



7:25PM: Ceremonial presentation of a Proclamation Declaring 2012 as the Year of the Girl and Celebrating 100 years of Girl Scouting

**TOWN OF MANSFIELD
TOWN COUNCIL MEETING
Monday, March 12, 2012
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.**

AGENDA

	Page
CALL TO ORDER	
ROLL CALL	
APPROVAL OF MINUTES	1
OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL	
REPORT OF THE TOWN MANAGER	
REPORTS AND COMMENTS OF COUNCIL MEMBERS	
OLD BUSINESS	
1. Community/Campus Relations (Item #1, 12/12/11 Agenda) (No Attachment)	
NEW BUSINESS	
2. Sustainability Committee Progress Report	9
3. <u>WPCA</u> , FY 2011/12 Windham Sewer Budget.....	15
4. <u>WPCA</u> , FY 2011/12 UConn Water and Sewer Budget.....	17
5. Town Easement – Storrs Road Guying Easement.....	21
DEPARTMENTAL AND COMMITTEE REPORTS	27
REPORTS OF COUNCIL COMMITTEES	
PETITIONS, REQUESTS AND COMMUNICATIONS	
6. M. Hart re: Appointment to Mansfield Library Advisory Board	41
7. State of Connecticut Siting Council re: Docket No. 424.....	47
8. CCM – Governor Malloy’s Education Reform Tour	55
9. CCM – Legislative Update	71
10. CCM – Mandates Report.....	83
11. CCM – Save the Date: CCM Day on the Hill	93
FUTURE AGENDAS	
EXECUTIVE SESSION	
ADJOURNMENT	

SPECIAL MEETING – MANSFIELD TOWN COUNCIL
February 27, 2012

Mayor Elizabeth Paterson called the special meeting of the Mansfield Town Council to order at 5:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Keane (6:00 p.m.), Lindsey, Moran, Paterson, Paulhus, Ryan, Shapiro, Schaefer (6:30 p.m.)

II. FINANCIAL & BUDGET OVERVIEW

Director of Finance Cherie Trahan highlighted areas of interest and concern in the second quarterly financial statements for the quarter ending December 31, 2011.

Ms. Trahan will research whether or not changes to the Town's investment pool require Finance Committee approval.

Mr. Ryan moved and Mr. Paulhus seconded to accept the Quarterly Financial Statements dated December 31, 2011.

The motion to approve passed.

Town Manager Matt Hart and Director of Finance Cherie Trahan reviewed the Financial & Budget Overview dated February 27, 2012 and the methodologies being used to prepare the General Fund Budget. A current services budget is being prepared which will include identified budgetary goals. Management will also prepare a document showing, in the aggregate, a zero increase budget with suggestions as to how to get there. Departmental budgets will tie goals and objectives to the Town's goals as outlined in *Mansfield 2020: A Unified Vision*.

Ms. Trahan will check to see if the equalized mill rate statistics (Page 75) includes State property and see if there is a way to calculate Mansfield's TANF Recipients standing (Page 69) without including UConn students.

The Town Manager reviewed the goals and objectives adopted by the Council in November of 2011 and updated members on the accomplishments realized in support of those goals. Mr. Hart asked Council members to identify any modifications or changes they would like to set for the rest of the Town Council's term.

Mayor Paterson thanked Mr. Hart and Ms. Trahan for the overview and their work on the budget.

III. ADJOURNMENT

Mr. Paulhus moved and Mr. Ryan seconded to adjourn the meeting at 7:05 p.m. Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

February 27, 2012

REGULAR MEETING – MANSFIELD TOWN COUNCIL

February 27, 2012

DRAFT

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Keane, Kochenburger, Lindsey, Moran, Paterson, Paulhus, Ryan, Schaefer, Shapiro

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Schaefer seconded to approve the minutes of the February 14, 2012 Special meeting with the addition of staff to the list of those present. Motion to approve passed unanimously. Mr. Ryan moved and Mr. Paulhus seconded to approve the minutes of the February 14, 2012 regular meeting as presented. Motion passed unanimously. Mr. Paulhus moved and Mr. Schaefer seconded to approve the minutes of the February 21, 2102 Special meeting as amended. Motion passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Joan Buck, Sumner Drive, commented on the proposed Ethics Code. (Statement attached)

Tulay Luciano, Warrenville Road, asked the Council to take action to remove UConn's Hazardous Waste Materials Storage Facility from the Fenton River Watershed.

(Statement attached).

Betty Wassmundt, Old Turnpike Road, endorsed Ms. Luciano's comments and offered an apology, a thank you and a number of requests. (Statement attached)

David Freudmann, Eastwood Road, suggested the Council not include the Blue Light System in the parking garage and feels the cost overruns on the project should be the responsibility of the architect.

Ric Hossack, Middle Turnpike, asked the status of UConn's Hazmat facility be added to a future agenda and offered his services to oversee the garage construction project.

Alison Hilding, Southwood Road, expressed her objections to cars being provided to certain staff members, the ratification by the Council of the WINCOG grant after its submission, the lack of a surety bond for the Storrs Center Project and questioned the inclusion of the Downtown Partnership's Director in the Town's retirement system.

Pat Suprenant, Gurleyville Road, thanked State Senator Don Williams and State Representative Gregory Haddad for attending the Council's meeting and asked them to review the situation of UConn not being a water company but acting as one and the existence of the Hazmat Facility in the watershed.

Mr. Schaefer moved and Ms. Moran seconded to move Item 2, Meetings with State Legislators and Item 3, Mansfield Downtown District Public Spaces and Green Infrastructure Master Plan, as the next items of business.

Motion passed unanimously.

IV. REPORT OF THE TOWN MANAGER

In addition to his written report Town Manager Matt Hart addressed the following public comments:

The revisions to the Ethics Ordinance, which is now being reviewed by the Personnel Committee, incorporated the use of employer numbers in order to define which entities are covered by the Code. Mr. Hart agreed any use of Town equipment should be driven by the Code not by labor agreements and defended the policy of certain staff members being provided with vehicles. There are good business reasons to do so.

Downtown Partnership Director Cynthia van Zelm is not enrolled in the Town's retirement plan. The Partnership has its own plan.

As directed by Council, the water workshop will be scheduled after the release of the EIE.

February 27, 2012

A discussion of the history and current location of UConn's Hazmat facility could be added to a future agenda or referred to the Town/University Committee.

V. REPORT AND COMMENTS OF THE COUNCIL MEMBERS

Ms. Keane asked if the Board of Education is covered by the Ethics Code. The Town Manager reported both the Board of Education's and the Town's attorneys are reviewing the issue. An answer should be available prior to the next Personnel Committee meeting.

Mr. Kochenburger expressed interest in reviewing the Hazmat facility and, in response to a public comment, noted the Town could not hold a surety bond on the Storrs Center Project as it is not owned by the Town.

Mayor Paterson congratulated the efforts of the UConn students who raised over \$400,000 at their Huskython. The money was donated to the Connecticut's Children's Medical Center.

Ms. Lindsey asked for clarification regarding what types of events will be permitted on the Town Square. Staff discussed the permitted uses and guidelines as set forth in the Development Agreement. A reference to First Amendment Rights to use of the Square is also contained in the Agreement.

VI. OLD BUSINESS

1. FY 2012/13 Budget Review Meeting Schedule

The revised schedule corrects the date of the Region 19 Budget Referendum which is the same date as the Annual Town Meeting for Budget Consideration.

VII. NEW BUSINESS

2. Meeting with State Legislators

Senator Don Williams and Representative Gregory Haddad updated the Council on the current economic status of the State and issues before the Legislature. Senator Williams stated job creation, education reforms, and issues surrounding the performance of electric companies are part of the Legislative agenda. Representative Haddad has been focusing on issues concerning continued aid to municipalities, job initiatives and higher and secondary education. Both Legislators agree the economic picture, although far from optimal, is improving. Council members discussed the problem with the current Minimum Budget Requirement for the Town's education budget and the need to address the penalty imposed as a result of energy and payroll savings realized by building two new schools. The Legislators reported some modifications are being considered and they would welcome specific proposals. The wishes of the Town and UConn will also be considered in any discussions regarding the UConn Hazmat facility. Both Legislators are in support of changes to the absentee ballot provisions and Election Day Registration, with the provision that towns, like Mansfield, will be offered pilot programs to help mitigate the expected impact.

3. Mansfield Downtown District Public Spaces and Green Infrastructure Master Plan

Joined by students Devon Lagasse and Roger Engle, Kristin Schwab, University of Connecticut Associate Professor of Landscape Architecture, presented the Mansfield Downtown District Public Spaces and Green Infrastructure Master Plan to the Council. The students worked over the summer, meeting with many stakeholders and developing this plan. Endorsed unanimously by the Mansfield Downtown Partnership's Board of Directors, Ms. Schwab asked for input from the Council.

Council members thanked the presenters for their work and imaginative ideas.

4. Application to DECD Brownfield Remediation and Revitalization Grant Program

Town Manager Matt Hart explained Council approval is not required for the submission of this grant application, however, if the grant is awarded the Council would need to authorize the receipt of the funds.

February 27, 2012

Ms. Moran moved and Mr. Kochenburger seconded to add Item a, Discussion of Grant Opportunities, to the agenda.

The motion passed unanimously.

4a. Discussion of Grant Opportunities

Mr. Hart asked the Town Council for guidance in situations when grant opportunities arise and there is an immediate deadline for submission with no opportunity to seek Council approval at a regular meeting. Options include calling a special meeting, submitting the grant and then requesting ratification, or missing the opportunity for funding. A National Endowment for the Arts grant for developing art in public spaces requiring the support of the municipality and a 501.3.c arts organization is one such situation. UConn's School of Fine Arts is interested in relocating the Ballard Puppet Museum to Storrs Center, and this money, if awarded could be used for the design of the project.

Council members agreed if there are matching funds required or a long term financial obligation incurred Town Council approval should be sought prior to submission but if the grant applies to an already approved funded project the opportunity should not be missed. Many applications do not commit the Town to accept the grant, if awarded, and require Council approval for acceptance.

Mr. Ryan moved and Mr. Schaefer seconded to authorize the Mayor to write a letter in support of a grant to the National Endowment for the Arts to develop art in public spaces, as long as there is no corresponding matching Town cash contribution or long term obligation, except for in kind contributions.

The motion passed unanimously.

5. Small Cities (CDBG) Public Hearing – Housing Rehabilitation

Ms. Moran moved and Ms. Lindsey seconded effective February 27, 2012, to schedule a public hearing for 7:30 PM in the Council Chamber of the Audrey P. Beck Municipal Building at the Town Council's regular meeting on March 26, 2012, to solicit public comment regarding the proposed application to the State Department of Economic Community Development for funds under the Small Cities Program.

Motion passed unanimously.

6. Appointment to Eastern Highland Health District Board of Directors

Ms. Lindsey moved and Ms. Keane seconded, effective February 27, 2012, to appoint Assistant to the Town Manager Maria Capriola as an alternate member of the Eastern Highlands Health District.

Motion passed unanimously.

7. Comprehensive Annual Financial Report

Chair of the Finance Committee Bill Ryan moved, effective February 27, 2012, to accept the 2010/11 Comprehensive Annual Financial Report and the State and Federal Single Audit Reports for the Town of Mansfield, as endorsed by the Finance Committee.

The reports were reviewed and endorsed by the Finance Committee. The Committee agreed to the suggestion a Fraud Risk Assessment be conducted and will include funding in next year's budget.

Motion passed unanimously.

8. Reapportionment of Regional School District #19

Mr. Schaefer moved and Ms. Keane seconded to approve the following resolution: Resolved, to appoint the following Mansfield residents to the Regional School District 19 Reapportionment Committee: Philip Barry, Bruce Clouette, Ronald Schurin, Nancy Silander and April Holinko.

Motion passed unanimously

9. Status Report on Storrs Center Public Infrastructure – Parking Garage cost Overrun
Director of Public Works Lon Hultgren reviewed the cost overruns for the parking garage and possible available revenue sources. A seventh floor is being built, adding an extra

February 27, 2012

60 spaces. Town Council members asked staff to research the need for the Blue Light System and to acquire legal counsel with expertise in contract law. An update will be provided to Council.

VIII. DEPARTMENTAL AND COMMITTEE REPORTS

Ms. Lindsey requested clarification as to whether draft or approved minutes are included in this section. Only approved minutes are included in the packet.

IX. REPORTS OF COUNCIL COMMITTEES

Bill Ryan, Chair of the Finance Committee, reported the Committee will be going out to bid for an auditor. The current contract will be expiring.

Chair of the Committee on Committees Peter Kochenburger offered the recommendation of Nora Stevens for reappointment to the Board of Ethics. Mr. Kochenburger reviewed Ms. Steven's tenure on the Committee. Ms. Stevens has served on the Board for more than ten years but Mr. Kochenburger noted the limitation, as it appears in Chapter 192 of the Mansfield Code, has never been enforced. Currently there are over 50 board and committee members who have served more than ten years. Mr. Kochenburger suggested the Council review Chapter 192 of the Mansfield Code and form an ad hoc committee to see if a modification should be enacted to reflect current practices.

The motion to appoint Nora Stevens to the Board of Ethics passed unanimously.

Mr. Shapiro moved and Mr. Paulhus seconded to appoint Councilor Lindsey to the Sustainability Committee. Motion to approve passed unanimously.

X. PETITIONS, REQUESTS AND COMMUNICATONS

10. Mansfield Agriculture Committee re: Proposed CL&P Transmission Line

11. M. Hart re: Mansfield Police Services Study

12. Hartford Courant "Public Records Not Always As Open As They Should Be" -- 02-21-2012

XI. FUTURE AGENDA

Mr. Ryan suggested a discussion on applying the 1% bonding exclusion this year to the Four Corners Water and Sewer Project.

