Implementation*

In 2003, the General Assembly approved a settlement of the *Sheff v. O'Neill* desegregation case that commits the state to (1) fund eight new magnet schools in Hartford, (2) double the number of Hartford students participating in the Open Choice program, and (3) increase funding for interdistrict cooperative programs in the Hartford area over the next four years. Implementing the settlement could require both funding increases and statutory changes.

Although interdistrict magnet schools are a key component of the settlement, the General Assembly faces questions about their cost and operation. In 2004, the legislature may consider how to fund new magnets and divide state subsidies among existing schools, whether and how much tuition schools can charge parents, the funding formula for participating school districts, and how magnet schools relate to other interdistrict education programs and their funding.

### *No Child Left Behind Act Implementation*

The federal No Child Left Behind (NCLB) Act's many detailed mandates on states and local school districts, and the cost for implementing them, are likely to remain an ongoing issue for the Education Committee and the General Assembly in 2004. Some Connecticut school districts have chosen to reject federal education funding for their low-income students to avoid complying with NCLB mandates. Meanwhile, the state has already identified 149 schools and 99 school districts that have so far failed to make the annual student achievement improvements the NCLB requires. Schools and school districts that repeatedly fail to achieve the mandated level of annual improvement are subject to sanctions.

To measure improvement, the federal law requires annual testing for students in grades three through eight starting in 2005. These requirements may prompt debate about standardized tests, including (1) whether to use student test scores to evaluate teachers; (2) whether to require students to pass a test to graduate from high school; (3) test content, timing, and administration; and (4) whether tests are a valid school accountability tool.

Finally, NCLB requirements designed to reduce poor and urban school districts' use of uncertified teachers and teachers not certified in the subjects they are teaching may require new recruiting and professional development strategies. The federal act's mandate for higher standards and pre-employment tests for school paraprofessionals could also lead to proposals for improving their training and retraining.

### *School Nutrition*

Several bills concerning school nutrition were proposed during the 2003 session, but the General Assembly did not enact any school nutrition legislation. With continued concern over childhood obesity and the quality of foods school children consume, school nutrition is likely to return as a

major issue. The legislature may address the types and nutritional values of foods sold on school grounds, the hours during which certain foods or beverages can sold, or how they may be sold.

## **GOVERNMENT ADMINISTRATION AND ELECTIONS**

### *Ethics*

In response to recent court actions and Ethics Commission investigations, the Government Administration and Elections Committee is likely to review ethics legislation introduced but not enacted last session. Ethics proposals include extending the codes of ethics to municipal public officials and employees and lobbyists, extending the commission's statute of limitations to five years, and strengthening the revolving door law.

### *Elections*

Campaign finance has been the focus of legislation in most states and a U.S. Supreme Court ruling recently upheld important parts of the federal Bipartisan Campaign Reform Act of 2002. Public financing of campaigns in Connecticut has been proposed often in the past few years and it will likely come to the GAE Committee again. Issues legislators must resolve include whether a public financing program should cover statewide and legislative candidates, grant amounts for candidates for different offices who agree to limit spending, the cost of the program, and implementation details.

Another likely issue is election day registration, which allows voting age citizens to register to vote on election day with proper identification. PA 03-204 established this provision but the governor vetoed it.

The legislature also may be asked to consider the results of two pilot programs established in 2003 legislation dealing with a demonstration of electronic voting machines (PA 03-7) and absentee voting procedures (PA 03-227). Both pilot programs were conducted in connection with the November 2003 municipal elections and reports will go to the GAE Committee. Based on these reports, the legislature may consider bills to authorize or regulate voting equipment used at polling places and establish different procedures for voting by absentee ballot. Since the federal law passed with its own requirements and standards for voting machines and procedures (the Help America Vote Act of 2002), the General Assembly can finalize the state's compliance with HAVA.

## **HOUSING**

### *Affordable Housing*

The ability to redevelop certain state-assisted moderate-income rental housing could receive further consideration this session. The affordable housing land use appeals procedure, which gives affordable housing developers the opportunity to appeal to the Superior Court if a zoning board or commission denies a developer's application, perennially generates a number of

proposals from detractors and advocates. In addition, state-assisted senior housing and recently publicized difficulties between elderly and nonelderly disabled people housed there might generate proposals.

## **LABOR AND PUBLIC EMPLOYEES**

### *Binding Arbitration*

The General Assembly may consider making changes in laws on binding contract arbitration for state and municipal employees and teachers and school administrators. Proposals could include (1) requiring the General Assembly (or at least one house) to approve arbitration decisions before they become effective, (2) increasing the amount a school district can reserve that an arbitrator or arbitration panel cannot consider when determining a district's ability to pay, and (3) establishing such a reserve for municipal binding arbitration.

## **PLANNING AND DEVELOPMENT**

### *Sprawl/Smart Growth*

Like most states, Connecticut is looking for ways to mitigate or prevent the unintended consequences of new developments and manage the spread of new homes, shopping centers, and office parks in sparsely populated areas in ways that do not clog highways, eliminate farms and open spaces, spoil scenic views, draw businesses and people from established urban centers, or force towns to spend more on building new infrastructure.

The legislature will again see "smart growth" proposals intended to steer development away from rural areas to places that are already developed. It may see bills to restrict state infrastructure funds to developed areas; strengthen the now largely advisory State Plan of Conservation and Development; better integrate local, regional, and state planning; and provide land use planners with new, more powerful tools to evaluate development patterns.

### *Property Tax Reform*

The legislature will again hear calls to reform the property tax system, which critics claim is an obsolete way to fund municipal services and especially burdensome for middle-income families. Legislators are likely to see tax relief proposals, such as establishing graduated income tax credits for property tax payments. They may also see proposals giving towns other revenue-raising options, including levying local sales or lodgings taxes or charging impact fees for new developments to pay some of the infrastructure costs normally borne by all property owners.

NOTE: These "municipal interest" citations have been excerpted from the full "Major Issues for 2004" report of the Office of Legislative Research. To see the full report go to:  
<http://www.cga.state.ct.us/2004/olrdata/lm/rpt/2004-R-0044.htm>

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## Matthew W. Hart

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**From:** Matthew W. Hart  
**Sent:** Monday, February 02, 2004 2:05 PM  
**To:** Town Employees; Town Hall; Mansfield Dept. Heads; Town Council  
**Subject:** Mansfield Named Among Top 20 Municipal Websites

Hello everyone - we are pleased to announce that the Connecticut Policy and Economic Council (CPEC) has selected Mansfield's website as one of the top 20 municipal websites in the state. Mansfield ranked 7th overall, and was the only "small" town in the top 10 - see the link below.

Marty and I would like to thank the website development committee for laying the groundwork on this project, as well as all the staff who regularly submit information on behalf of their departments and offices. In addition, we congratulate our Information Technology Office, and Quinn Jones in particular, for taking our website to the next level and enabling us to better serve our citizens and the public at large.

Excellent job, folks!

Matt

Item #16

<http://www.cpec.org/article.cfm?section=ppr&page=siteindex>

**Connecticut Municipal Website Analysis: Top 20 Town Sites**

CPEC searched the Web during the summer of 2003 for websites maintained by Connecticut's 169 towns and cities. While 15 of the smallest towns do not have a presence on the Web, the vast majority of Connecticut's local governments have websites that offer a wide range of services to their residents.

CPEC inventoried how communities use their Web sites so that government leaders and residents could see what other towns and cities are doing. Focusing on both information that helps citizens participate in local government and general government services, CPEC identified a list of online functions and gave a point score for each item on a local website.

**Top 20 Local Government Websites**

West Hartford	85
Stamford	81
Norwalk	80
Enfield	79
Greenwich	77
Westport	77
Fairfield	75
Mansfield	75
Manchester	72
Stratford	68
Windsor	68
Danbury	67
New Canaan	67
Middletown	66
Windham	66
Ridgefield	64
Shelton	63
Watertown	63
Wethersfield	63
Groton	61
CT Average	35

Results from the Connecticut Municipal Website Analysis

[Go back](#)



TOWN OF MANSFIELD  
DEPARTMENT OF PUBLIC WORKS

Lon R. Hultgren, P.E., Director

AUDREY P. BECK BUILDING  
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MANSFIELD, CONNECTICUT 06268-2599  
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(860) 429-6863 FACSIMILE

MEMO TO: Martin Berliner, Town Manager  
Lon Hultgren, Director of Public Works

FROM: Virginia Walton, Refuse/Recycling Coordinator *V. Walton*

DATE: January 29, 2004

RE: DEP Recycling Award

On January 13, 2004, Mansfield was one of fifteen Connecticut municipalities to be presented by the Department of Environmental Protection with awards for their outstanding recycling programs. Last year, Mansfield and nine other communities were selected for the first annual Municipal Recycling Honor Roll. This year, five more municipalities were added to the Honor Roll, as noted in the Hartford Courant, and Mansfield was recognized again for its continuing efforts.

Mansfield was the first town in Connecticut to provide unit-based pricing for trash, where residents pay according to the amount of waste they generate, which encourages recycling and composting. Consequently, Mansfield has been maintaining a steady residential recycling rate of 38%, despite rising per capita waste nationwide. Recycling service is provided to all residences, including multi-family, an often-overlooked sector. Mansfield was one of the few communities in the United States to use weight-based trash collection at multi-family residences as a way to provide an incentive for landlords to promote recycling, and as a fairer way of charging for service.