Ms. Moran moved and Mr. Paulhus seconded to move into Executive Session to discuss Personnel, in accordance with CGS§1-200(6) (A).

Motion passed unanimously.

XII. EXECUTIVE SESSION

Personnel, in accordance with CGS§1-200(6) (A)

Present: Keane, Kochenburger, Lindsey, Moran, Paterson, Paulhus, Ryan, Schaefer, Shapiro

XIII. ADJOURNMENT

Mr. Ryan moved and Mr. Schaefer seconded to adjourn the meeting.

Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

February 27, 2012

February 27, 2012

Mansfield Town Council
Four South Eagleville Road
Storrs, Connecticut 06268

Dear Council Members,

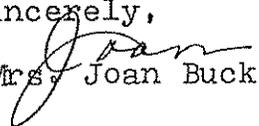
I am writing to ask about certain aspects of the draft Ethics Ordinance. Thank you for considering them.

On page 7 under "Use of Town Property", is it your plan to have the Board of Ethics develop a specific list of facilities or items and the circumstances under which those may be obtained for personal use? Such a provision would make very clear what and under what circumstances items may be used or obtained.

On page 4 under "Public Employee" there is reference made to a person's "federal employer identification number". Why is this information important? Do all Mansfield employees, including employees of the education department, have the same federal employer identification? If not, why not?

Thank you for the effort which has been expended on developing this Ordinance. I look forward to speaking with you about my concerns.

Sincerely,


(Mrs. Joan Buck)

Good evening!

I wonder if there is a tentative date for the public forum about the "UConn Water Company" status.

There is another aspect of this "water company" concept that cannot wait. It is UConn's Hazardous Waste Materials Storage Facility (known as Hazmat Site). Tonight I want to urge you to act urgently and boldly the HazMat Site be removed from the Fenton River Watershed. I believe you have enough information about the site and its potential risk of a spill which will be catastrophic.

The location of this site has been a controversy for OVER TEN years. I want to add that this site underwent 2 EIE siting processes, and both recommended moving the facility out of the Fenton watershed. Yet, UConn may make it permanent site and expand it to hold more waste that will come from the Tech Park.

As far as I know, UConn is in violation of the original permit, and was told by various state agencies, such as OPM to remove or relocate the facility and UConn promised to do so; but the facility is still there. And there is no indication that UConn has a slightest intention to relocate it.

In a democracy, nobody is above the law. Yet UConn is allowed to thumb its nose at the state agencies. It has not been punished or enforced to comply with the state orders for this issue. It looks like state legislature and its creation of state agencies are like paper tigers when come to UConn's will.

God forbid if an individual or private company ignores the order! All the enforcement powers would be at their door immediately.

Unfortunately, neither Mansfield nor the towns can wait any longer for this potential disaster is removed. Fenton River is designated as a drinking water source for many towns. OPM warned UConn that "there is no protection against runoff to nearby streams, all which eventually feed into the Willimantic water system." Any spill from this facility will cause huge environmental and fiscal catastrophe.

The clock is ticking. Please do not wait till the tragedy happens.

The bottom line is that UConn just isn't going to do it unless you, our town management, force them to act. Therefore I urge you to stand up for our water and environment, and work with the legislature and/or use any means to relocate this monster away from our clean watershed.

Thank you!

Tulay Luciano
808 Warrenville Road, Mansfield Center

February 27, 2012

To: Town Council

From: Betty Wassmundt

I have an apology, a thank you and two requests.

My apology to Councilor Moran for suggesting that she was the Tricky Toni who devised the Ethics Code definition of Public Employee. I learned subsequently that it was not she; it was Machiavellian Matt.

My thanks to Councilor Shapiro for requesting that town management limit their presentation at the upcoming public hearing on the school project. Enough of the endless power point presentations, most of which are useless.

A request to council: please establish a policy to prohibit all power point presentations from town management. You've done a very good job of limiting the public's time before you; you need to limit town management's waste of your time. Recall the presentation just given to you at the last school workshop, the one with the shades of orange. What did you learn from it that could possibly have taken so much of your time? And consider the time and cost to produce this material. You could have been told the essential information in less than 5 minutes and in a more comprehensible way. I suggest we hold a little ceremony; I'll bake you a cake in celebration. We'll get a box and all town employees will come with their little power pointers; they'll drop them in the box never to be seen again.

Next, ethics is a favorite topic of mine; a request regarding the never ending discussion of benefits available to the Mansfield employee and not available to the public. I request that the Town Manager bring in to the next council meeting all written, and unwritten, town policies and practices from all departments. Management is the authority as to policies and practices. It's past time to make all policies and practices known to all people; even to the practice of notarizing employee's documents free of charge. I trust that council members will support this request. Remember, you are elected to represent the public.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Virginia Walton, Recycling Coordinator
Date: March 12, 2012
Re: Sustainability Committee Progress Report

Subject Matter/Background

At Monday night's meeting, Lynn Stoddard, Chair of the Sustainability Committee, will be reporting on the Committee's progress over the course of the past year in five broad areas: staffing, data gathering, public awareness, engaging in Town projects and economic sustainability.

Attachments

- 1) 1/30/12 Memo from L. Stoddard re: Town of Mansfield Sustainability Committee Progress Report



TOWN OF MANSFIELD
DEPARTMENT OF PUBLIC WORKS

Lon R. Hultgren, P.E., Director

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CONNECTICUT 06268-2599
(860) 429-3331 TELEPHONE
(860) 429-6863 FACSIMILE

MEMO

To: Matt Hart, Town Manager

From: Lynn Stoddard, Chair of Sustainability Committee *V.W. for Lynn Stoddard*

Re: Town of Mansfield Sustainability Committee Progress Report

Date: January 30, 2012

I. Background

Over the past few years, the Town of Mansfield has taken several steps toward promoting more environmental and economic sustainability throughout its government and community. In the development of its recent strategic plan, the Town identified sustainability as a priority. Recognizing that thoughtful planning for the future is vital, the Town formed a Sustainability Committee in June 2009 to:

1. Guide the Council in the adoption of sustainability principles;
2. Track the implementation of any adopted principles;
3. Collaborate with town boards and committees to advance sustainability principles and help develop policies; and
4. Gather data and input from other organizations to aid in the development of programs and initiatives that will further the Town's sustainability goals.

II. Sustainability Committee Infrastructure Development, 2009-2010

The Town's Sustainability Committee first met July 22, 2009. Initially, the group concentrated on learning about the Town's current sustainability efforts, assembling materials, developing relationships inside and outside the Town of Mansfield and setting priorities.

A. Committee Membership

The current committee comprises Town staff, representatives from the Town Council, Board of Education, Region 19, Planning and Zoning Commission and University of Connecticut as well as volunteers who represent environmental protection, economic vitality, or social justice:

Name

Stoddard, Lynn	Chair, Resident
Hart, Matt	Mansfield Town Manager
Shapiro, Paul	Mansfield Town Council
Matthews, Holly	Town of Mansfield Board of Education
Miller, Rich	UConn Director of Environmental Policy

Sherman, Julia	Region 19 School District
Ward, Vera	Town of Mansfield Planning & Zoning Commission
Lennon, Bill	Resident
Schwab, Kristen	Resident
Hultgren, Lon	Mansfield Director of Public Works (staff)
Painter, Linda	Mansfield Director of Planning and Zoning (staff)
Walton, Virginia	Mansfield Recycling Coordinator (staff)
Kaufman, Jennifer	Parks Coordinator (staff)

B. Identifying community committees/departments

The following groups are likely collaborators on sustainability initiatives:

Public Works – Transportation Advisory Committee, Energy Education Team, Solid Waste Advisory Committee

Parks and Recreation – Open Space Preservation Committee, Agriculture Committee, Parks Advisory Committee

Planning & Zoning – Planning and Zoning Commission, Inland Wetlands Commission, Conservation Commission

Economic Development – Downtown Partnership, Four Corners Sewer and Water Advisory Committee, UConn Tech Park

Education – Town of Mansfield Board of Education and Region 19

III. 2011 Progress Report and Action in 2012

In conjunction with *Mansfield 2020—A Unified Vision*, input from Town committees and commissions and the committee's original charter, the committee developed five broad categories of priorities: (1) staffing, (2) gathering data/informed planning, (3) raising public awareness and educating residents, (4) engaging and participating in Town projects and issues and (5) economic sustainability.

1. Staffing

2011 - In recognizing that the Town needs dedicated professional assistance to make the Town of Mansfield a leader in sustainability, part-time Parks Coordinator, Jennifer Kaufman, was hired to assist the Director of Planning and Zoning with sustainability planning for five additional hours per week.

2012 - The Town was recently awarded a HUD Community Challenge Grant which will fund consultants for the next three years to assist in creating a sustainable design and green building action plan, preparing housing and economic development strategies based on the Plan of Conservation and Development and re-writing the zoning and subdivision regulations that incorporate the recommendations from the sustainable design and green building action plan and the housing and economic development strategies.

2. Data Gathering/Informed Planning

2011 - Interns continued to enter data on municipal energy use in various data base programs, with oversight from staff. The Town purchased a web based municipal energy tracking program, Energy WatchDog, which should compliment data already recorded in the Small Town Carbon Calculator and EnergyStar Benchmarking tool. Energy Watchdog offers a wide variety of reports, ranging from energy use, carbon footprint to budget analysis that will be easily accessible to all town departments.

2012 – Two years of data are presently being entered into Energy WatchDog by a UConn intern. Once the data is current, the use of these formats will assist the committee in setting goals, objectives and climate action plans. These goals and objectives can be used to inform the Town's Capital Improvement Program.

3. Public Awareness and Education

2011 - In order to inform a broader residential audience on all aspects of sustainability, the Town website features a section devoted to sustainability. Throughout the year notification of energy-related programs, such as the Neighbor to Neighbor Energy Challenge, Energy Basics workshops, Build Your Own Solar Back-up system and Transition Town training have been publicized through Town media channels.

2012 - The Committee will focus on public awareness/education of residents as well as working and collaborating with our students and schools. The Committee is particularly interested in publicizing the Town's many existing sustainability initiatives. Members recognize that social media and special public relations efforts will be necessary to begin shifting the culture. The committee will focus on coordinating its efforts with the schools' sustainability projects and linking it to the sustainability pages on the Mansfield government WebPages. The committee will participate in outreach events. To that end, the committee is involved in planning a University of Connecticut sponsored Climate Impact, Mitigation and Adaptation presentation targeted for the public on March 27, 2012.

4. Engaging in Town Projects and Issues

2011 - It is vital that the Committee is responsive to opportunities that arise in the course of Town business. Water supply, alternative transportation, strategic planning, Storrs Center, Four Corners, the school project, planning and zoning regulation changes, land care and recycling were some of the issues that the committee identified. From the perspective of sustainability, the committee offered criteria for the Board of Education and the Town Council to consider in the siting of a new school location. The committee has been advocating for the Town's support of the Mansfield Hollow Hydro project. The committee has been learning about and following the progression of the Four Corners and UConn Tech Park development.

2012 - The Committee recognizes the following opportunities for input:

- Water supply and quality issues;
- The Mansfield Hollow Hydro project;
- School building project;
- Storrs Center green infrastructure, public spaces, energy and transportation;
- University of Connecticut Tech Park; and
- Four Corners development.

5. Economic Sustainability

2011 - The Sustainability Committee recognizes the need to promote an understanding of sustainability that includes the “triple” bottom line - ecology, social equity and economics. To build on the unique attributes of the community and foster understanding of this triple bottom line, committee member Bill Lennon began serving on the Four Corners Sewer and Water Advisory Committee.

2012 - The Committee is poised to begin assisting with the three-year HUD Community Challenge Grant. The first year goal, 2012, is to complete a sustainable design and green building action plan. The Director of Planning and Zoning is seeking the committee’s help with assessing where barriers exist in the Regulations that prevent sustainable development.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Cherie Trahan, Director of Finance; Keri Rowley, Accounting Manager
Date: March 12, 2012
Re: WPCA, FY 2011/12 Windham Sewer Budget

Subject Matter/Background

Attached is a proposed FY 2011/12 Willimantic Sewer budget. Mansfield pays the Town of Windham for sewer service for those Mansfield residents connected to the Willimantic system. Quarterly payments will also be paid to the Town of Windham for Mansfield's flow proportionate share of the Windham Sewage Treatment Plant Upgrade averaging \$21,250 per quarter. The Town bills the users a fee that is appropriate to fund the budget.

Financial Impact

This proposed budget anticipates a six percent increase in revenue to Mansfield's annual payments to begin to address the quarterly payments Mansfield will begin to pay Windham for their share of the plant upgrade. Based on the budget, we estimate that retained earnings will be reduced from \$431,791 to \$351,991 at June 30, 2012.

Recommendation

If the Town Council acting as the Water Pollution Control Authority (WPCA) approves the budget as proposed, the following motion would be in order:

Move, effective March 12, 2012, to adopt the FY 2011/12 Windham Sewer Budget as prepared by town staff.