All three of the Mansfield elementary schools and the Middle School recycle over 40% of their waste, including food waste that is composted. In 1997, Southeast School was the first Mansfield school to compost its lunchtime food waste. The other elementary schools followed shortly thereafter; the Middle School began schoolwide composting in 2000. Through a DEP composting grant for the Mansfield Middle School, a "how to" composting manual for Connecticut schools and a school composting website were created. Southeast, Goodwin and Middle Schools have received the "Green School" Award from the Connecticut Recyclers Coalition for their outstanding efforts. Southeast School has a Green Thumbs Club, which manages the compost produced from all three elementary schools. The students help empty the compost bin, mix it into potting soil, and grow plants in the school greenhouse. The compost has been used to create perennial beds at school and in a neighboring park.

Mansfield received a grant in 1999 to begin recycling electronic waste at the transfer station. Mansfield is one of two Connecticut communities that has an electronics recycling collection area. As a result, the Town has collected a total of 122,000 pounds of electronic waste known to contain toxic elements such as lead, mercury and cadmium.

Mansfield's recycling program goes well beyond the State mandate. Included are computers, televisions, microwave ovens, fluorescent bulbs, milk and juice cartons, #1 & #2 plastic containers, junk mail, paperboard, household batteries, oil filters, brake fluid, antifreeze, capacitors and ballasts.

The swap shop at the transfer station allows residents to put reuse into practice by exchanging small household items, toys and books. Styrofoam peanuts are taken to a local shipping company for reuse.

# Towns Getting The Waste Out

**R**ecycling is really a version of Yankee thrift — you never know when something might be useful or serve another purpose. Five towns recently were added to the state's Municipal Recycling Honor Roll for taking extra steps to reduce waste.

Granby, Litchfield, Salisbury, Sharon and Windsor Locks joined 10 other cities and towns that previously had their exemplary programs reviewed and inspected by the state Department of Environmental Protection. All municipalities in Connecticut are required to recycle, but the success of their efforts varies. Those on the honor roll have separated themselves from the others by using creative methods to achieve higher rates of recycling. Materials kept out of the waste stream help conserve natural resources, reduce pollution and cut disposal costs.

Granby recycles about 40 percent of its trash, which is significantly better than the 26.6 percent state average. Windsor Locks hit 53 per-

cent recycling in 1995 and has settled back to a still extraordinary mid-40s range. Both towns encourage composting, which prevents an undetermined amount of waste before trash even reaches the curb.

Offbeat ideas help reduce waste, such as Granby's participation in an athletic shoe recycling campaign. The town is moving toward establishing an electronics recycling program. Middletown, already an honor roll city, has a composting initiative that uses worms.

Other recycling programs just require leadership to get started. Four schools in Windsor Locks recycle milk cartons, which, in addition to saving waste, shows students how to incorporate environmental awareness into their everyday actions.

Honor roll municipalities typically have effective systems that make recycling easier and promote their programs through fliers and other advertisements. Other towns would do well to recycle their example.

## OUR TOWNS



## WINDSOR LOCKS & NEIGHBORS

Mansfield: % recycled, ranking?  
Can we adopt any of these towns' ideas? check with them?  
-cwschaefer

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## OUR TOWNS



WINDSOR LOCKS & NEIGHBORS

+ Mansfield: % recycled, ranking?  
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**Mansfield Downtown Partnership**  
*Helping to Build Mansfield's Future*

January 30, 2004

Ms. Marie McGuinness  
Project Manager  
State of Connecticut  
Department of Economic and Community  
Development (DECD)  
Infrastructure and Real Estate Division  
505 Hudson Street  
Hartford, CT 06106-7106

Re: December 31, 2003 Progress Report and Semi-Annual Financial Report for the  
Downtown Mansfield Revitalization and Enhancement Project

Dear Ms. McGuinness:

I am pleased to provide you with a December 31, 2003 Progress Report and Semi-Annual  
Financial Report on the Downtown Mansfield Revitalization and Enhancement Project.

As reported in the September 30, 2003 report, the Mansfield Downtown Partnership  
("Partnership") has designated Storrs Center Alliance LLC as its master developer for the  
town center project. Storrs Center Alliance LLC is a newly formed entity which is a joint  
venture between LeylandAlliance LLC, based in Tuxedo, New York, and Marquette  
Property Investments based in Chicago.

A series of meetings have been held since then to move toward a development agreement  
between Storrs Center Alliance LLC and the Partnership. It is expected that the  
development agreement between both parties will be signed within 30 days. In addition,  
Storrs Center Alliance has begun negotiations with the University of Connecticut on the  
property and land owned by the University in the project area. Storrs Center Alliance is  
also working on a business plan and development program for Storrs Center.

Work continues on the municipal development project plan by Looney Ricks Kiss (LRK)  
in consultation with Storrs Center Alliance. Since the September 30, 2003 report, the  
following progress has been made:

- Urban Partners, one of LRK's subconsultants, completed the market study for the  
project as part of the municipal development project plan. The Storrs Center Alliance
- 

F:\\_Common Work\Downtown Partnership\MDP\DECDProgressReportDec2003.doc



**Mansfield Downtown Partnership**  
*Helping to Build Mansfield's Future*

team has reviewed the study. The market study is available on the Partnership's website.

- In October, under the guidance of the University of Connecticut engineering staff, the geotechnical work including test borings and soil analysis on the Storrs Center property, were completed. Additional environmental analysis work is scheduled to be undertaken in the next few weeks.
- Work continues by URS, one of LRK's subconsultants, on the mapping, survey, and stormwater and traffic analysis of the property. All baseline maps and studies with respect to location of the project area and utilities, opportunities and constraints, zoning, traffic, and stormwater have been completed.

Please do not hesitate to contact me at 860-429-2740 if you have any questions. We look forward to continuing to work with you on this critical project for the Town of Mansfield.

Sincerely,

Cynthia van Zelm  
Executive Director

cc: Sheila Hummel, DECD

- ✓ Martin Berliner, Mansfield Town Manager
- Cherie Trahan, Mansfield Comptroller
- Mansfield Downtown Partnership Board of Directors
- Lee Cole-Chu, Cole-Chu & Company, LLC, Partnership Attorney

Enclosure: December 31, 2003 Semi-Annual Financial Report



## TOWN OF MANSFIELD

Mr. Daniel Morley, Planning Specialist  
 Intergovernmental Planning Division  
 Connecticut Office of Policy and Management  
 450 Capitol Avenue  
 Hartford, Connecticut 06106-1308

AUDREY P. BECK BUILDING  
 FOUR SOUTH EAGLEVILLE ROAD  
 STORRS, CONNECTICUT 06268-2599

January 29, 2004

Re: Mansfield's recommendations regarding Draft 2004-2009 Connecticut Policies Plan for  
 Conservation and Development

Dear Mr. Morley:

Mansfield's Planning and Zoning Commission and Town Council, with staff assistance, have reviewed the draft 2004-2009 Connecticut Policies Plan for Conservation and Development. The following comments and recommendations for revision are forwarded for your consideration:

1. The draft Policies Plan text and six growth management principles appear to be consistent with local and regional land use goals and objectives.
2. The University of Connecticut Storrs Campus area and an area in southern Mansfield along Route 195 immediately north of the Windham town line should be reclassified from "Neighborhood Conservation" to "Regional Center." These two developed areas are served by public utilities and State highways are among the few areas classified as "Central Area with Public Utilities" in the 2003 Windham Region Land Use Plan. Both of these areas appear to meet the State's proposed definition of "Regional Center."

The UConn Storrs Campus area is within Census Tract 8812 and, based on the 2000 Census, the 7,500 persons per square mile criteria of the Regional Center definition is exceeded in this area. Furthermore, over 3,500 dormitory beds have been added on the campus since the 2000 Census, and additional growth will occur in conjunction with the "UConn 2000"/"21<sup>st</sup>-Century UConn" program and Mansfield's Downtown Partnership initiative. The Storrs Campus area is a regional employment center and has State-wide significance with respect to the draft Plan's economic development objectives. In reclassifying this area, the district boundaries should follow the current "Neighborhood Conservation" delineation except for those revisions identified in #3 below. Census tract boundaries do not reflect land use goals and objectives and should not be used for district boundaries.

The proposed "Regional Center" in southern Mansfield is an extension of a currently depicted "Regional Center" in Windham, which appears to end at the town line, due to an inappropriate use of Census Tract boundaries. The current depiction actually bisects an existing higher-density multi-family housing development, and does not include existing commercial and multi-family residential development north of Route 6. The proposed Regional Center extension should incorporate the existing boundaries of the depicted "Neighborhood Conservation" district. This entire area is served by public utilities in association with an existing arrangement between the towns of Windham and Mansfield. This district also should include a segment of Route 6 east of Route 195 which currently is depicted "Rural Land."

3. The current delineation of the UConn Storrs Campus area, which is proposed as a "Regional Center," should be revised to:
  - A. Include the Mansfield Community Center which was recently built on Town land depicted as Preserved Open Space in the draft Plan;

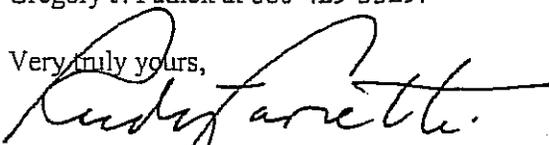
- B. More accurately depict existing and potential development areas within the Downtown Partnership's Storrs Center development area. With the assistance of State funding, a Municipal Development Plan is being prepared for this area;
- C. More accurately depict existing development areas adjacent to the Mansfield Apartments, at the corner of State Routes 105 and 275.

Mansfield officials are working with WINCOG staff members to submit digital mapping of these proposed district boundaries.

- 4. The current delineation of the "Growth" classification situated to the north of the UConn campus area should be revised to incorporate an area north of Route 44 and east of a depicted "Preservation" area. The subject area, which is currently depicted as rural land, abuts existing commercial and higher-density residential areas and the depicted "Preservation" area is considered a more appropriate boundary for this "Growth" classification. Mansfield officials are working with WINCOG staff members to submit digital mapping of these proposed district boundaries.
- 5. Mansfield officials are in the process of finalizing digital mapping of preserved open space areas in our town. Upon completion, this information will be submitted to State DEP officials for incorporation into the State's open space mapping. It is noted that some of the preserved open space areas as depicted on the draft guide plan include schools and other municipal facilities that should not be classified as preserved open space.
- 6. The draft guide plan does not include State-registered historic districts within UConn's Storrs and Depot campuses; these district boundaries should be added. Additionally, the guide plan should specifically note that registered historic sites have not been depicted.
- 7. Noting that the guide plan depicts both Level A and Level B "Aquifer Protection Areas," and that revisions to depicted boundaries are expected, the Plan text should emphasize that the boundaries of depicted aquifer areas are subject to revision, and that all land use decisions should be based on up-to-date aquifer mapping.
- 8. Consideration should be given to recognizing rural community centers in Mansfield Center, Mansfield Depot and Eagleville. These areas are depicted on the local and regional land use plans.

Thank you for affording the town of Mansfield an opportunity to comment on the State's draft update of its Policies Plan for Conservation and Development. If you have any questions regarding this letter, please contact Mr. Gregory J. Padick at 860-429-3329.

Very truly yours,

  
 Rudy J. Favreth, Chairman  
 Mansfield Planning and Zoning Commission

  
 Elizabeth Paterson, Mayor

- cc: ↓ Mansfield Town Council  
 Mansfield Planning and Zoning Commission  
 B. Buddington, Exec. Dir., WINCOG  
 J. Butts, Regional Planner, WINCOG  
 K. Fox, Co-Chair, UConn Master Plan Advisory Committee  
 R. Schwab, Co-Chair, UConn Master Plan Advisory Committee  
 T. Callahan, UConn Director of Environmental Policy  
 L. Schilling, UConn University Architect

UCONN HAZARDOUS WASTE ADVISORY COMMITTEE  
Thursday December 04, 2003

*Meeting convened at 6:35, sign-in sheet and advisory committee member notebooks, with agenda, were distributed.*

Members Present: Glenn Warner, Meg Reich, Mike Callahan, Jennifer Kaufman, Pam Schipani, Greg Padick, Rich Miller (Chair)

Absent: Captain John Flaherty, Karla Fox

UConn's Comparative Site Study Consultants: Betsy Frederick (SEA Consultants, Inc.)

Guests: Maggie Ruta (UConn Environmental Policy intern and Recording Secretary)

Rich Miller

- ❖ Requested comments or changes to draft meeting minutes from meeting of November 13, 2003.
  - Glen Warner requested that on page 4 his comments regarding site B be prefaced with "Based upon the landscape position, in my professional opinion..."
  - Mike Callahan called for a motion to adopt the minutes, as amended, which was seconded by Greg Padick.
- ❖ Reviewed a map showing the watershed divides (Fenton and Willimantic) in relation to the proposed sites.
  - The watershed for the Willimantic Reservoir is the largest surface water watershed in the state (163 sq. mi.), and includes the Fenton, Mt. Hope and Natchaug Rivers.
  - The distance downstream on the Fenton River from the Storrs campus to the Willimantic Reservoir is about 7 miles -- all of the East Campus and half of the Main Campus are in the Fenton River watershed, hence they are also part of the Willimantic Reservoir's watershed.
- ❖ Reviewed a DEP-approved Level A map showing the direct recharge area for UConn's Fenton wellfield with the 4 water supply wells noted.

Betsy Frederick

- ❖ Proposed to reproduce all of the maps reviewed by the committee today, which will be distributed to committee members at the next meeting.
- ❖ Some of the information shared at the public meeting, which not all committee members were able to attend, was new since the last committee meeting, including modifications suggested to the process.
  - Baseline Assumptions
    - 1 - Despite UConn's safe operating history, any HW temporary storage facility is an inherent threat to the environment and public health.
    - 2 - Design, construction, and operation of the HW facility is a neutral factor - UConn will construct and operate in conformance with regulatory requirements and best management practices.
    - 3 - Site must be contiguous to the Main Campus; therefore, the Depot Campus is not eligible.

- 4 - Former Landfill site is ineligible due to regulatory constraints, specifically the Conditions of Closure included in the DEP Consent Order.
- Site Location Short List
  - Existing Facility - but with a substantial upgrade.
  - Adjoining the Wastewater Treatment Facility - within the existing fence-line.
  - Vicinity of the closed sand filter beds, south of the existing transfer station.
- "Tier Approach" to the Site Selection Process
  - Tier A - Included in the Shortlist; the committee will concentrate on scoring these sites with the matrix.
  - Tier B - Other options that have been discussed but are not preferred; "secondary qualifier"- on hold; not currently being scored using the matrix.
  - Tier C - Those sites that have been discussed but have been rejected due to the Baseline Assumptions previously discussed.
- ❖ Reviewed better images/aerial photographs of the sites.

#### Betsy Frederick

- ❖ Reviewed changes made to the organization of the proposed siting criteria:
  - Environmental/Ecological/Public Health Risks
    - At the previous meeting, the committee comment was that public health impacts fell more naturally under the Environmental/Ecological category rather than Public Safety.
  - Public Safety/Site Security & Accessibility
    - Since safety is a tangent of Security/Accessibility issues the categories were combined.
  - Consistency with UConn, Local & State Plans
  - Operational Efficiency/Cost
    - Adequate space questions all dealt with cost-effectiveness concerns of the University at each location.
  - Regulatory Concerns
  - Traffic Safety and Transporter Circulation
    - This category is distinctly different from operational efficiency, and now includes the aspect of proximity to generators and the need for transporters to circulate around campus.
  - Public & Community Acceptance
    - QUESTION: Where should this fall in our scoring matrix? The purpose of this committee is to reach a point where public and community acceptance naturally results from the process. Should we put this as it's own category, or assume that the process is in itself an attempt to reach this goal?

#### Rich Miller

- ❖ Explained that the intent of the regrouping of the criteria was to condense and simplify in order to prevent overlap.

### Greg Padick

- ❖ Requested clarification regarding whether or not the decision was made to drop "Public/Community Acceptance" from the criteria. Proposed that instead this category could be redefined in terms of impact on neighboring properties.
- ❖ Expressed concern that too much is being grouped into the category currently labeled "Public Safety/Site Security & Accessibility" since the impact on use is different than the impact on water supply, etc. Suggested that if the category remains labeled as is, then the category that includes "Environmental/Ecological/Public Health" needs to be heavily weighted.

### Mike Callahan

- ❖ Stated an inclination to agree with Greg that the "Public/Community Acceptance" category should be eliminated and replaced with a third item of the first category listed, "Public Health Risk."
- ❖ Expressed that the committee needs to distinguish between environmental and human health impacts, which he perceived to be still grouped in the same category.

*General discussion ensued among the Committee regarding Criteria  $X_1$  – Enviro/Ecol/Public Health;  $X_2$  – Public Safety/Security and Accessibility; and  $X_{12}$  (as numbered on the 12/4/03 version of the matrix) – Public and Community Acceptance. Consensus was eventually reached on revisions to these categories as follows:*

- *Criteria  $X_1$  – would be relabeled "Environmental/Ecological" and impacts would be measured by proximity to plant and animal habitats as identified by the Natural Diversity Database, and proximity to wetlands and watercourses identified on State of Connecticut GIS data layers.*
- *"Public Health" would be established as a separate criteria, and impacts would be measured by proximity to human populations as identified by proximity to academic buildings, student housing and private homes.*
- *"Public Water Supplies" would be established as a separate criteria with two sub-categories – groundwater and surface water supplies scored independently.*
- *"Public/Community Acceptance" would be eliminated as a criteria due to inability to measure it adequately and because the siting study and alternatives analysis methodology are intended to encourage public acceptance.*

Weight factors were not discussed nor assigned to these criteria at this time.