Attachments

- 1) Willimantic Sewer Enterprise Fund Estimated Budget

TOWN OF MANSFIELD
WILLIMANTIC SEWER ENTERPRISE FUND ESTIMATED BUDGET

	<u>2010/11</u> <u>Actual*</u>	<u>2011/12</u> <u>Proposed</u>
OPERATING REVENUES:		
Sewer Charges	\$160,000	\$169,600
Other Revenues	<u>1,120</u>	<u> </u>
Total Operating Revenues*	<u>161,120</u>	<u>169,600</u>
OPERATING EXPENSES:		
Sewer Billings	82,864 **	114,520
Purchased Services & Supplies	3,728	35,610 ***
Windham Sewage Treatment Plant Upgrade	-	85,000
Depreciation	<u>14,273</u>	<u>14,270</u>
Total Operating Expenses*	<u>100,865</u>	<u>249,400</u>
Operating Income/(Deficit)	60,255	(79,800)
Retained Earnings, July 1 (restated)	<u>371,536</u>	<u>431,791</u>
Retained Earnings, June 30	<u>\$431,791</u>	<u>\$351,991</u>

* Agrees with Exhibit C-2 of 2010/11 CAFR

** Includes a \$23035.95 credit from Town of Windham for discrepancy in billing from July 2009 thru March 2010

*** Includes \$25,000 for contractual maintenance of the pipes



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Cherie Trahan, Director of Finance; Keri Rowley, Accounting Manager
Date: March 12, 2012
Re: WPCA, FY 2011/12 UConn Water and Sewer Budget

Subject Matter/Background

Attached is a proposed Uconn water and sewer budget for FY 2011/12. The budget is based on actual water/sewer billings from New England Water Utility Services (NEWUS) for the period July 6, 2011 through January 5, 2012 as adjusted for prior year estimates.

Financial Impact

The proposed budget anticipates a slight decrease over 2010/11 billings prior to the audit adjustment. Based on the proposed budget, retained earnings will remain at \$304,584.

Recommendation

If the Town Council acting as the Water Pollution Control Authority (WPCA) approves the budget as proposed, the following motion would be in order:

Move, effective March 12, 2012, to adopt the FY 2011/12 Uconn Water/Sewer Budget as prepared by town staff.

Attachments

- 1) UConn Water/Sewer Enterprise Fund Estimated Budgets

TOWN OF MANSFIELD
UCONN WATER/SEWER ENTERPRISE FUND ESTIMATED BUDGETS

	<u>2010/11</u> Actual*	<u>2011/12</u> Proposed
OPERATING REVENUES:		
Water/Sewer Charges	<u>\$102,583</u> **	<u>\$90,810</u> ***
Total Operating Revenues*	102,583	90,810
OPERATING EXPENSES:		
Consultants	2,250	
Water/Sewer Billings	78,342	72,390
Purchased Services & Supplies ⁽¹⁾	5,959	8,860
Depreciation	<u>9,563</u>	<u>9,560</u>
Total Operating Expenses*	<u>96,114</u>	<u>90,810</u>
Operating Income/(Deficit)	6,469	
Retained Earnings, July 1 (restated)	<u>298,115</u>	<u>304,584</u>
Retained Earnings, June 30	<u><u>\$304,584</u></u>	<u><u>\$304,584</u></u>

* as amended

** Reflects adjustment of \$(585) to account for prior year discrepancies and \$(460) write off for uncollectible accounts

*** Reflects adjustment of \$(7515) to account of 10/11 discrepancy and meter correction for Wrights A of an estimated \$3251

UCONN WATER/SEWER FUND
COMPARISON OF PROPOSED WATER/SEWER BILLING
BY CUSTOMER 11/12 VERSUS ACTUAL 10/11

	2010/11			2011/12		2011/12		Budget Increase/ (Decrease)	%
	Prior Year Adjustment	Preliminary Budget	2010/11 Proposed Budget (incl adj)	Prior Year Adjustment	Prior Year Reading error-adjustment	2011/12 Preliminary Budget	2011/12 Proposed Budget (incl adj)		
Wrights A - Sewer Only	84	4,182	4,266	(1,818)	1,480	4,480	4,142	\$298	7.1%
Wrights B - Sewer Only	(41)	1,236	1,195	76		1,496	1,572	\$260	21.0%
Holinko - Sewer Only	(207)	13,450	13,243	(583)		12,063	11,480	(\$1,387)	-10.3%
Senior Center - Water and Sewer	370	1,102	1,472	28	362	1,109	1,499	\$7	0.6%
Total Town of Mansfield	206	19,970	20,176	(2,297)	1,842	19,148	18,693	(822)	-4.1%
Wrights A - Water Only	73	4,090	4,163	(1,740)	1,409	4,376	4,045	286	7.0%
Wrights B - Water Only	(35)	1,299	1,264	71		1,548	1,619	249	19.2%
Holinko - Water Only	(182)	13,416	13,234	(557)		12,104	11,547	(1,312)	-9.8%
Total Mansfield Housing Authority	(144)	18,805	18,661	(2,226)	1,409	18,028	17,211	(777)	-4.1%
Mansfield Retirement Comm. (Juniper Hill) Water and Sewer	(1,128)	22,239	21,111	(1,134)		19,909	18,775	(2,330)	-10.5%
Mansfield Retirement Co-op (Glen Ridge) Water and Sewer	(266)	14,712	14,446	(95)		15,489	15,394	777	5.3%
Center for Rehabilitation and Nursing Water and Sewer	748	27,902	28,650	(1,763)		22,503	20,740	(5,399)	-19.3%
	(\$585)	\$103,628	\$103,044	(7,515)	3,251	95,077	90,813	(\$8,551)	-8.3%

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Lon Hultgren, Director of Public Works; Tim Veillette, Project Engineer; Cynthia van Zelm, Executive Director – Mansfield Downtown Partnership
Date: March 12, 2012
Re: Town Easement – Storrs Road Guying Easement

Subject Matter/Background

As you will recall, the Town granted easements to the Connecticut department of Transportation (ConnDOT) along the easterly edge of the Town Hall property for the highway and streetscape improvements that are being constructed for Storrs Center. These easements did not include the property on which the utility companies will need to support (guy) the new utility poles. The attached map shows where these new guys will be located, and the Town now needs to grant these new easements to AT&T (as the new poles are AT&T poles).

Financial Impact

The granting of this easement to AT&T will not have a financial impact on the Town.

Legal Review

The easement has been reviewed and approved by the Town Attorney.

Recommendation

Council's authorization to grant this easement using the following resolution is respectfully requested.

RESOLVED, that Matthew W. Hart, Town Manager, be, and hereby is authorized to sign the easement entitled:

The Southern New England Telephone Company d/b/a AT&T Connecticut Utility Pole Guy and Anchor Easement, which easement will convey for utility pole guying purposes approximately 1093 square feet of land in 3 locations along the west side of Storrs Road (Route 195) in the vicinity of the Audrey P. Beck Building.

Attachments

- 1) Easement
- 2) Easement Map Serial No. 7, dated February 2012

Return To:
AT&T - Site Acquisition Dept.
1441 North Colony Road
Meriden, CT 06450

The Southern New England Telephone d/b/a AT&T Connecticut

Utility Pole Guy & Anchor Easement

Received of **THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY d/b/a AT&T CONNECTICUT** with its primary place of business located at 310 Orange Street, New Haven, Connecticut, 06510 for One Dollar, and other valuable consideration, the receipt of which is hereby acknowledged, in consideration of which the Town of Mansfield, a Municipal Corporation located in Tolland County, CT, hereby grants unto said Company and its successors and assigns the right, privilege and authority to install and maintain such utility pole guys, guy wires, anchors, and other appurtenances as the Grantee may from time to time require upon, across over and/or under a portion of the Town owned property located at 4 South Eagleville Road, Storrs Mansfield, (Volume 16, Block 36, Lot 18), Town of Mansfield, County of Tolland, State of Connecticut, said property as described in Volume 157 Page 187 of the Town of Mansfield Land Records.

Said guys to be located as shown on a map to be recorded in the Town of Mansfield Land Records entitled "Right-Of-Way Survey, Town of Mansfield, Map Showing Easement Acquired From Town of Mansfield to Connecticut Light & Power and Southern New England Telephone Co., Storrs Road (Route 195) Improvements, Scale 1"=40', Serial No. 7, Sheet 1 of 1, February 2012, Jennifer Marks, P.L.S., Land Surveyor—BL Companies", together with the right to trim and keep trimmed, cut and remove such trees as in the Grantee's judgment endanger continuity of service, provided Company obtains Grantor's prior approval of such tree trimming or removal, which approval will not be unreasonably withheld.

Any right herein described or granted or any interest therein or part thereof may be assigned to any Public Service Company by the Grantee or their successors or assigns, and the Grantor, for himself, herself, themselves, his, her, their heirs, executors, administrators and assigns, hereby agrees to and ratifies any such assignment and agrees that the interest so assigned may be used by the assignee therein and its successors and assigns for the maintenance of Utility pole guying and anchoring purposes. Said sum being in full payment for the rights herein granted.

Witness _____ hand and seal this _____ day of _____ 2012

Witness:

Town of Mansfield:

Signature of First Witness

By: _____
Matthew W. Hart, Town Manager

Print Name

Signature of Second Witness

Print Name

State of Connecticut
County of _____

ss: _____, 2012

Personally appeared _____ signer and sealer of the foregoing instrument, and acknowledged the same to be _____ free act and deed before me.

NOTARY PUBLIC -- MY COMMISSION EXPIRES: _____

PRIVATE PROPERTY EASEMENT

No. _____

Work Order No. _____

THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY

with

Town _____

TOWN CLERK'S RECORD

Received for record _____

At _____

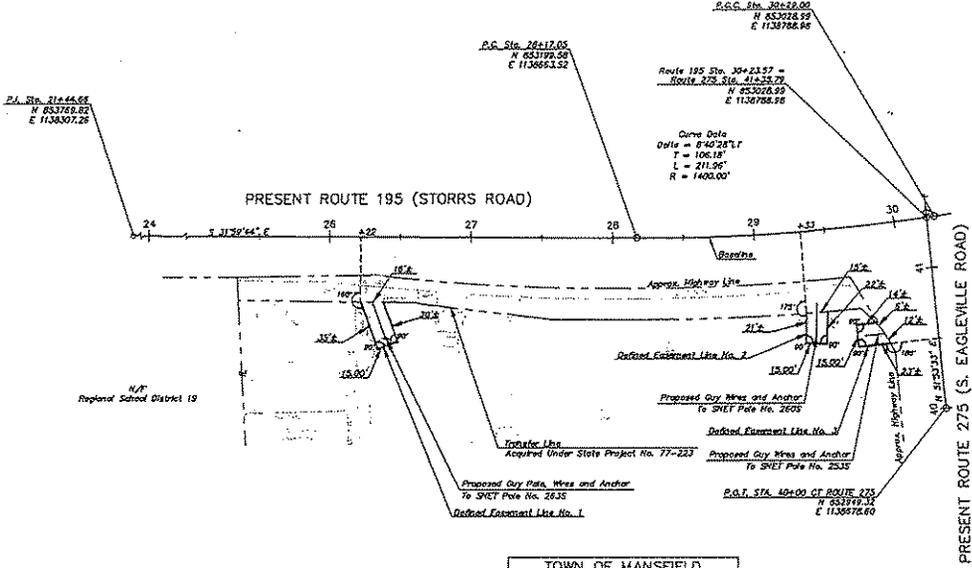
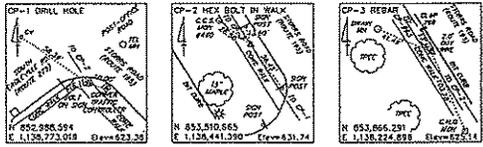
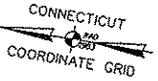
RECORDED IN

_____ Land Records

Vol. _____ Page _____

By _____

TOWN CLERK



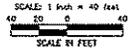
MAP REFERENCES:

- "CONNECTICUT STATE HIGHWAY DEPARTMENT RIGHT OF WAY MAP TOWN OF MANSFIELD, WILKINSON - STORRS ROAD FROM THE FIRST BAPTIST CHURCH NORTHERLY ABOUT 3,300 FEET, ROUTE NO. 195" SCALE 1"=40' NUMBER 77-09 SHEET 3 OF 3 DATE JUNE 30, 1933.
- "MAP SHOWING PROPERTY TO BE CONVEYED BY THE UNIVERSITY OF CONNECTICUT - STATE OF CONNECTICUT TO THE WILKINSON TRUST COMPANY - ON SOUTHERLY SIDE OF DODS LANE IN STORRS, TOWN OF MANSFIELD, CONNECTICUT, SURVEY, NOV. 1928 SCALE 1"=40 FT. THOMAS S. DANIELSON, ENGINEER (FILED 1-15-63 RALPH S. ANTHONY, TOWN CLERK).
- "BOUNDARY PLAN PREPARED FOR STORRS ASSOCIATES COMM. HIGHWAY RTE. 192 MANSFIELD, CONN." SCALE 1"=20' DATE 1-15-88 FILE NO. 86303 SHEET 1 OF 1 REVISED 9-1-88 P.L.M. BY MEDIAN ASSOCIATES MANCHESTER, CT.
- "BOUNDARY PLAN PARCEL TO BE CONVEYED TO THE HELLING "PADDA", INC. DOD LANE MANSFIELD, CONN." SCALE 1"=40' DATE 3-27-1980 FILE NO. 89080 SHEET 1 OF 2 REVISION 6-17-1983 BY MEDIAN ASSOCIATES MANCHESTER, CT.