### Betsy Frederick

- ❖ Suggested going through the scoring process with the criteria as originally described at start of the meeting in order to understand the process itself, even if specific weight factors and/or criteria will change in the future.
- ❖ First, how do you measure Ecological, Human or Environmental Risks?
  - In our methodology, measures are through proximity to potential receptors such as human populations, plant and animal habitats, public water supplies, wetlands and watercourses.
- ❖ The "Public Safety, Site Security & Site Accessibility" category is concerned with issues such as:

- Does the site minimize opportunities for malicious vandalism, accidental damage, and/or terrorism?
- Does the site allow for timely emergency response and minimal disruption of campus activities should an incident occur?
- ❖ The third category proposed is "Consistency with the UConn Master Plan, Local and State Plans"
  - Proposed land uses for the North, Main and East Campus have already been outlined.
  - Consistency with local and state plans for conservation and development also need to be considered.
  - The Master Plans and the State's plans have been discussed throughout the process.
- ❖ "Operational Efficiency & Cost Considerations" addresses concerns regarding whether or not the site can accommodate aspects such as: improved waste handling systems, adequate interior circulation, staff oversight from a proximate location, and/or cost efficiencies in equipment and labor.
- ❖ "Regulatory Concerns" can be restated as "Regulatory Requirements and Approvals" which Pam mentioned earlier. This category covers areas such as: permitting provisions, regulatory requirements associated with materials handling and storage, and an Environmental Impact Evaluation.
  - The need for an EIE is subject to the discretion of the State Office of Policy & Management.
  - The EIE process was outlined and reviewed by the committee.

#### Rich Miller

- ❖ Two years ago, the University approached the State Office of Policy & Management (OPM) to see if an EIE would be needed under CEPA regulations. At that time, OPM stated that an EIE was not necessary. Now however, OPM has reconsidered this analysis, primarily because of heightened security in light of recent events such as 9/11. OPM's new position has been finalized in a letter to the University:
  - An EIE will be required if the facility is kept at the current site.
  - If it is relocated, an EIE may or may not be required. Despite the established footprint guidelines, OPM has the right to require an EIE.
- ❖ Consequently, the University has agreed to do an EIE regardless of where the facility is placed. If an impact evaluation is needed at one site, then it should be done at any of the proposed sites.
  - The decision to do an EIE is consistent with both the public and Advisory Committee feedback thus far.
- ❖ This comparative site study and Advisory Committee (AC) process will be very helpful during the Scoping Phase of the EIE process. Our findings and recommendations will be presented at an Early Scoping Meeting and will include a discussion of the current site, the alternatives considered, and the reasons why one site is preferred.
  - The Early Scoping phase of an EIE is typically not very participatory, until the site alternatives are presented to the public. However, our study has been very participatory and stakeholder groups have been represented on the AC.
- ❖ Regulatory concerns as defined may be a neutral factor since the EIE will be required regardless.

Meg Reich

- ❖ Based on this new information, maybe the "Regulatory Concerns" category should be eliminated.

Betsy Frederick

- ❖ Initially, the regulatory requirements part was included because the transfer and (temporary) storage of hazardous wastes is perceived as a very highly regulated activity and therefore the siting activity should be highly regulated as well. In fact, facility siting is no more or less regulated than any new construction activity.
  - The category was originally created to address public desire for such a category. If it is now seen as a neutral factor it can be weighted zero or removed entirely.

*General discussion ensued among the Committee about the need for a "Regulatory Requirements" criteria under these circumstances. Since there were possible wetlands and floodplain issues involved in one or more sites, the Committee agreed to maintain "Regulatory Requirements" (understood to include approvals and permits).*

Mike Callahan

- ❖ Expressed concern that if the site is left at the current location, the "upgrade" will not be sufficient to address loading dock access, traffic issues and other concerns that have been discussed. It has not been stated that a "new facility will be built."

Rich Miller

- ❖ The assumption is that the ultimate facility will be a state-of-the-art-upgraded facility.

Mike Callahan

- ❖ Questioned how catastrophic failure (e.g. fire) will be dealt with. Expressed the opinion that the current facility may not adequately address this issue while a brand new facility could.

Rich Miller

- ❖ Assured the group that whatever facility results in the end would meet or exceed the standards and that the University has already committed to a substantial financial investment for this project. Consequently, the facility design needs to be viewed as a neutral, with the expectation that at the current site the need for a change in site grade and a loading dock will both be addressed. This assumption can be conveyed in the final reports.

Betsy Frederick

- ❖ "Traffic Safety & Transporter Circulation" criteria address whether the site minimizes pedestrian/vehicle conflict, accommodates efficient access and egress, and/or minimizes distance traveled on campus roads (or proximity to generators).
- ❖ Using the categories discussed by the committee, the current site was scored using the criteria and categories established prior to discussion at this meeting revising them. Exercise was intended to walk Committee through the process rather than discuss opinions about specific criteria or scoring.
  - Please refer to the handout "Scoring Sheet: Decision Matrix."

- The intent of the matrix is that higher final scores are preferred, with lower values indicating greater potential impact, and thus less preferred.
- Overall in the matrix the score of zero was eliminated. All categories will be considered, but may be scored very low instead of scored as a zero.
- For those criteria with sub-categories, the process includes summing the scores of each subcategory, obtaining an average score for the subcategories within the category, and using this average as the raw score to be multiplied by the criteria weight factor.

#### Mike Callahan

- ❖ Expressed concern about whether the group would be able to come to a consensus on the criteria or the weightings. Stated that attempting to do so is an admirable goal, but not realistic since each committee member brings different experience, expertise, outlooks and perspectives, each of which is valuable.
- ❖ Suggested that the committee go through the scoring process, in its present form, and using individual knowledge score and rank all of the sites. Once this is done, the committee can discuss the results from their personal and professional perspectives.
  - Several group members stated that they had already ranked the sites, using their own criteria and weightings.

#### Meg Reich

- ❖ Suggested that the process might be easier and less subject to examination and public scrutiny to simply rank and order the sites.

#### Pam Schipani

- ❖ Suggested another alternative – that the committee should continue with the scoring process as it has been but state the final results as a "range" of scores based upon a 12-person committee.

#### Betsy Frederick

- ❖ Based upon the aerial photographs and general campus knowledge that each committee member has, we have enough background to go through this process. The exercise that Mike suggested is a good idea and will advance the discussion of the process overall.
- ❖ The Scoring Exercise:
  - *Criteria X-1: Environmental/Ecological/Public Health Impacts*
    - *Sub-criteria: Public Water Supplies*
      - Score: 2 out of 4 - Site is within 400' of a Level A boundary
    - *Sub-criteria: Wetlands & Watercourses*
      - Score: 2 out of 4 - within the 150' regulated area (buffer zone)
    - *Sub-criteria: Environmental Receptors*
      - Using Natural Diversity Database (NDDB) - Score: 3 out of 4 - Within 200' of an NDDB/NHESP mapped area
    - *Sub-criteria: Human Population*
      - Performed the scoring exercise using a map with 1/8-mile radii lines drawn from a central point in the current facility.

- ◆ Within 1/8-mile radius, there are primarily offices but some of the buildings indicated might be classrooms causing the site to score as a 2, if these are not classrooms the site would score as a 3. The committee agreed that these buildings were primarily non-classroom in nature
- ◆ Within the ¼-mile radius there are 2 mapped residential units
- Score: 3 out of 4 - Site is within ¼ mile of academic/classroom buildings, residential homes or student housing

Rich Miller

- ❖ These "residential" units are University-owned and very low density. Perhaps a population density indicator should be used as an alternative.

Meg Reich

- ❖ Expressed concern regarding the consistency of terms (e.g. "NDDB" vs. "Plant & Animal").

Betsy Frederick

- ❖ Returned to Scoring Exercise:
  - Since all sub-categories are considered equal, their scores are added and averaged. The average sub-category score is then multiplied by the weight factor for the category.
    - The committee agreed that the scores in the final scoring process would not be rounded.
  - *Criteria X-2: Public Safety/Security & Accessibility*
    - Does the site minimize the opportunity for accidental damage, malicious damage, and terrorist threat? Does the site allow for timely emergency response and minimal disruption of campus activities in the case of an incident?
      - The site is remote which may in itself allow for vandalism since the perpetrators would most likely not be seen. However, this remoteness would also minimize the potential for accident damage since there is no traffic in this area.
      - There is minimal terrorism concern.
      - The site allows for necessary emergency response while minimizing campus disruption in doing so.
    - Score: 3 out of 4 - Meets most measures for improved Public Safety.
  - *Criteria X-3: Consistency with UConn, Local, and State Plans*
    - Including the UConn Master Plan, the OPM State Plan, the Mansfield Plan of Conservation & Development, and surrounding land use plans (e.g. the Outlying Parcels Master Plan).
    - Score: Consensus that current site was inconsistent with specific plans and general intent of existing plans and therefore scored 1 out of 4.
  - *Criteria X-4: Operational Efficiency and Cost*
    - Upgraded facility could accommodate the operational changes and new protocols envisioned for the facility.
    - Score: 3 out of 4 – Meets most measures for operational efficiency.
  - *Criteria X-5: Regulatory Requirements*
    - Discussion as to whether or not existing facility would require an Order of Conditions for work in a wetlands review area (buffer zone). No definitive determination but assumption was yes.

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**TOWN OF MANSFIELD  
OFFICE OF THE TOWN MANAGER**

Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

February 6, 2004

**Re: 4<sup>th</sup> Quarter 2003 Storm Water Sampling Report for Stadium Road Detention Basin**

Dear Resident:

Enclosed please find the executive summary of the Fourth Quarter 2003 Storm Water Sampling Report for the Stadium Road Detention Basin.