GENERAL NOTES:

1. AS THIS MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300a-1 THROUGH 20-300a-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1988.
 - a) THE BASELINE LINE FROM WHICH THIS PROPERTY TRANSACTION IS REFERENCED CONFORMS TO CLASS K-2 HORIZONTAL ACCURACY.
 - b) THE PROPERTY AND STREET LINES DEPICTED HAVE BEEN COMPILED FROM VARIOUS SOURCES AND ARE NOT TO BE CONSTRUED AS NECESSARILY BEING OBTAINED AS THE RESULT OF A FIELD SURVEY, NOR DO THEY REPRESENT A PROPERTY/BOUNDARY OPINION.
 - c) THE TYPE OF SURVEY PERFORMED IS A RIGHT OF WAY SURVEY AND IS INTENDED TO DEPICT THE LIMITS OF PROPERTY TRANSACTION FOR THE PROJECT REFERENCED HEREON.
2. NORTH ARROW AND BEARINGS BASED ON THE CONNECTICUT STATE PLANE COORDINATE SYSTEM (GEO 1983/87) AND REFER TO GCS HORNUMENTS 6440 AND 6441.
3. THE FEATURES DEPICTED HEREON ARE THE RESULT OF THE GENERAL LOCATION SURVEY FOR THE PROJECT, OR AS MAY BE REFERENCED HEREON.

TOWN OF MANSFIELD
 Defined Easement For
 Utility Appurtenances Acquired
 Easement Area No. 1 = 4668 Sq. Ft.
 Easement Area No. 2 = 3222 Sq. Ft.
 Easement Area No. 3 = 3922 Sq. Ft.
 Total Easement Area = 10912 Sq. Ft.



TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

P.L.S. #17829
 (VOID WITHOUT LIVE SIGNATURE AND EMBOSSED SEAL)

DATE	REVISION	REQ. BY

TOWN NO. 77
 PROJ. NO. _____
 SERIAL NO. 7
 SHEET 1 OF 1

DRAWN BY: [] DATE: 1/17/11
 CHECKED BY: [] DATE: []
 FILE: []

JENNIFER MARKS P.L.S.
 TITLE LAND SURVEYOR-BL COMPANIES
 DATE _____

RIGHT-OF-WAY SURVEY
 TOWN OF MANSFIELD
 MAP SHOWING EASEMENT ACQUIRED FROM
 TOWN OF MANSFIELD
 TO
 CONNECTICUT LIGHT & POWER
 AND
 SOUTHERN NEW ENGLAND TELEPHONE CO.
 STORRS ROAD (ROUTE 195) IMPROVEMENTS
 SCALE 1"=40'
 FEBRUARY 2012

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**MANSFIELD DOWNTOWN PARTNERSHIP
MEMBERSHIP DEVELOPMENT SPECIAL COMMITTEE MEETING
Mansfield Town Hall, Conference Room B
January 23, 2012
8:30 AM**

MINUTES

Present: Frank McNabb (Chair), Alexinia Baldwin, Jim Hintz, June Krisch, David Lindsay, Betty Wexler

Staff: Cynthia van Zelm

Guest: Pete Hathway

1. Call to Order

Frank McNabb called the meeting to order at 8:35 am. He welcomed June Krisch and introduced Pete Hathway who has an interest in the Partnership.

2. Approval of Minutes from December 12, 2011

Alexinia Baldwin made a motion to approve the minutes of December 12, 2011. Betty Wexler seconded the motion. The motion was approved unanimously.

3. Recommendation of June Krisch to Committee

Betty Wexler made a motion to recommend to the Board of Directors that June Krisch be appointed to the Membership Development Committee. Jim Hintz seconded the motion. The motion was approved.

4. Update on Renewals

Cynthia van Zelm said a second renewal letter went out last week. She suggested that Committee members follow-up in February with members who have not renewed by making phone calls.

Mr. McNabb said thus far, 202 members have renewed for a total of \$11,965. There are 127 members who have not renewed yet.

5. Review of Volunteer Outreach Plan and Calendar

Mr. McNabb said he and Ms. Wexler had staffed the first basketball game on the Partnership's schedule. They said the audience included many alumni. They both received questions on the future for-sale housing. Ms. Wexler said she receives questions about where water is coming from for the project.

Ms. van Zelm referred to the Volunteer Outreach Plan and Calendar that had been e-mailed. She said Partnership member Janet Jones, Mr. McNabb, and Advertising and Promotion Committee Chair Kristin Schwab had worked with she and Special Projects Coordinator Kathleen Paterson on a plan for the recruitment of volunteers. The focus will initially be on Board and Committee members.

Mr. Hintz committed to filling/checking the membership brochures on the UConn campus. Ms. Wexler committed to the same for the Mansfield Public Library. Ms. van Zelm will do the same for the Community Center.

Mr. McNabb asked how the CT State Legislature could be updated on Storrs Center. **Ms. van Zelm will follow-up with State Representative Gregg Haddad.**

6. Review of Committee Mission

The Committee reviewed the Committee charge and discussed possibly combining the Membership Development Committee with the Advertising and Promotion Committee at some point.

7. Approval of 2012 Committee dates

The Committee approved the 2012 Committee meeting dates by consensus. **Ms. van Zelm will submit to the Town Clerk's office (*done*).**

8. Adjourn

Ms. Wexler made a motion to adjourn. David Lindsay seconded the motion. The motion was approved and the meeting adjourned at 9:10 am.

Minutes taken by Cynthia van Zelm.

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD
REGULAR MEETING MINUTES
Housing Authority Office
January 19, 2012
8:30 a.m.

Attendance: Mr. Long, Chairperson; Mr. Simonsen, Vice Chairperson; Mr. Eddy; Secretary and Treasurer; Ms Hall, Assistant Treasurer; Kathleen Ward, Commissioner; Ms Fields, Executive Director.

The meeting was called to order at 8:32 a.m. by the Chairperson.

MINUTES

The Chairperson declared the minutes of the December 15, 2011 Regular Meeting and the notes of the Executive Session accepted without objection as corrected.

Approval of Executive Session Notes

A motion was made by Mr. Eddy and seconded by Ms Ward to approve the Executive Session Notes from the December 15, 2011 Regular Meeting. Motion approved unanimously.

COMMENTS FROM THE PUBLIC

None

COMMUNICATIONS

None

REPORTS OF THE DIRECTOR

Bills

A motion was made by Mr. Eddy and seconded by Mr. Simonsen to approve the December bills. Motion approved unanimously.

Financial Reports –A (General)

A motion was made by Ms Hall and seconded by Mr. Simonsen to approve the November Financials. Motion approved unanimously.

Financial Report-B (Section 8 Statistical Report)

A motion was made by Mr. Simonsen and seconded Mr. Eddy to approve the December Section 8 Statistical Report. Motion approved unanimously.

REPORT FROM TENANT REPRESENTATIVE

Human Services Advisory Committee

Mr Eddy reported that a survey being worked on to determine how the committee is meeting the needs of the community.

General Reports

Mr. Eddy reported that two site lighting fixtures are not working and need to be repaired. Ms. Fields will address the issue.

AD HOC COMMITTEE REPORTS

Capital Projects Committee

The committee has not met. Ms Fields updated the Board on the advances of the committee project currently in progress.

Building 5 Steps and Covered Entry Project

The project has been completed.

Affordable Housing Committee

The committee has not met.

Policy Review Committee

The committee has not met.

Executive Session

Ms Fields raised several issues which are subject to privileged communications. The Chairman responded that the issues should be considered in executive session.

A motion was made by Mr. Simonsen and seconded by Mr. Eddy to invite Ms Fields to the Executive Session and to go into Executive Session at 9:40 a.m. Motion approved unanimously.

The Board came out of Executive Session at 10:05 a.m.

Special Meeting

Ms Fields requested a Special Meeting has been called on January 30, 2012 at 8:30 to discuss affordable housing options.

UNFINISHED BUSINESS

None

NEW BUSINESS

HE – Request for Stove and Refrigerator Replacement

A request has been made by a tenant for the Housing Authority to replace their stove. The Housing Authority's current Stove and Refrigerator installation program installs new Landlord owned stoves and refrigerators when a tenant moves out. In this instance, the tenant's stove is in need of replacement and the tenant is asking the Housing Authority to make an exception due to a financial hardship resulting from a death in the family. Ms Fields is recommending that an exception be made with the proviso that the Board maintains the rule of replacement only when tenants move out.

A motion was made by Mr. Simonsen and seconded by Ms Ward to grant this limited exception to purchase a new stove for this unit and to maintain the original rule for replacement. The new stove will be the property of the Housing Authority. The tenant will be responsible for the cost of disposal of their stove. Motion approved unanimously.

Section 8 HUD Voucher Funding - 2012

Under its new Cash Management program, HUD will begin calculating disbursement of HAP funds on the basis of need each month as opposed to 1/12 of the annual allocation. Each month HUD will calculate a disbursement equal to the average for the prior validated quarter plus a margin of 3% based on the Housing Authority's annual allocation. In addition, all housing authority will be required to reduce their reserves to 8.5% of the 2012 Preliminary funding eligibility. The monthly HAP distribution will be offset by 1/9 of the excess

reserves. Preliminary calculations have been received; actual values as of December 31, 2011 will be used for the final calculation.

DECD – Administrative Fee Change

Ms Fields reported that the Commissioner of DECD has changed the administrative service fee from \$5.00 per month per unit to \$0.00. The Housing Authority will no longer send a fee to CHFA quarterly. CHFA will not require a revised budget; however these funds can be moved to the RM&R account.

NEXT MEETING DATE

The February Regular Meeting Date will be changed February 16, 2012 to February 27, 2012

OTHER BUSINESS

None

ADJOURNMENT

The Chairperson declared the meeting adjourned at 10:12 a.m.

Dexter Eddy, Secretary

Approved:

Richard Long, Chairperson

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD
SPECIAL MEETING MINUTES
Housing Authority Office
January 30, 2012
8:30 a.m.

Attendance: Mr. Long, Chairperson; Mr. Simonsen, Vice Chairperson; Mr. Eddy, Secretary and Treasurer; Ms Hall, Assistant Treasurer; Kathleen Ward, Commissioner; Ms Fields, Executive Director.

The meeting was called to order at 8:35 a.m. by the Chairperson.

New Business

Increasing Affordable Housing

Ms Fields requested that due to the nature of the discussion and specific property being discussed that her communication and ensuing discussion be considered privileged communications. The Chairman agreed that the Board's discussion should take place in Executive Session.

A motion was made by Mr. Eddy and seconded by Ms Hall to invite Ms Fields to the Executive Session and to go into Executive Session at 8:36 a.m. Motion approved unanimously.

The Board came out of Executive Session at 10:05 a.m.

A motion was made by Mr. Simonsen and seconded by Ms Ward to authorize Ms Fields to sign the Letter of Intent with changes as discussed in the Executive Session. Motion approved unanimously.

ADJOURNMENT

The Chairperson declared the meeting adjourned at 10:05 a.m.

Dexter Eddy, Secretary

Approved:

Richard Long, Chairperson

**HOUSING AUTHORITY OF THE TOWN OF MANSFIELD
EMERGENCY MEETING MINUTES**

Housing Authority Office

January 15, 2012

9:00 a.m.

Attendance: Mr. Long, Chairperson; Mr. Simonsen, Vice Chairperson was excused; Mr. Eddy, Secretary and Treasurer; Ms Hall, Assistant Treasurer; Ms Kathleen Ward, Commissioner; and Ms Fields, Executive Director.

The meeting was called to order at 9:05 a.m. by the Chairperson.

NEW BUSINESS

Expanding Affordable Housing

Ms Fields raised the issue of purchasing affordable housing. The Chairman called for a motion to go into executive session because the subject to be discussed at this time is privileged communications.

A motion was made by Mr. Eddy and seconded by Ms Hall to invite Ms Fields to the Executive Session and to go into Executive Session at 9:07 a.m. Motion approved unanimously.

A motion was made by Mr. Eddy and seconded by Ms Ward to invite Rick Chozick as a guest to the executive session. Motion approved unanimously.

The Board came out of Executive Session at 10:28 a.m.

A motion was made by Mr. Eddy and seconded by Ms Ward to authorize Ms Fields to sign a new Letter of Intent, with changes as discussed in the Executive Session. Motion approved unanimously.

ADJOURNMENT

The Chairman declared the meeting adjourned at 10:40 a.m.

Dexter Eddy, Secretary

Approved:

Richard Long, Chairperson

Mansfield Community Playground Project
Meeting Minutes

Date: January 12, 2012, 7pm, Conference room B

Present: Sara Anderson, Kathleen Krider, Esther Soffer Roberts, Chrissy Johnson, Kelly Zimmermann, Julia DeLapp, Megan Huff, Jessica Higham, Ellen Tulman, Kevin Grunwald, Paul Johnson, Jean Johnson, and Pam Roberts

Next Meeting: Thursday February 9, 2012 7 pm (conference room C or B)

- I. Follow up regarding questions posed at previous meetings:
 - a. Sara reported that liability will fall under land/property of town
 - b. Sara has an understanding of what L&A (Leathers & Associates) will require from a surveyors' report
- II. Recent presentations
 - a. Sara & Ellen presented at SEPTO (Special Education PTO) in December and Ellen will present at the SEPTO meeting on 1/18/12
 - b. Sara gave brief overview of her presentation at Town Council mtg and all had a chance to review the article that had appeared in The Chronicle following council meeting.
 - i. **Playground committee will need to officially ask Town Council for permission to use land.
- III. Discussion of land/location of playground
 - a. A suggestion has been made to use parking lot between town offices and EOSmith
 - i. Pros/cons discussed (land already cleared & level, closer to existing plumbing, flexible space, but close to main road)
 - b. Question posed about how to collaborate/coordinate with Downtown Partnership
 - c. Committee members were asked to look at the property and be prepared to discuss it in more depth at our next meeting.
- IV. Committee Progress
 - a. Public Relations – Website designer (Lauren LeBlanc) is on board. Sample of website was shared with group. MAC will pay for getting website up and running, domain name, etc.
 - b. Children's Committee has established 2 dates to make presentations at the schools. They have identified 3 tentative Saturdays to get groups of children together at MCC prior to Design Day (in May?). Will work to keep children involved throughout 2012 until building done in 2013.
- V. Winter Fun Day at MCC on Saturday February 4, 2012
 - a. Sara will send an email out to get volunteers scheduled. A suggestion was made to update tri-fold pamphlet to reflect progress we've made and any definite dates.

- VI. Design Day discussion
 - a. Sara asked the committee to begin to think about details of Design Day (food, entertainment, etc)
- VII. Fundraising
 - a. There will be a special fundraising meeting Thursday January 19, 2012 (details to follow from Sara) all are welcome.
 - b. Julia suggested a "Take Note" concert
 - c. Pam & Kathleen discussed possible grant opportunities (referenced Mr & Mrs Toomey - connected with Vinton School)
 - d. Kevin had contact with state rep. Greg Haddad who will follow up regarding possible state funds
 - e. Kevin & Kathleen discussed using some funds from Discovery Grant
 - f. Discussion regarding establishing a separate town account for donations.
Question – Can we find a way to accept online donations?

Respectfully submitted,
Sara Anderson

**MANSFIELD DOWNTOWN PARTNERSHIP
MEMBERSHIP DEVELOPMENT SPECIAL COMMITTEE MEETING
Mansfield Town Hall, Conference Room B
December 12, 2011
8:30 AM**

MINUTES

Present: Frank McNabb (Chair), Alexinia Baldwin, Betty Wexler

Staff: Cynthia van Zelm

1. Call to Order

Frank McNabb called the meeting to order at 8:30 am.

2. Approval of Minutes from September 21, 2011 and October 31, 2011

Betty Wexler made a motion to approve the minutes of September 21, 2011 and October 31, 2011. Dennis Heffley seconded the motion. The motion was approved unanimously.

3. Update on Renewals

Mr. McNabb said 137 renewals had been received for about \$6,770 in dues. Mr. McNabb said the renewal letter did highlight that memberships are needed as there is continued support needed for the work ahead for the Partnership.

Ms. van Zelm said a 2nd renewal letter will go out in January to those who have not renewed as well as to the members who did not renew last year.

4. Recruitment of New Committee Members

Ms. Wexler and Mr. Heffley will follow-up with prospective Committee members.

5. Outreach Efforts

Ms. van Zelm said she had spoken with Joan Hunt, Editor of the Reminder News, and she had agreed that the Partnership could have a monthly column in the paper. **Ms. van Zelm said she would prepare an article for January.** Mr. Heffley suggested that a topic for the first article could be about the commercial leases that have been signed.

Ms. van Zelm said that UConn Athletics had agreed that the Partnership could have a table at the UConn basketball games on January 16, February 4 and February 25.

Ms. van Zelm will send an e-mail to the Committee members to ascertain what dates they can commit to helping at a table. She will also send the Frequently Asked Questions out for background information.

Mr. McNabb said that the Partnership table at the Vienna Symphony at Jorgensen was very popular. Rod Rock with the Jorgensen was very supportive and invited the Partnership back to another event. The Committee agreed that the Bernadette Peters show would be a good event to have a presence again. It is April 13 and 14 at 8 pm. **Ms. van Zelm will also send a note to the Committee re: assisting with a table at that event.**

Ms. Wexler agreed to bring membership brochures to the Best Western and Ms. van Zelm will follow-up with the Nathan Hale Inn.

Mr. McNabb suggested an update to meetings at the Windham and Tolland Chambers of Commerce. **Ms. van Zelm will follow-up.**

Ms. Wexler also suggested bringing brochures to the Benton. **Ms. van Zelm will check with Committee member Alexinia Baldwin.**

6. Review of Committee Dates

Ms. van Zelm will review Committee dates with the Committee via e-mail. The Committee agreed to take June and July off.

The next meeting will be January 23 at 8:30 am.

7. Adjourn

Mr. Heffley made a motion to adjourn. Ms. Wexler seconded the motion. The motion was approved and the meeting adjourned at 9:08 am.

Minutes taken by Cynthia van Zelm.

**MANSFIELD DOWNTOWN PARTNERSHIP
FINANCE AND ADMINISTRATION COMMITTEE
TOWN HALL
CONFERENCE ROOM B**

THURSDAY, DECEMBER 15, 2011

MINUTES

Present: Phil Barry, Harry Birkenruth, Matt Hart, Bill Simpson and Frank Vasington

Staff: Cynthia van Zelm, Lee Cole-Chu

1. Call to Order

Matt Hart called the meeting to order at 3:05.

2. Approval of Minutes from November 17, 2011

Phil Barry made a motion to approve the November 17, 2011 minutes. Harry Birkenruth seconded the motion. The motion was approved unanimously.

4. Approval of Meeting Dates for 2012

The Committee approved the meeting dates for 2012 by consensus.

5. Continued Discussion of Conflict of Interest Policy

Lee Cole-Chu, attorney to the Partnership, said he did not believe that significant changes needed to be made to the Partnership's conflict of interest policy. He suggested that, as written, each Committee or the Board be the arbiter of a conflict brought to it, not the Finance and Administration Committee. It allows for the conflict to be dealt with immediately when it is brought to a committee or the Board.

Mr. Barry asked what happens if someone does not bring up a potential conflict. Some Board members agree it is important for each Board member to police him or herself.

Mr. Birkenruth suggested that Mr. Cole-Chu provide a refresher to the Board on how potential conflicts should be handled.

The Committee asked that Mr. Cole-Chu and Ms. van Zelm review the following issues as discussed by the Committee: 1) reinforce with the Board an annual formal notice to the Board of Directors regarding any potential conflict; 2) evaluate whether Committee members should also need to abide by the conflict of interest policy; 3) review whether the Partnership would fall under the current and proposed Town of Mansfield Ethics Code; 4) evaluate whether the language "unqualified" duty is needed in the sentence "In order that Board decisions in such instances shall be the product only of Board members who are able to meet their unqualified duty to the Partnership, the following procedures shall be followed..."; and 5) evaluate whether the policy should be changed to one entity being the arbiter of potential conflicts.

The Committee expressed interest in not making the conflict of interest policy overly burdensome.

Ms. van Zelm suggested that the Nominating Committee review any proposed changes to the conflict of interest policy since it is part of the Bylaws, which have typically come under the Nominating Committee's jurisdiction.

Mr. Birkenruth asked Mr. Cole-Chu to review the Partnership's Directors and Officers insurance.

5. Relocation Update and Discussion

Ms. van Zelm reported that Phi Michalowski, the Partnership's relocation consultant, is near completion of an agreement with the owners of the Husky Greek Shop for a fixed payment of \$20,000 instead of actual, reasonable and necessary relocation expenses. Mr. Cole-Chu explained the difference between the two types of relocation compensation. The Committee discussed a draft agreement between the owners of the Husky Greek Shop and the Partnership providing for payments of \$2,500 upon signing and \$17,500 upon vacating the premises. Mr. Birkenruth moved to approve the agreement (assuming the owners of Husky Greek Shop accept it) and the payments required by the agreement, if it is signed. Frank Vasington seconded the motion. The motion was approved unanimously.

6. Review of September 30, 2011 Financials

Ms. van Zelm reviewed the September 30, 2011 financials. She said since then, the University's contribution has been received. She also said that the membership renewal drive started in late October and \$6,100 in membership dues has been received. Ms. van Zelm said there will be adjustments in the December financials for rent, the Executive Director salary, and health insurance.

Mr. Barry moved to recommend to the Board the acceptance of the September 30, 2011 financials. Mr. Birkenruth seconded the motion. The motion was approved unanimously.

7. Review of Budget

Ms. van Zelm reviewed the preliminary budget with the Committee. Ms. van Zelm reviewed key elements of the budget. She said that she adjusted legal expenses down slightly. Ms. van Zelm said that only three people are now covered under the Town's health insurance which will also be reflected in next year's budget. Ms. van Zelm said the Partnership's relocation consultant Phil Michalowski believes that relocation services will be completed by June 30, 2011. Ms. van Zelm is proposing a slight cushion to ensure all relocation costs are covered.

Ms. van Zelm suggested that the Partnership's Special Projects Coordinator position be evaluated as Ms. Kathleen Paterson's responsibilities have increased. The Committee agreed to review the position and suggested that Ms. van Zelm review the position against similar positions at the Town.

Ms. van Zelm said that the Partnership's rent for next year needs to be evaluated. The current lease for space in Town Hall is through May 31, 2012. She will work with Mr. Hart on this evaluation.

The Committee preliminarily endorsed the budget.

8. Other

Mr. Birkenruth asked about the on-going discussion of the review of commercial tenants and asked that this issue be placed on the Committee's agenda for its January meeting.

9. Adjourn

Mr. Birkenruth made a motion to adjourn. Mr. Barry seconded the motion. The motion was approved unanimously. The meeting adjourned at 4:15 pm.

Minutes taken by Cynthia van Zelm

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER



Matthew W. Hart, Town Manager

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

March 5, 2012

Dr. Thomas Long
14 Pollack Road
Mansfield Center, CT 06250

Re: Appointment to Mansfield Library Advisory Board

Dear Dr. Long:

I am pleased to appoint you as a full member to the Mansfield Library Advisory Board for an initial term to expire on October 31, 2014.

I trust that you will find the work of the Board to be rewarding, and I greatly appreciate your willingness to serve our community.

Please do not hesitate to contact me with any questions regarding your appointment.

Sincerely,

Matthew W. Hart
Town Manager

Cc: ~~Town Council~~
Mansfield Library Advisory Board
Mary Stanton, Town Clerk

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER



Matthew W. Hart, Town Manager

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

March 5, 2012

Dr. Edmond Chibeau
339 Storrs Road
Mansfield Center, CT 06250

Re: Reappointment to Library Advisory Board

Dear Dr. Chibeau:

I am pleased to reappoint you to the Library Advisory Board, for a new term to expire on October 31, 2014.

I trust that you find the work of the Board to be rewarding, and I greatly appreciate your willingness to serve our community.

Please do not hesitate to contact me with any questions regarding your reappointment.

Sincerely,

Matthew W. Hart
Town Manager

Cc: ~~Town Council~~
Library Advisory Board
Mary Stanton, Town Clerk

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER



Matthew W. Hart, Town Manager

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

March 5, 2012

Ms. Sheila Quinn Clark
P.O. Box 37
Mansfield Center, CT 06250

Re: Reappointment to Library Advisory Board

Dear Ms. Clark:

I am pleased to reappoint you to the Library Advisory Board, for a new term to expire on October 31, 2013.

I trust that you find the work of the Board to be rewarding, and I greatly appreciate your willingness to serve our community.

Please do not hesitate to contact me with any questions regarding your reappointment.

Sincerely,

Matthew W. Hart
Town Manager

Cc: ~~Town Council~~
Library Advisory Board
Mary Stanton, Town Clerk

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER



Matthew W. Hart, Town Manager

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

March 5, 2012

Ms. Barbara Katz
148 Brookside Lane
Mansfield Center, CT 06250

Re: Reappointment to Library Advisory Board

Dear Ms. Katz:

I am pleased to reappoint you to the Library Advisory Board, for a new term to expire on October 31, 2013.

I trust that you find the work of the Board to be rewarding, and I greatly appreciate your willingness to serve our community.

Please do not hesitate to contact me with any questions regarding your reappointment.

Sincerely,

Matthew W. Hart
Town Manager

Cc: ~~Town Council~~
Library Advisory Board
Mary Stanton, Town Clerk

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER



Matthew W. Hart, Town Manager

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

March 5, 2012

Mr. Dale Truman
56 Crane Hill Road
Mansfield, CT 06268

Re: Reappointment to Library Advisory Board

Dear Mr. Truman:

I am pleased to reappoint you to the Library Advisory Board, for a new term to expire on October 31, 2014.

I trust that you find the work of the Board to be rewarding, and I greatly appreciate your willingness to serve our community.

Please do not hesitate to contact me with any questions regarding your reappointment.

Sincerely,

Matthew W. Hart
Town Manager

Cc: **Town Council**
Library Advisory Board
Mary Stanton, Town Clerk

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STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

Item #7

February 74, 2012

The Honorable Elizabeth C. Paterson, Mayor
Audrey P. Beck Municipal Building
4 South Eagleville Road
Storrs-Mansfield, CT 06268

RE: **DOCKET NO. 424** - The Connecticut Light & Power Company application for a Certificate of Environmental Compatibility and Public Need for the Connecticut portion of the Interstate Reliability Project that traverses the municipalities of Lebanon, Columbia, Coventry, Mansfield, Chaplin, Hampton, Brooklyn, Pomfret, Killingly, Putnam, Thompson, and Windham, which consists of (a) new overhead 345-kV electric transmission lines and associated facilities extending between CL&P's Card Street Substation in the Town of Lebanon, Lake Road Switching Station in the Town of Killingly, and the Connecticut/Rhode Island border in the Town of Thompson; and (b) related additions at CL&P's existing Card Street Substation, Lake Road Switching Station, and Killingly Substation.

Dear Mayor Paterson:

The Connecticut Siting Council (Council) has scheduled multiple public hearings in various towns in connection with the above-referenced proceeding. I am writing to invite you to participate.

Please be advised that the Council's processes enable the affected municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Municipalities are afforded a right of pre-filed technical information and consultation with applicants 60 days before an application is filed with the Council. During this period the municipality may conduct public hearings and meetings, as it deems necessary. Both the municipal and applicant filings become part of the Council's record.