Please feel free to contact the Town Manager's Office at 429-3336 with any questions. We hope that this information proves useful to you.

Sincerely,

Matthew W. Hart  
Assistant Town Manager

CC: Mansfield Town Council  
Martin Berliner, Town Manager  
Robert Miller, Director of Health

## Martin H. Berliner

---

**From:** Robert L. Miller  
**Sent:** Thursday, January 29, 2004 12:17 PM  
**To:** Martin H. Berliner  
**Subject:** 4th quarter 03 separatist rd basin surface water testing

Marty - I reviewed the report. The detections you noted are not significantly different from past detection. Of note, the pesticide deldrien was not detected this time. Bacteria levels are up again and are a concern worth monitoring only, but are not alarming. The testing report appears to be consistent with the modifications to the scope of work we agreed to this past summer.

Rob



University of Connecticut  
Division of Business and Administration

REC'D JAN 27 2004

Architectural and  
Engineering Services

Larry G. Schilling  
Executive Director

**LETTER OF TRANSMITTAL**

**SENT VIA:** Mail

**ATTENTION:** Martin Berliner  
Town Manager  
Town of Mansfield  
4 South Eagleville Road  
Storrs, CT 06268

**DATE:** January 23, 2004

**FROM:** Larry G. Schilling  
Executive Director of Architectural & Engineering Services

**PROJECT:** Stadium Road Detention Basin

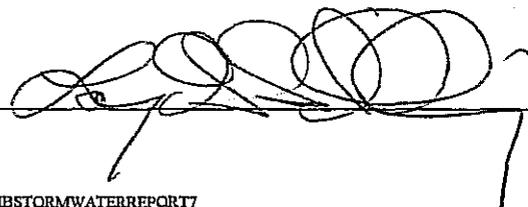
**SUBJECT:** Storm Water Sampling Report

<b>COPIES:</b>	<b>DATE:</b>	<b>DESCRIPTION</b>	<b>REQUESTED ACTION:</b>
1	01/04	Fourth Quarter 2003 Report for Storm Water Sampling of the Stadium Road Detention Basin by Charter Oak Environmental Services	For your information

**COPIES TO:**

**ITEMS:**

**VIA:**

**SIGNED:** 

Larry G. Schilling

LS/dz  
LSTRNSMTALTRMBSTORMWATERREPORT7

*An Equal Opportunity Employer*

31 LeDoyr Road Unit 3038  
Storrs, Connecticut 06269-3038

Telephone: (860) 486-3116  
Facsimile: (860) 486-3255  
e-mail: larry.schilling@uconn.edu  
web: www.aes.uconn.edu

STORM WATER SAMPLING REPORT  
FOURTH QUARTER 2003

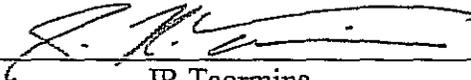
STADIUM ROAD DETENTION BASIN  
UNIVERSITY OF CONNECTICUT  
STORRS, CONNECTICUT

JANUARY 2004

Prepared For:

UNIVERSITY OF CONNECTICUT  
Architectural & Engineering Services  
31 LeDoyt Road U-38  
Storrs, Connecticut

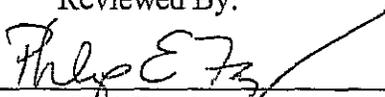
Prepared By:



---

JR Taormina  
Staff Engineer

Reviewed By:



---

Phil Forzley  
Vice President of Engineering

**CHARTER OAK**  
ENVIRONMENTAL SERVICES, INC.



33 Ledgebrook Drive  
Mansfield, Connecticut 06250  
Telephone: (860) 423-2670 / Facsimile: (860) 423-2675  
Email: [charteroak@charteroak.net](mailto:charteroak@charteroak.net)  
[www.charteroak.net](http://www.charteroak.net)

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### FIGURES

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### APPENDICES

APPENDIX A	Photographs
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## 1.0 INTRODUCTION

Charter Oak Environmental Services, Inc. (Charter Oak) has conducted storm water monitoring related to the detention basin located at the corner of Stadium Road and Separatist Road since December 2001. The objective of this sampling program is to provide UCONN with information on the pollutants, if any, that may be transported in the runoff from the buildings and improvements constructed within the catchment of the detention basin. The list of analytical constituents and the number of sampling points have been revised periodically, based on results obtained during monitoring.

On August 4, 2003, UCONN authorized Charter Oak to conduct storm water monitoring during the fourth quarter of 2003, and biannually during the second and fourth quarters of 2004 and 2005. The sampling methods and procedures will be identical to previous sampling events, however the list of parameters to be analyzed has been revised based on the monitoring results obtained to date. The following constituents will be analyzed through 2005:

- Volatile Organic Compounds
- Organo-Chlorine Pesticides
- Organo-Chlorine Herbicides
- Total Petroleum Hydrocarbons
- Priority Pollutant Metals (13)
- Manganese
- Iron
- Ammonia – Nitrogen
- Nitrate – Nitrogen
- Phosphorus
- Biochemical Oxygen Demand
- Total Suspended Solids
- Sulfate
- Pendimethalin
- Glyphosate
- Total & Fecal Coliform
- E. Coli*

## 2.0 METHODS

The sampling methodology for this project is specified in Charter Oak's August 4, 2003 scope of work. Samples are to be collected from a storm that occurs after a three-day dry antecedent period and the samples are to be collected during the first 30 minutes of discharge. This methodology was modified because Charter Oak observed that water was typically flowing out of the detention basin before the rain started. Therefore, Charter Oak used its judgment based on field observations to collect samples that were representative of the early storm water runoff. During the November 5, 2003 event, the storm water runoff began at approximately 0900 hours and gradually increased. Sample collection began approximately 30 minutes after the commencement of runoff into the detention basin.

In order to increase the rate at which samples were collected and thereby more closely achieve simultaneous sampling at the three sampling stations, Charter Oak collected the samples in 5-gallon clean plastic bladders rather than filling individual sample jars. This method had the further advantage of homogenizing the water placed into the sample jars at a given sampling station. The bladders were used once and then discarded.

Samples are collected from three locations. Figure 1 presents a sketch of the sampling points relative to physical features discussed in this report. The first sampling location was the detention-basin outlet structure. Charter Oak employed a peristaltic pump with dedicated tubing to lift the first sample (DP1-110503) from the outlet structure and discharge it into the plastic bladder.

The pipe conveying storm water from the outlet structure joins with another pipe beneath Separatist Road that conveys flow from the upper reaches of the nearby stream (see Figure 1). The upper reaches of the stream drain a wooded area east of Separatist Road and south of Stadium road.

While the first sample was being collected at the outlet structure, Charter Oak collected a second sample from the stream outfall on the west side of Separatist Road and designated it DP2-110503. This sample was collected directly into the plastic bladder from the water falling from the pipe to the stream water surface. Sufficient sample volume was collected at this location to provide a blind duplicate sample. This blind duplicate, labeled as DP3-110503, was assigned a fictitious sample-collection time to obscure its identity from the laboratory. Hereafter, this sample is referred to as DP2-Duplicate.

Charter Oak collected a fourth sample (DP4-110503) at the location labeled DP4 on Figure 1. Because of the shallowness of the stream at this point, a pitcher was used to lift water from the stream channel and pour it into the bladder via a funnel. The pitcher and funnel, both made of plastic, had been cleaned with laboratory-grade cleanser prior to use. The samples collected at the stream outfall and from the stream channel were collected essentially simultaneously to the sample at the detention basin outlet structure. While the outlet structure sample was being pumped into its sample bladder, the stream outfall and stream channel samples were collected by hand.

Charter Oak prepared both filtered and unfiltered metals samples. Charter Oak filled the unfiltered sample bottles directly from the bladders. The filtered samples were prepared by pumping water from the bladders through 0.45-micron filters (Geotech Dispos-a-Filter™). Water collected for the non-metal parameters was unfiltered.

The sampling times (bladder filling complete) and locations are summarized as follows:

**Table 2.1 – Sample Collection Information**

Sample ID	Time of Collection	Location
DP1-110503	0950	Detention Basin Outlet Structure
DP2-110503	0935	Combined Flow Outfall
DP2-Duplicate	0958	Combined Flow Outfall
DP4-110503	0930	In Brook Prior to Combined Flow

In addition to the four samples listed above, a trip blank sample accompanied the samples to the laboratory.

Field measurements were made for each sample location. Field measurements included the following parameters:

pH;  
Temperature; and,  
Dissolved Oxygen.

The pH meter and the dissolved oxygen meter were calibrated at the site.

The ambient air temperature was measured. The beginning and end of the precipitation was observed and recorded by Charter Oak personnel. The amount of rainfall was measured from a rain gauge at Charter Oak's office in southern Mansfield, located approximately five miles south of the detention basin. Charter Oak measured the pH of the rainwater collected in the rain gauge on November 6, approximately twelve hours after the end of the storm event.

### 3.0 OBSERVATIONS

Approximately 0.47 inches of rain fell from approximately 0830 hours on November 5 to 2130 hours on November 5, based on Charter Oak's observations at its office and in the field. No precipitation was observed at least three days prior to November 5. Previous precipitation greater than 0.1 inches occurred on October 29, 2003. This was the nearest antecedent rainfall to the sampling event.

At approximately 0830 hours on November 5 rainfall began and by 0900 hours discharge into the detention basin was observed. *Appendix A* contains photographs taken at approximately 0955 hours which show flow conditions during sampling.

The appearance of the water discharging from the detention basin through the outlet structure (DP1) was turbid, but not muddy, and no odors were apparent. The appearance of the water upstream of the detention basin discharge pipe (DP4) was slightly turbid during sampling and became muddy shortly after sampling. The appearance of the water downstream of the detention basin discharge pipe (DP2) was turbid initially and became muddy during sampling. The water at both the DP2 and DP4 sampling stations became

muddy due to a surge of muddy water that came flowing down the stream at approximately 0935 hours. The cause of this surge is unknown.

#### 4.0 FIELD MEASUREMENT RESULTS

*Appendix B* presents the field data forms on which the Charter Oak field representative recorded his observations and field measurements. The ambient air temperature during sampling was approximately 10 degrees Celsius (°C). The pH of the storm water samples and rainfall were as follows:

**Table 4.1 – pH Results**

Sample ID	pH
DP1-110503	6.42
DP2-110503	7.04
DP4-110503	7.02
Rainfall (11-06-03)	4.25

The temperature and dissolved oxygen measured in the runoff samples were as follows:

**Table 4.2 - Temperature & Dissolved Oxygen Results**

Sample ID	Temperature	Dissolved Oxygen
DP1-110503	10.3 °C	9.24 mg/l
DP2-110503	10.8 °C	10.02 mg/l
DP4-110503	11.9 °C	10.38 mg/l

#### 5.0 ANALYTICAL LABORATORY RESULTS

Analytical laboratory reports for the three samples, the blind duplicate and the trip blank are presented in *Appendix C*. Complete Environmental Testing, Inc. (CET) of Stratford, Connecticut performed the chemical analyses and Phoenix Environmental Laboratories, Inc. (Phoenix) of Manchester, Connecticut performed the bacteriological analyses. Both of these laboratories are certified by the Connecticut Department of Public Health. *Appendix C* also presents a quality assurance report for CET's chemical analyses.

The analyses performed were in accordance with the approved scope of work. The following table identifies the EPA analytical methods employed by the laboratories and indicates whether the reported detection limits are equal to or less than the regulatory criteria assessed for this investigation:

**Table 5.1 - EPA Analytical Methods & Detection Limits Relative to Regulatory Criteria**

Constituents	EPA Method	Detection Limits Below Regulatory Criteria		
		GWPC	EPA MCL	Aquatic Life Acute Toxicity
Volatile Organic Compounds	8260	Yes	Yes	NA
Pesticides	8081	Yes	Yes	Yes
Herbicides	8151	Yes	Yes	NA
Glyphosate	547	NA	Yes	NA
Pendimethalin	GC / FID	NA	NA	NA
CT Extractable Total Petroleum Hydrocarbons	CT ETPH	Yes	NA	NA
Ammonia as Nitrogen	350.3	NA	NA	Yes
Nitrate as Nitrogen	300	NA	Yes	NA
Sulfate	300	NA	NA	NA
Phosphorus	365.2	NA	NA	NA
Metals	200.7	Yes	Yes	Yes
Biochemical Oxygen Demand (BOD <sub>5</sub> )	405.1	NA	NA	NA
Total Suspended Solids	160.2	NA	NA	NA
<i>E. Coli</i>	1103.1 / 9223B	NA	Yes	NA
Fecal Coliform	9222D	NA	Yes	NA
Total Coliform	SM 9222B	NA	Yes	Yes*

NA = Not Applicable

Yes = Laboratory reported detection limits at or below regulatory criteria

GWPC = Ground Water Protection Criteria (state drinking water criteria)

MCL = EPA Maximum Contaminant Levels

\* Surface Water Standard for Class-A Waters

Most of the constituents analyzed were not detected above the reported detection limits. No volatile organic compounds, BOD, extractable total petroleum hydrocarbons, pesticide constituents, or herbicide constituents were detected in the four storm water samples (which include the three samples and the blind duplicate). Ammonia, nitrate, phosphorous, sulfate, TSS, iron, manganese, and zinc were detected in some of the samples. All four of the storm water samples contained reportable counts of total coliform bacteria and fecal coliform bacteria, with three of the four samples having reportable counts of *E. coli*.

The following table compares the analytical detections to the GWPC and federal maximum contaminant levels:

**Table 5.2 - Comparison of Detections to Connecticut GWPC & EPA MCL**

Constituents	Units	DP1-110503	DP2-110503	DP2-Duplicate	DP4-110503	GWPC	EPA MCL
Nitrate-N	mg/l	1.1	1.0	1.0	1.3	NE	10.0
Zinc-unfiltered	mg/l	0.062	0.036	0.036	0.027	5.0	NE
<i>E. Coli</i>	ct/100ml	300	1,900	1,400	<100	NE	0
Total Coliform	ct/100ml	5,100	6,000	5,200	2,000	NE	0
Fecal Coliform	ct/100ml	260	2,000	1,500	340	NE	0

NE = None Established

Some of the parameters in the sampling program have EPA Secondary Drinking Water Standards. These secondary standards are non-enforceable guidelines regulating cosmetic or aesthetic effects of drinking water. The following table summarizes the results and compares them to the EPA Secondary Drinking Water Standards:

**Table 5.3 - Comparison of Detections to EPA Secondary Drinking Water Standards**

Constituents	Units	DP1-110503	DP2-110503	DP2-Duplicate	DP4-110503	EPA Secondary Standard
Sulfate	mg/l	28	12	12	13	250
Iron-unfiltered	mg/l	1.6	0.70	0.68	0.69	0.3
Manganese-unfiltered	mg/l	0.60	0.17	0.17	0.22	0.05
Zinc-unfiltered	mg/l	0.062	0.036	0.036	0.027	5.0
Ph	S.U.	6.42	7.04	-	7.02	6.5 – 8.5

The stream that receives the storm water from the detention basin is not shown on the DEP water classification map (Water Quality Classifications, Thames River, Pawcatuck River, and Southeast Coastal Basins, Adopted 1986). Therefore, according to Standard 29 of the Connecticut Surface Water Quality Standards, the stream is an A-class stream. It discharges to a B-class stream, Eagleville Brook. In accordance with the scope of work, the sample results are compared to the acute freshwater aquatic life criteria established in the Connecticut Surface Water Quality Standards:

**Table 5.4 - Comparison of Detections to Connecticut Surface Water Quality Standards**

Constituents	Units	DP1-110503	DP2-110503	DP2-Duplicate	DP4-110503	Standard
Ammonia	mg/l	0.53	0.32	0.27	0.19	22.7* <sup>#</sup>
Dissolved Oxygen	mg/l	9.24	10.02	-	10.38	≥ 5 <sup>†</sup>
Zinc-filtered	mg/l	0.036	0.012	0.01	ND<0.01	0.065*
Total Coliform	ct/100ml	5,100	6,000	5,200	2,000	500 <sup>Δ</sup>

\* Acute Aquatic Life Criterion – Freshwater – Revised December 17, 2002

<sup>#</sup> Ammonia Standard varies with pH and is calculated using equation in Table Note 9a of Acute Aquatic Life Criterion, pH value used is of the stream prior to combined flow (DP4)

<sup>†</sup> Criterion for Class A Surface Water

<sup>Δ</sup> Criterion for Class AA Surface Water – Provided for information purposes only

- The surface water quality criteria for metals apply to the dissolved fraction

During this sampling event, other parameters were detected that are not regulated under the GWPC, EPA MCL or Secondary Drinking Water Standards, or the Connecticut Surface Water Quality Standards. These detections are summarized in the following table:

**Table 5.5 - Other Parameters Detected**

Constituents	Units	DP1-110503	DP2-110503	DP2-Duplicate	DP4-110503	Standard
Phosphorous	mg/l	ND<0.10	0.12	ND<0.10	ND<0.10	NE
Total Suspended Solids	mg/l	8.0	6.0	10	2.0	NE

NE = None Established

## 6.0 SUMMARY

### 6.1 Field Observations

Charter Oak observed a pool of water in the detention basin that was discharging through the outlet structure prior to the commencement of rain intense enough to cause discharge into the detention basin. Charter Oak began collecting its samples after the storm water system had been discharging to the detention basin for 30 minutes.

### 6.2 GWPC & EPA MCL

Nitrate concentrations detected were below the EPA MCL. Nitrate was detected in each of the samples.

Zinc concentrations detected were below the GWPC. Zinc was detected in each of the samples.

Total coliform and fecal coliform were detected in each of the samples at concentrations exceeding the EPA MCL. *E. Coli* was detected in samples DP1-110503, DP2-110503, and DP2-Duplicate, all in exceedence of the EPA MCL.

### 6.3 EPA Secondary Drinking Water Standards

Sulfate was detected in all four samples at concentrations below the EPA secondary drinking water standard.

Iron was detected in all four of the unfiltered samples at concentrations exceeding the EPA secondary drinking water standard.

Manganese was detected in all four of the unfiltered samples at concentrations exceeding the EPA secondary drinking water standard.