Once an application is filed with the Council at least one public hearing is held in the affected community as well as a public inspection of the proposed sites and routes. Your participation at such hearing may take many forms. Municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

Our staff is available to assist you in understanding our process and your options. In the event you have specific legal questions, please contact our Staff Attorney Melanie Bachman (860 827-2951). Otherwise, you may contact Executive Director Linda Roberts (860 827-2935).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

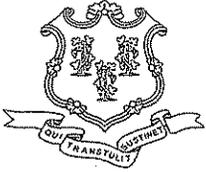
Sincerely,

Robert Stein *RS*
Chairman

RS/LR/laf

c: Mathew Hart, Town Manager, Town of Mansfield





STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

February 27, 2012

TO: Council Members

FROM: Linda Roberts, Executive Director *L. Roberts*

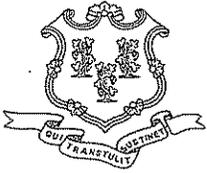
RE: **DOCKET NO. 424** - The Connecticut Light & Power Company application for a Certificate of Environmental Compatibility and Public Need for the Connecticut portion of the Interstate Reliability Project that traverses the municipalities of Lebanon, Columbia, Coventry, Mansfield, Chaplin, Hampton, Brooklyn, Pomfret, Killingly, Putnam, Thompson, and Windham, which consists of (a) new overhead 345-kV electric transmission lines and associated facilities extending between CL&P's Card Street Substation in the Town of Lebanon, Lake Road Switching Station in the Town of Killingly, and the Connecticut/Rhode Island border in the Town of Thompson; and (b) related additions at CL&P's existing Card Street Substation, Lake Road Switching Station, and Killingly Substation.

Enclosed please find a copy of the Council's notice of public hearing.

LR/CMW/laf

Enclosure (1)

c: Secretary of the State (via e-mail service)
Melanie A. Bachman, Staff Attorney
Parties and Intervenors
Application Service Recipients
Ginger Teubner, PURA (via e-mail service)



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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E-Mail: siting.council@ct.gov

www.ct.gov/csc
HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct the following public hearing sessions and thereafter as necessary on the application by The Connecticut Light & Power Company for a Certificate of Environmental Compatibility and Public Need for the Connecticut portion of the Interstate Reliability Project that traverses the municipalities of Lebanon, Columbia, Coventry, Mansfield, Chaplin, Hampton, Brooklyn, Pomfret, Killingly, Putnam, Thompson, and Windham, which consists of (a) new overhead 345-kV electric transmission lines and associated facilities extending between CL&P's Card Street Substation in the Town of Lebanon, Lake Road Switching Station in the Town of Killingly, and the Connecticut/Rhode Island border in the Town of Thompson; and (b) related additions at CL&P's existing Card Street Substation, Lake Road Switching Station, and Killingly Substation. The scheduled public comment hearing dates and locations are as follows:

Wednesday, April 18, 2012

Beginning at 7:00 p.m.

Lebanon Fire Safety Complex, 23 Goshen Hill Road, Lebanon 06249

Thursday, April 19, 2012

Beginning at 7:00 p.m.

Quinebaug Valley Senior Citizens Center, 69 South Main Street, Brooklyn, CT 06234

Tuesday, April 24, 2012

Beginning at 7:00 p.m.

Mansfield Middle School Auditorium
205 Spring Hill Road, Storrs, CT 06268

The Council will conduct a public field review (bus tour) driving roads near and/or crossing portions of the proposed route prior to each public comment hearing beginning at 2:00 p.m. The bus tour on April 18, 2012 will begin at 23 Goshen Hill Road in Lebanon and continue to the Card Street Substation on Card Street in Lebanon, then traverse roadways near the proposed route, navigating through the towns of Lebanon, Columbia, Hampton, and the western portion of Brooklyn. The bus tour scheduled for April 19, 2012 will begin at 69 South Main Street in Brooklyn, and continue to the proposed route, navigating through the towns of Brooklyn, Pomfret, Killingly, Putnam, and Thompson. The final bus tour scheduled for April 24, 2012 will begin at 205 Spring Hill Road in Mansfield and continue to the proposed route, traversing nearby roadways, navigating through the towns of Coventry, Mansfield, Chaplin, and Hampton.



Please contact Lisa Fontaine of the Council staff at 860-827-2969 if you would like to attend any or all of these bus tours.

The purpose of the evening hearing sessions is for the public to make brief statements into the record.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council will hold a pre-hearing conference on procedural matters on Wednesday, March 21, 2012 beginning at 11:00 a.m. at the Council's office, Hearing Room Two, 10 Franklin Square, New Britain, Connecticut.

The Council requests that all testimony and exhibits are to be pre-filed with the Council and all parties and intervenors two weeks before the commencement of evidentiary hearing sessions. Evidentiary hearing sessions have been scheduled to begin at 11:00 a.m. on Tuesday, May 1, 2012; and continue on Thursday, May 3, 2012; Tuesday, May 22, 2012; and Wednesday, May 23, 2012, and thereafter as necessary, at the Central Connecticut State University, Institute of Technology and Business Development, Room 3130000, 185 Main Street, New Britain, Connecticut. Directions and parking information can be found at <http://web.ccsu.edu/itbd/directions/default.htm>. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Individuals will be encouraged to participate through their elected officials, and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, two weeks prior to the commencement of the evidentiary hearing sessions.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the final evidentiary hearing.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council at the hearings or any time up to 30 days after the close of the evidentiary hearing sessions. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

For the convenience of the public a verbatim transcript of the hearing sessions will be made and deposited with the Town Halls of the 12 municipalities: Brooklyn, Chaplin, Columbia, Coventry, Hampton, Killingly, Lebanon, Mansfield, Pomfret, Putnam, Thompson, and Windham.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by April 3, 2012. The applicant for the proceeding is represented by the following:

The Connecticut Light and Power Company
(Applicant)

Anthony M. Fitzgerald, Esq.
Carmody & Torrance LLP
P.O. Box 1950
New Haven, CT 06509

A copy of the application is available for review at the Council's website www.ct.gov/csc or at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935, or on Council website at <http://www.ct.gov/csc> under the link "Pending Proceedings." The Council has assigned this application docket no. 424.

For the convenience of the public, copies of the application are available in the town clerk's offices in each of the 12 municipalities.

February 27, 2012

Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	The Connecticut Light & Power Co. P.O. Box 270 Hartford, CT 06141-0270	Robert E. Carberry, Project Manager NEEWS Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-6774 (860) 665-6717 fax carbereg@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Jane P. Seidl, Senior Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-5051 (860) 665-5504 fax seidlj@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Anthony M. Fitzgerald, Esq. Carmody & Torrance LLP 195 Church Street P.O. Box 1950 New Haven, CT 06509-1950 (203) 777-5501 (203) 784-3199 fax afitzgerald@carmodylaw.com
Party (granted 02/16/12)	<input checked="" type="checkbox"/> E- Mail	NRG Energy, Inc., NRG Power Marketing, Inc., Connecticut Jet Power LLC, Devon Power LLC, Middletown Power LLC, Montville Power LLC, Norwalk Power LLC, and Meriden Gas Turbines, LLC (collective, NRG)	Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 29 th Floor 185 Asylum Street Hartford, CT 06103-3469 (860) 240-6000 alord@murthalaw.com
	<input checked="" type="checkbox"/> U.S. Mail		Elizabeth Quirk-Hendry General Counsel, Northeast Region NRG Energy, Inc. 211 Carnegie Center Princeton, NJ 08540-6213
	<input checked="" type="checkbox"/> U.S. Mail		Judith E. Lagano NRG Energy, Inc. Manresa Island Avenue South Norwalk, CT 06854

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
	<input checked="" type="checkbox"/> U.S. Mail	NRG continued...	Raymond G. Long NRG Energy, Inc. P.O. Box 1001 1866 River Road Middletown, CT 06457
Party (granted 02/16/12)	<input checked="" type="checkbox"/> U.S. Mail	Victor Civie 160 Beech Mt. Road Mansfield, CT 06250 (860) 456-2022	
Party (if granted 03/01/12)	<input checked="" type="checkbox"/> U.S. Mail	EquiPower Resources Corp., Lake Road Generating Company LP, and Milford Power Company LLP (collectively, EquiPower)	Robert McKay Senior Vice President & General Counsel EquiPower Resources Corp. 100 Constitution Plaza, 10 th Floor Hartford, CT 06103 (860) 656-0814 rmckay@eqpwr.com

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Item #8

February 29, 2012 , Number 12-10



Legislative Alert

900 CHAPEL STREET, 9th FLOOR, NEW HAVEN, CT 06510-2807 PHONE (203) 498-3000 FAX (203) 562-5314

Your source for local government management information www.ccm-ct.org

Item 3. a.

Governor Malloy's Education Reform Tour

Governor Malloy will be taking his education reform message as embodied in S.B. 24 to town and cities across Connecticut. This provides municipal and school officials with an opportunity to weigh in on these initiatives.

Attached is CCM's testimony to the General Assembly's Education Committee on S.B. 24.

Locations for the Governor's events are listed below, and additional dates and locations will be announced in the coming days. CCM will keep you apprised of any changes or updates.

- March 1 – Hartford
7:00 PM to 8:00 PM
The Village South Community Room, Center for Community Life
331 Wethersfield Avenue
- March 6 – West Hartford
Time & location TBD
- March 13 – New Haven
Time & location TBD
- March 14 – Windham
Time & location TBD
- New London
Date, time, & location TBD

####

If you have questions regarding this bulletin, please contact Jim Finley (jfinley@ccm-ct.org) or George Rafael (grafael@ccm-ct.org) at (203) 498-3000.



900 Chapel St, 9th Floor, New Haven, CT 06510 • P. 203-498-3000 • F. 203-562-6314 • www.ccm-cf.org

TESTIMONY

of the

CONNECTICUT CONFERENCE OF MUNICIPALITIES

to the

EDUCATION COMMITTEE

February 22, 2012 - R

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 90 percent of Connecticut's population. We appreciate the opportunity to testify today on proposed legislation of interest to towns and cities.

Senate Bill 24 "An Act Concerning Educational Competitiveness"

CCM applauds the Governor for making PreK-12 public education reform a priority despite the difficult fiscal challenges facing the State and local governments.

The Governor's proposals are ambitious, far-reaching, and complicated. The full implications of the proposals on local school districts, towns and cities, and local property taxpayers are difficult to evaluate based on the information presently available.

CCM will comment on the pros and cons of S.B. 24 as we presently understand it and raise questions about aspects of the proposal we are unsure of.

CCM asks the Committee to consider holding another hearing, at least an informational one, in a couple of weeks so as to fully delve into all the implications of the Governor's initiatives as new details emerge.

Overview of PreK-12 Education

- *There were approximately 556,000 students enrolled in Connecticut's public schools in the 2010-11 school year.¹*
 - Magnet Schools - 31,000 (5.6%)
 - CT Technical High School System - 10,600 (1.9%)
 - State Charter Schools - 5,700 (1.0%)
 - Traditional Public School Districts - 509,000 (91.5%)

¹ State Department of Education, CEDaR (latest data available from SDE)

- *Thus, traditional school districts educate 91.5 percent of public school students in Connecticut. Charter and magnet schools educate 6.6 percent.*
- *Expenditures on elementary and secondary education totaled \$9.9 billion in 2009-10 school year.²*
 - Local Share - \$5.2 billion (52.9%)
 - State Share - \$3.7 billion (37.4%)
 - Federal Share - \$921.4 million (9.3%)
 - Other - \$42.1 million (0.4%)
- *On average, PreK-12 public education is 59 percent of municipal budgets.*
- *\$0.62 out of every property tax dollar goes to pay for PreK-12 public education.*
- *The ECS grant is now underfunded by over \$700 million.*

As the facts above make clear, Connecticut is the most reliant state in the nation on property taxes to fund PreK-12 public education. The property tax is the largest state-local tax in our state, and the largest on business. Because of chronic state underfunding of PreK-12 education, the town side of municipal government has actually shrunk in size over the last decade in order to fund the increasing costs of education services.

The key to property tax reform in Connecticut is education finance reform.

As the Committee is aware, funding of PreK-12 public education has long been controversial in Connecticut. There has been almost 40 years of litigation (see Appendix C) on whether the State is meeting its state constitutional funding responsibilities. In every instance, the State has been found to be in noncompliance with its own constitution.

Absent a settlement, CCM is confident that the plaintiffs in the most current lawsuit, *CCJEF v Rell*, will prevail. The State is, yet again, failing to meet its constitutional responsibilities to adequately and equitably fund PreK-12 public education.

Proposed Changes to the Education Cost Sharing Grant

The Governor has proposed significant changes to the Education Cost Sharing (ECS) grant. Below are details on the proposed changes.

- *There is a proposed \$54.5 million increase in ECS funding.*
 - \$50 million will be distributed to traditional school districts. Of that amount, \$39.5 million will go to new “Conditional Funding Districts,” which are the 30 lowest-performing districts based on CT Mastery Test scores (see Appendix A for a list of the districts).
 - An additional \$4.5 million will be available on a competitive basis, with \$3.5 million going to conditional funding districts.

² State Department of Education (Latest data available from SDE. See Appendix B for CCM estimated updates.)

- *There are proposed changes to the formula elements.*
 - The foundation would be increased to \$12,000, from the current \$9,687.
 - Bilingual students would be added to Limited English Proficiency (LEP) student count, though the weighting toward need-student counts would remain at 15 percent.
 - HUSKY A enrollment would be used as a poverty measure, replacing Title 1 poverty, though the weighting toward need-student counts would remain at 33 percent.
 - The minimum aid ratio would be reduced to zero, while it will be 20 percent for conditional funding districts.
 - The Minimum Budget Requirement (MBR) would add a provision that allows districts not designated as conditional funding districts to reduce education appropriations if they can show intra-district efficiencies or regional collaboration. Conditional funding districts would have to maintain current funding and meet the new minimum local funding percentage.
 - A hold-harmless provision is established so that no school district will receive less in the future than it receives today.
 - Wealth would be measured using Median Household Income (MHI) as obtained by DECD. This measure replaces the Census Bureau's MHI.

- *The Governor is also proposing changes to funding for charter schools.*
 - Funding for state charter schools will be incorporated into ECS, though the funds will not be distributed through the formula. The current funding total for charter schools, in a separate state budget line item, is \$59.8 million.
 - The per-pupil, state grant would be increased from \$9,400 to \$11,000. Towns in which the student resides would be required to contribute \$1,000 per pupil, so charter school funding would increase to \$12,000 per pupil, a 28 percent increase over the current grant.
 - An additional \$14.1 million in new funding for state charter schools would also be part of ECS.

Discussion of Proposed Changes in S.B. 24

We applaud the Governor's proposal to increase ECS funding. This is long overdue. There has been level-funding of ECS since FY 2009. The proposed phase-in of increased funding is an important first step, but there must be a sustained commitment to significantly increase ECS over a reasonable period of time until full funding is achieved. A fully funded ECS grant under the nascent formula proposed in S.B. 24 would total over \$4 billion.

We support these additional resources and the fact that municipalities will be held harmless. CCM also supports the proposed changes to the ECS foundation, poverty, and wealth measures, and need-student counts. CCM understands that the Governor's ECS Task Force will continue to discuss and recommend further changes to the ECS formula.

CCM has some concerns with other aspects of the Governor's proposal, however.

ECS Formula Elements (Sections 1-3)

In the original ECS formula, the **foundation** was to adjust to costs each year, starting in 1993-94. That way, as actual costs rose, the foundation - and each town's ECS grant - would rise as well.

In practice, the foundation remained significantly below actual costs. Between FY1994 and FY2007 the foundation was raised three times, going from \$4,800 to \$5,891. In FY2007, the foundation was increased to \$9,687, and it has remained there ever since. All the while, per-pupil expenditures continue to rise, reaching \$11,864 in FY2007 and \$13,584 in FY2010. **The proposed increase in the foundation to \$12,000 is welcome and appreciated.**

The failure of the foundation to keep pace with costs devastated the efficacy of the ECS formula. Even though needier towns have the highest aid ratios, the foundation gap erodes the equalizing power of ECS because towns of moderate or low fiscal capacity are least able to fund the gap with local property tax revenues. Their only options are to underfund other critical local services and overburden local property taxpayers.

The foundation should be based on a sound analysis of what it costs to provide appropriate learning opportunities consistent with the State's high standards, the performance improvements under No Child Left Behind (NCLB), and all that is expected of schools in adequately preparing a highly competitive future workforce. The foundation should also be tied to a cost index.

CCM believes one of the key steps to determining appropriate funding for PreK-12 public education is to conduct a study to determine just how much it costs to appropriately educate a child in Connecticut. With information from such an adequacy study, policymakers can then further refine an education financing mechanism that would generate and target the necessary resources.

The Governor's proposal makes no changes to the **State Guaranteed Wealth Level (SGWL)** - the mechanism that determines each town's ECS aid percentage.

Although one of the more complex ECS calculations, the SGWL has a very simple purpose and is the single biggest factor that drives the ultimate state share of foundation level spending. Each town's wealth is compared to the SGWL to determine what percentage of the foundation it will receive from ECS and what will have to come from local revenue (property tax) sources.

Originally, the SGWL was to be set at a level that would give the median town - the town ranked 85th in fiscal capacity out of the state's 169 communities - 50 percent of the foundation per student from ECS. Towns below the median would receive higher amounts than 50 percent of the foundation, and those above the median would receive amounts less than 50 percent. At this original SGWL rate (2.0 x median wealth), the average state share of PreK-12 public education costs would tend to be around 50 percent.

From the inception of ECS, the SGWL was reduced several times to a low of 1.55 times median wealth where the median town only qualified for a 35-percent aid percentage, thereby reducing the State's overall share of the foundation accordingly. In 2007, the SGWL was increased to 1.75 times median wealth, short of its original level. **At the current level, the median town percentage is up to 43 percent. The overall state share of the foundation cannot reach 50 percent until the SGWL is restored to its originally intended level of 2.0 times median wealth.**

The **wealth measurement** in the current formula relies on outdated data. **The proposal to replace the measures with a more up-to-date estimate of Median Household Income is a good step.** These data would be collected by a third party, so efforts must be made to ensure that the data remains available and as current as possible.

Another and more promising source for income data is the CT Department of Revenue Services (DRS). The annual income data produced by DRS may be more consistent, though two concerns arise.

First, the DRS data is now collected by zip code rather than by town, and zip codes are often associated with more than one town. CCM understand that income data will soon be collected by town to get a more accurate reading for purposes of a town-by-town calculation.

Secondly, many Connecticut residents are not required to file a tax return, so they would be left out of the data. These are generally lower-income residents. This issue may be partially addressed as the new Earned Income Tax Credit (EITC) is resulting in more filers.

The proposed change in the **poverty measure**, from Title I to HUSKY A, is a positive step. CCM and others feel that the Title I measure underestimates poverty numbers.

Minimum Budget Requirement (Section 4)

The proposed changes to the Minimum Budget Requirement (MBR) would add a provision that allows districts not designated as conditional funding districts to reduce education appropriations if they can show intra-district efficiencies and regional collaborations. The existing proposal that allows a reduction in appropriations if there is a decrease in enrollment remains in place.

Conditional funding districts would have to maintain current funding and meet the new minimum local funding percentage. The SDE Commissioner may permit a municipality designated as a conditional funding district to reduce its budgeted appropriation for education if such municipality can demonstrate that its local contribution has increased when compared to the local contribution used in determining its local funding percentage.

Charter Schools (Section 7)

Charter schools are seen by some as part of the answer in addressing Connecticut's achievement gap. Though charter schools educate only one percent of the public students statewide, they are a focus of the Governor's proposal.

Funding for state charter schools has historically been outside the ECS formula. This was due in part to the fact that these schools are chartered and regulated by the State and do not answer to local school districts. These schools are free of many of the requirements of traditional schools. They were originally sold to the State as a more efficient and effective deliverer of education services. Another reason charter schools were not part of ECS is because the State now pays \$9,400 per pupil directly to charter schools regardless of need factors. Many of these charter schools have substantial private endowments or contributions that they are not required to disclose and that supplement their state-guaranteed per pupil subsidy. There is not a traditional school district in Connecticut that now receives \$9,400 per pupil in state funding. The Governor is proposing a 28% increase in charter school funding. The traditional school districts that host charter schools will remain responsible for the special education and transportation costs of charter school students.

Why incorporate funding for charter schools into the ECS grant when such funding is not run through this needs formula? What is the policy goal here?

S.B. 24 also **requires municipalities to fund \$1,000 of the new \$12,000 per-pupil grant for state charter schools.** This increased cost is supposedly balanced by additional funding in ECS. **Why would the State not fund the entire \$12,000 directly to charter schools instead of embedding the unique charter school transaction in a needs-based education equalization formula?** The local portion of this new charter school funding, \$6.4 million, is taken directly from the \$50 million proposed increase in ECS. It means that **the ECS increase is really \$43.6 million in net new dollars.**

CCM understands that charter schools may be a component of an effective strategy to narrow Connecticut's achievement gap. However, in the context of chronic state underfunding of the ECS grant, **it is inappropriate to require resource-starved municipalities to pay \$1,000 per pupil to state charter schools.**

New Minimum Local Funding Percentage

Another component of the Governor's proposal that CCM is concerned about is the new mandated minimum local funding percentage. This would initially require that local governments fund at least 20 percent of the education costs of conditional school districts, with that percentage increasing each year until it reaches 30 percent in FY2016.

While it may only impact a few municipalities, it would place an added burden on already strained local budgets and property taxpayers. The municipalities most likely to be impacted are Connecticut's poorest communities with already high effective property tax rates and with significant municipal overburden (high demand for non-education services).

How does the minimum local funding requirement aid in reducing the over-reliance on property taxes to fund PreK-12 public education? How does it meet the State's constitutional responsibility to adequately and equitably fund PreK-12 public education?

Conditional Funding Districts (Sections 1 & 4)

The proposal calls for 30 districts to be designated as conditional funding districts. It is unclear as to why the number 30 was chosen. Is the cutoff random? What if the weighted test scores for the 31st or 32nd districts are only just slightly above the 30th district? One could argue that they have the same or close to the same need as the 30th or possibly the 29th, yet they would not be eligible for additional resources.

It is understandable that more will be expected of the conditional funding districts in order to receive additional resources. What is unclear, however, is the eventual impact on districts that fail to meet the required objectives. Presumably, they'll lose funding and other support. This would place an even bigger strain on municipal budgets. A clearer picture of how the entire conditional component will work is needed.

Special Education

One significant aspect of education finance that is missing from the reform dialogue is special education. This is the single largest driver of cost in PreK-12 public education, growing at an estimated 5-6 percent annually. Towns and cities already fund about 60 percent of these program costs, and, like the ECS grant, the state Excess Cost grant has been level funded since FY2009. The grant is supposed to provide reimbursement for costs that exceed 4.5 times the average per-pupil cost in each district. Level state funding means that each municipality's reimbursement is capped. **Special education reform is an essential element of education reform.**

Regional Consolidation (Section 11)

S.B. 24 contains language designed to make small school districts consolidate. Small school districts are defined as those with less than 1,000 students. One provision would start reducing funding beginning in FY2016 for such districts that have per-pupil costs that exceed the state average per-pupil cost by at least 10 percent. Those districts would be given a per-pupil reduction in funding of \$1,000 times 10 percent (\$100), with the percentage increasing by an additional 10 percent each year through year five.

The bill also requires the State Department of Education to provide, within available appropriations, funding to small districts to support efforts to examine school district consolidation. An additional provision requires the Commissioner of Education to submit recommendations to incentivize small district consolidation.

CCM is opposed to a "stick" approach to consolidation. CCM supports a "carrot" approach that provides incentives to such districts to consolidate.

Authority to Employ Teachers and Administrators (Section 29)

The bill eliminates the authority of school boards to play a role in hiring teachers and school administrators. It would mandate that such authority be solely vested with the school superintendent. It eliminates a statutory provision that allows school boards to retain such authority or delegate it to the school superintendent.

CCM questions why the authority now granted to elected school boards is being eliminated.

ECS Task Force

The Education Cost Sharing Task Force is in the middle of its work. It is scheduled to deliver a final report in October with recommended changes to education funding that can inform further reform efforts. CCM commends the Governor for initiating the establishment of this Task Force.

Conclusion

CCM commends the Governor for laying out a bold path to education reform. We understand the fiscal challenges facing the State and appreciate the increased funding he proposes.

CCM also supports many of the ECS formula changes proposed in S.B 24. They begin the march toward true education finance reform.

CCM asks that you consider the concerns we have raised and also schedule a follow-up hearing to more fully discuss the implications of S.B 24.

Thank you.

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If you have any questions, please contact Jim Finley (jfinley@ccm-ct.org), Executive Director and CEO, George Rafael (grafael@ccm-ct.org), Senior Government Finance Analyst, or Kachina Walsh-Weaver (kweaver@ccm-ct.org), Senior Legislative Associate of CCM via email or via phone at 203-498-3000.

Attachments

Appendix A

Conditional Funding Districts and Proposed New Education Funding

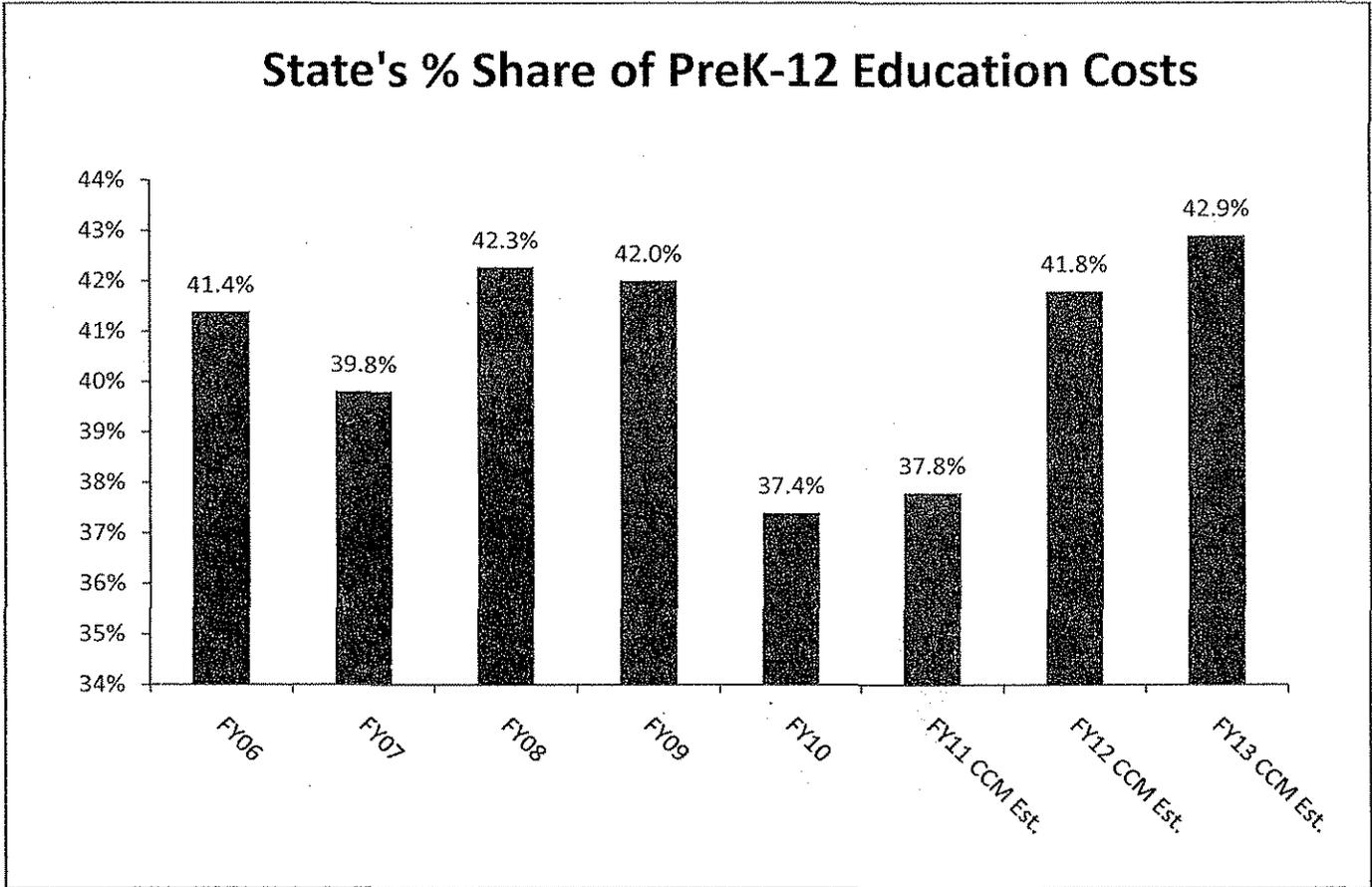
Ansonia	Naugatuck
Bloomfield	New Britain
Bridgeport	New Haven
Bristol	New London
Danbury	Norwalk
Derby	Norwich
East Hartford	Putnam
East Haven	Stamford
East Windsor	Vernon
Hamden	Waterbury
Hartford	West Haven
Killingly	Winchester
Manchester	Windham
Meriden	Windsor
Middletown	Windsor Locks