Zinc was detected in all four unfiltered samples at concentrations below the EPA secondary drinking water standard.

The pH of all four samples were within the allowable range of 6.5 – 8.5 for pH values in the EPA secondary drinking water standards.

#### **6.4 Connecticut Surface Water Quality Standards**

Ammonia was detected in all four samples at concentrations two orders of magnitude below the Aquatic Life Acute Toxicity standard.

Dissolved oxygen levels at each sampling location were almost two times greater than the minimum concentration for a Class A surface water body.

Zinc was detected in samples DP1-110503, DP2-110503, and DP2-Duplicate. The zinc concentrations detected did not exceed the Aquatic Life Acute Toxicity standard.

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# MEMO

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**TOWN MANAGER'S OFFICE, TOWN OF MANSFIELD**

**To:** Town Council Members  
**From:** Martin H. Berliner  
**Subject:** Congressional Earmark  
**Date:** February 2, 2004

As I mentioned last week, staff has been working on a congressional earmark to be submitted thru WINCOG to Congressman Rob Simmons for the Storrs Center Project. Since we are still in the very early stages of preparing our Municipal Development Project Plan, it is hard to know if this is the most appropriate request. Given what we know now and the timetable that we are operating under it would appear to be a reasonable approach. If another project would appear to make more sense as we move forward we maybe able to revise our proposal and we could certainly withdraw from the proposal if necessary.

MHB  
Town Manager

**TOWN OF MANSFIELD**  
**OFFICE OF THE TOWN MANAGER**



Martin H. Berliner, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

January 30, 2004

Ms. Barbara Buddington  
Executive Director  
Windham Region Council of Governments  
986 Main Street  
Willimantic, CT 06226

Dear Ms. Buddington:

Thank you for the opportunity to respond to your memo of January 13, 2004 requesting information on projects in the Town of Mansfield that require funding.

The development of a town center that will create exciting new opportunities for Mansfield residents, visitors, and University of Connecticut students is a priority project for the Town of Mansfield. Throughout discussions on the new town center the question of adequate and accessible parking has been a recurring theme. Therefore, we are requesting funding for a parking structure as part of the town center project to be built in the commercial area across from E.O. Smith High School and adjacent to the south end of the University of Connecticut campus. The estimated cost for a 500-car parking structure is \$6 million. The retail market demand that has been estimated needs to be supported by a parking structure. The parking structure will accommodate the customers of the retail enterprises, the residents of the mixed-use retail/residential space, and visitors to the University of Connecticut facilities, particularly to the venues associated with the planned major expansion of the School of Fine Arts. The new School of Fine Arts complex will be a major anchor for the town center project, drawing a substantial audience to the downtown area to use its services.

Much progress has been made in the town center project. The Town is working with the Mansfield Downtown Partnership, Inc. ("Partnership") and the University of Connecticut to create a vibrant town center with restaurants, retail, and commercial office space, a variety of housing types, and a town green. The goal is for the Storrs Center area to be a place of destination – a community gathering space – for the Town and its residents, the University, and the surrounding regional neighborhoods.

With the assistance of the consultant team of Looney Ricks Kiss Architects, Inc., the Mansfield Downtown Partnership is preparing a Municipal Development Project Plan that will provide the technical information needed to move the project toward development. In September, the

Partnership identified Storrs Center Alliance LLC as its master developer for the town center. Agreements between the Mansfield Downtown Partnership and Storrs Center Alliance are being negotiated and Storrs Center Alliance has been actively participating in the planning process.

The creation of a vibrant town center in Mansfield has strong local, regional, and state support. Over 270 local individuals, organizations, and businesses have now joined the Partnership. The Town was awarded a State of Connecticut Small Town Economic Assistance Program grant of \$500,000 for the development of the Municipal Development Project Plan. Planning has also been supported by two grants from the USDA-Rural Development Rural Business Enterprise Grant program. The Town of Mansfield and the University of Connecticut are fully committed to the project and have contributed significant financing resources including the funding of the HyettPalma Mansfield Downtown Action Agenda, an Environmental Impact Evaluation for the Storrs Center area, the Downtown Mansfield Concept Master Plan, and the operations of the Mansfield Downtown Partnership. In addition, in February 2003, the Town of Mansfield applied for funding to the Transportation Enhancement Program through WINCOG. As you know, reauthorization of this program has not occurred as of this date.

In summary, the town center project will benefit local, regional, and state interests. The local business owners and owners of commercial property in the downtown area will benefit through the retention and strengthening of existing businesses and the creation of new business opportunities. Also, one of the key thrusts of the downtown initiative is to increase foot traffic and enhance the aesthetics of the area, which will directly benefit local businesses. In addition, a successful town center will allow residents to have access to a wide range of goods and services at the local level, and will alleviate some of the need to drive long distances to obtain those goods and services. Increased sales and property tax revenue from the town center project will strengthen our state and local economy. The commercial development will create jobs for residents of Mansfield and the surrounding communities. Lastly, we believe that the project will similarly benefit the residents of area communities and enhance our regional economy.

Thank you for the opportunity to submit our funding request. Please contact me with any questions or concerns regarding this matter.

Sincerely,



Martin H. Berliner  
Town Manager

cc: Mansfield Town Council  
Mansfield Downtown Partnership, Inc. Board of Directors

# WINDHAM REGION COUNCIL OF GOVERNMENTS

968 Main Street, Willimantic Connecticut 06226

(860) 456-2221/Fax: (860) 456-1235 Email: [wincog@snet.net](mailto:wincog@snet.net)

Ashford Chaplin Columbia Coventry Hampton Lebanon Mansfield Scotland Windham

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DATE: January 13, 2004  
TO: WINCOG Chief Elected Officials and Town Managers  
FROM: Barbara Buddington, Executive Director  
SUBJECT: Congressional earmarks

Jane Dauphinais from Congressman Rob Simmons' office contacted me yesterday to solicit input from WINCOG towns for congressional earmarks.

If you have a project or program in your town that needs funding, now is the time to get it on the Congressman's list. His staff will research potential federal funding sources for your project or program and then will consider requesting an earmark to fund it.

Jane asked that WINCOG use some time at its February meeting to review earmark requests from our member towns and identify priorities.

#### Notes:

- *Jane said that the UConn Road (I presume that is the connector between North Eagleville and Route 44) is already slated for an earmark request under TEA-21)*
- *Funding needs that came up at the January WINCOG meeting: a fire truck for Hampton; supplemental funding for the stalled projects in Chaplin (fire house) and Scotland (library), where bids have exceeded funds available because of prevailing wage requirements; infrastructure upgrades for the Windham 911 Call Center. (There may be others that I have missed).*
- *Any funding need could be considered - related to labor, education, housing, justice, drug programs - as well as the capital projects needs.*

By January 30 (one week before our next meeting), please submit to WINCOG a brief description of any project or program that you would like to have considered, and the funding needed. It would also be helpful to know what other funding sources have been considered (or tried) and what other funding is available for the project. This will give us time to compile a packet and distribute it in advance of the meeting.

If you have any questions, please contact me, and I will try to get the answers for you.

*Mansfield Business & Professional Association*

TO: All MBPA Executive Committee Members  
FROM: Dianne Doyle, Chairman

January 29, 2004

**The MBPA Executive Committee will meet on:**

Wednesday, February 4th, 2004  
8:00 AM (SHARP!)  
*Mansfield Community Center*  
*South Eagleville Rd., Storrs*

**AGENDA**

1. Minutes of the January 7th Meeting
2. Discussion with Town of Mansfield Representatives about Future Water Supply Outlook in Mansfield and its implications
3. Report on Town/University Relations
4. Report on Mansfield Downtown Partnership
5. Information From Chamber
6. MBPA Issues For Chamber Board
7. Other Business
8. Future Meeting Guests/Topics
9. Adjourn

Please call the Chamber at 423-6389 if you will be unable to attend!

**“LET’S MAKE A GOOD TOWN BETTER”**

**THE CHAMBER OF COMMERCE, INC.**

**Date:** 1/07/04

**Present:** D. Doyle, P. Rich, S. Bacon, J. Estelle, L. Ross, C. van Zelm,

**Meeting of:** MBPA Executive Committee

R. Adams, J. Bennett, J. Fortier, M. Gergler, R. Miller, S. Wapen, J. Watson

**Time Began:** 8:10 AM

M. Hart, M. Waitte, W. Simpson, S. Schrage, M. South, D. Murphy, S. Rogers

**Time Ended:** 9:10 AM

M. Berliner, L. Rhodes

**Absent:** K. Rodin, N. Braasch, D. Elwell

**Minutes Taken By:** Roger Adams

**Next Meeting Date:** Feb. 4th @ Mansfield Community Center at 8 A.M.

<b>Subject</b>	<b>Summary of Discussion</b>	<b>Decision Made</b>	<b>Next Steps</b>
		<b>Vote taken</b>	<b>Whom/when</b>
<b>Minutes</b>		<b>ACCEPTED</b>	
<b>Nominating Cmte Report</b>	S. Bacon reported D. Doyle of SBM nominated to Chair. Motion: M. Hart, P. Rich second, D. Doyle Elected	Unanimously carried	
<b>Town/University Relations</b>	Next week meeting scheduled. Alcohol and minors ordinance has been adopted as one more tool for police. Allows police access to private property if no parent or guardian is present.		
<b>MDTP</b>	Development agreement being negotiated. Brochure on Mansfield attractions expected to be complete in February. September event "Festival on Green" being planned.		
<b>Chamber News</b>	Update at end of month		
<b>MBPA Issues</b>	Simpson moved, Gergler seconded, that S. Rogers be reappointed to MDTP board as a rep of MBPA	Approved	
<b>Improving Attendance</b>	Non members can attend as guests. Recommendation: bring members and non members. More meetings should have "program" focus. Develop a year long calendar of meeting dates	M. Hart will list on town website	M. Hart
<b>Future Meetings</b>	Feb. 4 <sup>th</sup> at Community Center. Two representatives from Town of Mansfield to discuss water supply issue. For future meetings we will invite council members.		
<b>Other Business</b>	L. Ross reported that a dance at UConn on May 15 <sup>th</sup> will benefit WCMH. John Fortier indicated that a new major tenant is committed to the mall. Expects to start construction in the spring. S. Schrage noted a new family restaurant will open at old location of New York Pizza.	Attendance is urged.	



PLANNING AND ZONING COMMISSION  
TOWN OF MANSFIELD

Item #24

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
STORRS, CONNECTICUT 06268  
(860) 429-3330

February 3, 2004

Richard A. Miller, Esq., Director of Environmental Policy  
University of Connecticut, Gulley Hall  
352 Mansfield Rd.  
Storrs/Mansfield, CT 06269-3038

Re: Scoping comments, UConn football complex and intramural, recreational and intercollegiate athletic facility, Project #UC-201188

Dear Mr. Miller:

Thank you for providing the Town of Mansfield an opportunity to participate in the Connecticut Environmental Policies Act Notice of Scoping process. At its February 2, 2004 meeting, Mansfield's Planning and Zoning Commission approved the submittal of the following comments regarding the proposed athletic facility on Stadium Road.

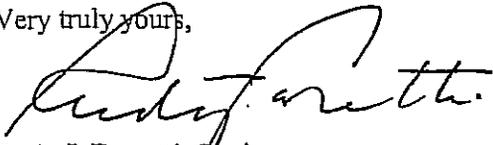
1. The environmental review process should provide sufficient opportunities for public comment on the proposed project. There are private residences on Hillside Circle and Westwood, South Eagleville and Separatist Roads that may be impacted by the subject project, and neighboring property-owners should be notified prior to the Public Hearing on the subject Environmental Impact Evaluation.
2. Mansfield officials and residents previously have expressed concern about the lack of opportunity to review finalized plans prior to the initiation of construction. Past problems that have arisen regarding UConn construction projects might have been avoided or lessened if an opportunity had been provided to review finalized plans and confirm that commitments and mitigation measures recommended in an Environmental Impact Evaluation had been appropriately incorporated and addressed in construction plans. Provisions to address this issue should be incorporated into the environmental review and any approval of the proposed projects.
3. The environmental review should thoroughly evaluate potential onsite and offsite impacts on surface and ground water quality and on nearby wetland and watercourse areas. The proposal will significantly increase the amount of impervious surfaces, and offsite drainage issues have arisen in the subject watersheds. The environmental review should address potential drainage impacts from varying-intensity storms ranging from 1-year to beyond 100-year events. A comprehensive storm water management plan including the use of retention or detention structures, oil/water separators and sediment and erosion controls must be developed for the entire project area, including downstream areas. Details of this comprehensive plan must be incorporated into individual final site plans and opportunities for public review should be provided prior to approval and construction. Long-term maintenance responsibilities for drainage and storm water management must be addressed.
4. The proposed project, particularly the tennis and volleyball court relocation, is situated near existing single-family homes. Potential neighborhood impacts including noise, lighting and property value impacts must be addressed comprehensively. If the site is deemed environmentally appropriate, all buildings, parking areas and other site work should be oriented towards the campus and buffered from single-family neighborhoods. All lighting should be downward-directed, with and the minimum number and intensity of lights necessary to address safety and security needs.

(continued)

7. The proposed facility will be served by UConn's water and sewage disposal systems. Specific water demands and waste disposal requirements should be addressed in the environmental review.
8. As proposed, the indoor field structure would be one hundred feet in height. The steep slope on the easterly side of the proposed building site will help mitigate visual impact. An existing tree buffer along Stadium Road west of the proposed site should be retained to further scale down the building and enhance visual compatibility with the existing landscape.

Thank you for this opportunity to comment. Mansfield officials are available to assist the University and its consultants with the environmental review process. If you have any questions regarding these comments, please contact Mr. Gregory J. Padick, Mansfield Town Planner, at 429-3330.

Very truly yours,



Rudy J. Favretti, Chairman  
Mansfield Planning and Zoning Commission

cc:  Mansfield Town Council  
 Mansfield Planning & Zoning Commission  
J. Petersen, Chancellor, Univ. of CT  
T. Callahan, Assoc. Vice-Pres., Univ. of CT  
J. Butts, Planner, WINCOG  
J. Smith, CT Office of Policy & Management  
Mansfield Conservation Commission



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## CONNECTICUT CONFERENCE OF MUNICIPALITIES

900 Chapel St., 9th Floor, New Haven, CT 06510-2807 • Phone (203)

Item #26

PLEASE DELIVER IMMEDIATELY TO MAYOR, FIRST SELECTMAN, CITY/TOWN MANAGER & FINANCE DIRECTORS

## GOVERNOR'S PROPOSED MIDTERM BUDGET ADJUSTMENTS IMPACT ON Mansfield

Today, the Governor released his proposed midterm budget adjustments for FY 2004-05. Below is CCM's preliminary analysis of the impacts on Mansfield under this plan for certain key grant programs.

Grant	(1)	(2)		(3)	(4)	(5)	(6)	(7)
	FY 2003-04	FY 2004-05						
	This Year	Adopted Budget	Gov. Proposal		Difference: Gov. Proposal 2004-05 compared to This Year 2003-04		Difference: Gov. Proposal 2004-05 compared to Adopted Budget 2004-05	
					\$	%	\$	%
<b>Non-Education*</b>								
Pequot/Mohegan grant	1,702,421	1,724,169	1,724,169		21,748	1.3%	0	0.0%
Town Aid Roads	79,680	79,680	79,680		0	0.0%	0	0.0%
PILOT: State-Owned Property	4,797,040	5,945,551	5,945,551		1,148,511	23.9%	0	0.0%
PILOT: Colleges and Hospitals	0	0	0		0	N/A	0	N/A
CCIP	212,747	212,747	212,747		0	0.0%	0	0.0%
<b>Sub-Total: Non-Education*</b>	<b>6,791,888</b>	<b>7,962,147</b>	<b>7,962,147</b>		<b>1,170,259</b>	<b>17.2%</b>	<b>0</b>	<b>0.0%</b>
<b>Education*</b>								
CCS	8,440,787	8,440,787	8,440,787		0	0.0%	0	0.0%
Public School Transportation	250,906	250,906	250,906		0	0.0%	0	0.0%
Non-public School Trans.	0	0	0		0	N/A	0	N/A
Adult Education	0	0	0		0	N/A	0	N/A
<b>Sub-Total: Education*</b>	<b>8,691,693</b>	<b>8,691,693</b>	<b>8,691,693</b>		<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>
<b>Total: Education &amp; Non-Education*</b>	<b>15,483,581</b>	<b>16,653,840</b>	<b>16,653,840</b>		<b>1,170,259</b>	<b>7.6%</b>	<b>0</b>	<b>0.0%</b>

\*Grants Not Listed Because Town-by-Town Amounts Are Not Available (See Separate Report for Statewide Totals of All Grants):

PILOT: Manufacturing Equipment - \$50.7 million statewide. Same as this year (FY 2003-04) and the adopted budget for next year (FY 2004-05).

Priority School Districts - The Governor's proposal increases this grant by \$18.7 million compared to this year (FY 2003-04) and the adopted budget for next year (FY 2004-05). A portion of this increase (\$2.7 million) is for new programs that will go to school districts with schools designated as "In Need of Improvement" under the federal "No Child Left Behind" law.

Special Education Excess Cost - \$61.5 million statewide. Same as this year (FY 2003-04) and the adopted budget for next year (FY 2004-05).

Housing PILOT and Tax Abatement grants - The Governor's proposal eliminates these grants at a statewide cost of \$4.9 million.

Drug Enforcement Program - The Governor's proposal eliminates this grant at a statewide cost of \$850,000.

#### Notes to Individual Grants:

The Governor's proposal funds each of the grants listed below at the same level as this year (FY 2003-04) and the adopted budget for next year (FY 2004-05).

Pequot/Mohegan - \$85 million statewide.

Town Aid Roads - \$12.5 million statewide.

PILOT: State-Owned Property - \$65 million statewide.

PILOT: Colleges and Hospitals - \$100.9 million statewide.

CCIP - \$30 million statewide.

CCS - \$1,522 billion statewide.

Public School Transportation - \$43.1 million statewide.

Non-Public School Transportation - \$3.3 million statewide.

Adult Education - \$16.9 million statewide.



If you have any questions, please call Rich Carmelich, Jim Finley or Gian-Carl Casa of CCM at (203) 498-3000.

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