	New Funding (millions)	Share for Conditional Districts (millions)
ECS	\$50.0	\$39.5
Competitive Grants (added to ECS)*	\$4.5	\$3.0
Charter Schools (added to ECS)*	\$14.1	\$12.8
Commissioner's Network	\$24.8	\$24.8
Early Childhood	\$7.0	\$5.6
Talent Development	\$12.0	\$4.8
CTHSS Supplies	\$0.5	-
Magnets	\$7.3	\$5.8
Other Initiatives	\$7.8	\$6.2
Total New Funding	\$128.0	\$102.6
		80%

*Not run through the ECS formula.

APPENDIX B

Supplemental Information

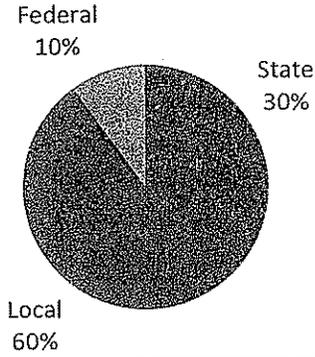


Source: Governor's Proposed FY13 Midterm Adjustments; CCM, February 2012

Note: State funds include all state revenues on behalf of public elementary and secondary education, including state grants, bond funds, and department expenditures - including the Connecticut Technical High School System, teacher's retirement costs, and unified school district expenditures.

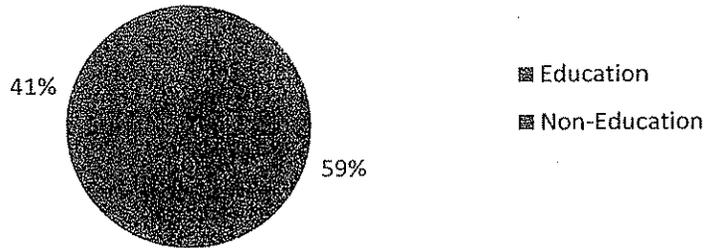
FY2010 Shares of Education Costs (Latest Audited Data)		
	\$	%
Local Share	\$5.24	52.9%
State Share	\$3.70	37.4%
Federal Share	\$0.92	9.3%
Other	\$0.04	0.4%
Total Estimated Local Education Expenditures	\$9.91	100.0%

Share of Special Education Expenditures, FY2011



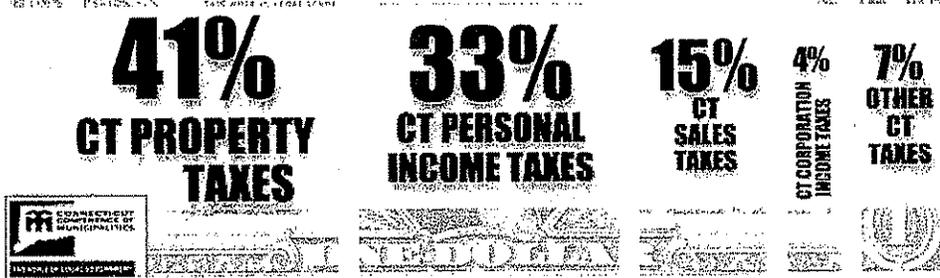
Source: SDE, CCM Calculations

Local Education v. Non-Education Expenditures, FY2010



Source: OPM Municipal Fiscal Indicators

WHERE A CONNECTICUT TAXPAYER'S DOLLAR GOES IN 2012



APPENDIX C

School Funding: 39 Years under Fire A Brief History of Education Litigation in Connecticut

1973: Canton parents, led by parent and lawyer Wesley Horton, file suit against then-Gov. Thomas J. Meskill and other state officials charging the system of financing public education violates the state constitution.

1977: The State Supreme Court, in *Horton v. Meskill*, rules that the system for paying for education is unconstitutional because it relies too heavily on the local property tax.

1985: The State Supreme Court, in response to a challenge by the Horton plaintiffs, orders the State to come up with a school financing plan providing more aid to needy towns.

1988: The legislature creates the "Equalized Cost Sharing Formula," (ECS) a far-reaching remedy providing more money to communities for schools, based on a sliding scale. The formula considers a town's property wealth, income, number of students, student performance, and poverty when figuring how much additional state aid a school district is eligible for. A minimum "foundation" for an adequate education is also established and set at \$4,800 per pupil.

1989: Another lawsuit - *Sheff v. O'Neill* - filed by a group of city and suburban parents against then-Gov. William A. O'Neill claiming that Hartford's segregated and underfunded schools violate the State Constitution.

1990: In the first of a series of amendments, the legislature limits the overall amount of education funds available to towns under the ECS formula.

1992: Pressed by the recession, legislators seek to balance the State budget by amending the school funding formula further, cutting overall education grants and placing a cap limiting the increase in aid a municipality could receive. The education foundation is frozen at \$4,800.

1995: State legislators increase foundation for education spending to \$5,711, but place a cap on increases in education aid from the State to no more than 2 percent. The increase in the foundation is attributed to combining the special education reimbursement grant with the ECS grant. No municipality can receive a cut that is more than 9 percent over the previous year. Aid to selected poorly performing districts, particularly Hartford, increases.

1996: In the *Sheff v. O'Neill* case, the state Supreme Court rules that the racial segregation in Hartford violates the state constitution.

1997: State legislators continue to dramatically increase funds for Hartford schools, but a cap on increases in aid to other municipalities continues. The Connecticut Conference of Municipalities estimates that the State has shortchanged schools by nearly \$1 billion through changes in the ECS formula.

1998: Seven children file suit - *Johnson v. Rowland* - against the State claiming that the State Supreme Court's order in the *Horton v. Meskill* case is not being implemented. Among the dozen municipalities funding the lawsuit are Bridgeport, Manchester, Meriden, New Britain, and New Haven.

1999: In response to the Governor's Task Force to Study the Education Cost Sharing Grant, state legislators raise the ECS cap from 0-5% to 0-6% for three years and make plans to eliminate the cap in 2003-04. It is anticipated that the total removal of the cap will result in a \$100-\$120 million balloon payment by the State. Legislators also implement (1) a hold-harmless provision which guarantees municipalities no less funding than they received in the current year; (2) a minimum aid level of funding equal to 6% of the foundation (\$350 per need student), subject to the provisions of the cap; and (3) increasing the foundation by 2%, to \$5,891.

2001: State legislators provide each town whose ECS grant is capped a proportional share of \$25 million for 2001-02 and \$50 million for 2002-03. Each town's share is based on the difference between its capped grant and the amount its grant would be without the cap (excluding any density supplements). Also implement a minimum grant increase of 1.68% for all towns in 2001-02 and a minimum increase of 1.2% in 2003-03. The foundation of \$5,891 is unchanged.

2002: State budget maintains the prior year commitments to provide \$50 million in cap relief and a minimum increase of 1.2%, but cuts overall municipal aid by .8% and caps funding for special education, adult education, and school transportation.

2003: Funding for the ECS grant increased by 4.2% in FY 02-03, and by just .5% for FY 03-04. *Johnson v. Rowland* is withdrawn due to a lack of funding for legal costs. Efforts immediately begin to organize a new, broader-based statewide coalition to continue the struggle for school finance reform.

2004: The Connecticut Coalition for Justice in Education Funding (CCJEF) is incorporated and Yale Law School undertakes to provide pro bono representation. CCJEF commissions an education adequacy cost study to be performed by a nationally prominent consulting firm.

2005: CCJEF files education adequacy and equity lawsuit. *CCJEF v. Rell* challenges the constitutionality of Connecticut's entire education system, alleging that the State is failing to prepare its schoolchildren to pursue higher education, secure meaningful employment, and participate in the political lives of their communities. The complaint cites deficiencies and disparities in educational resources as the cause of this constitutional violation and Connecticut's persistent failures in educational outcomes as evidence that the State is failing to meet its constitutional obligations. Plaintiffs ask the court, among other things, to (1) declare the State's system of funding public education unconstitutional, (2) bar the state from continuing to use it, and (3) if necessary due to inaction by the General Assembly, appoint a special master to evaluate and make recommendations to the court concerning possible reforms.

-over-

2006: Governor Rell forms a Commission on Education Finance. The bipartisan Commission meets for several months and hears testimony from a variety of experts.

2007: Governor Rell proposes significant changes to education finance laws, based on the recommendations of the Commission. Her proposals would, among other things, increase the ECS grant \$1.1 billion over the next five years to \$2.7 billion by FY 11-12. She proposed significant changes to the grant to (a) increase the foundation to \$9,867 from the current \$5,891, (b) increase the State Guaranteed Wealth Level (SGWL) to 1.75, (c) raise the minimum aid ratio to 10 percent from six percent, (d) calculate the "need students" using 33 percent of a district's Title I poverty count and 15 percent of students with Limited English Proficiency, and (e) eliminate grant caps. She also proposed increases in other areas, such as reimbursement for special education costs. When finally agreed to by the General Assembly and Governor, the adopted budget included several significant changes, including a \$237 million increase in overall education funding, including \$182 million for the ECS grant. The budget increased the foundation to \$9,687, increased the minimum aid ratio to 9% of the foundation and to 13% for the 20 school districts with the highest concentration of low income students, increased the SGWL to 1.75, and other changes.

2008: Oral arguments before the Connecticut Supreme Court are heard in *CCJEF v. Rell* (see below).

2010: *The Connecticut Supreme Court, in a landmark decision, ruled in CCJEF v. Rell that all school children in the state are guaranteed not just a free public education, but a "suitable" one that prepares them for productive, employed, and civically engaged life. The Court's opinion included the following.*

- *"The fundamental right to education is not an empty linguistic shell."*
- *A suitable education is one that prepares school children to ...*
 - *"participate fully in democratic institutions, such as jury service and voting"*
 - *"progress to institutions of higher education"*
 - *"attain productive employment"*
 - *"contribute to the state's economy"*

Absent settlement, the next step is for the CCJEF lawsuit to go to trial to determine if public school students in Connecticut are being provided with a constitutionally suitable education.

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CCM LEGISLATIVE UPDATE

Generated Tuesday, March 6, 2012

This is a list of selected bills being tracked by CCM. For additional information on these or other bills, please visit CCM's *Legislative Action Center* at www.ccm-ct.org.

Bill#	Bill Title	Staff	Current Status
HB05024	<u>AN ACT CONCERNING VOTING RIGHTS.</u>	Kachina Walsh-Weaver	Curr. Loc.: Government Administration and Elections Committee Last Act.: 02-27 - PUBLIC HEARING 0302

ELECTION DAY REGISTRATION

Among other things, would allow for voter registration on election day throughout Connecticut.

While CCM understands the genesis behind this proposal -- to increase voter participation -- we have concerns about the fiscal impact to local government. Registrars of Voters have indicated that there would be a need for additional staffing and resources on election day, the busiest day of the year for their office, in order to meet this new initiative.

HB05035	<u>AN ACT REDUCING MANDATES FOR MUNICIPALITIES.</u>	Ron Thomas	Curr. Loc.: Planning and Development Committee Last Act.: 03-05 - FILED WITH LCO
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GOVERNOR'S MANDATE RELIEF PACKAGE:

Would provide relief to local government in several areas:

Local Assessment of Partially Completed Structures:

Would clarify municipal authority to assess, for the purposes of local property taxes, partially constructed structures by amending CGS 12-64 to include "improvements that are partially completed or under construction." Not enacting this proposal could cost municipalities approximately \$30 million statewide in lost property tax revenue.

Background: *Kasica v. Town of Columbia*, a Superior Court decision dated October 6, 2011, decreed that municipalities are not permitted to assess partially constructed structures until completion and the issuance of a certificate of occupancy.

Phase-out of Health Insurance Premium Tax:

Would phase out the health-insurance premium tax on municipalities by (a) cutting the tax rate by 50% beginning 2014, (b) by another 25% for 2015, and (c) eliminating the premium tax on municipalities altogether for 2016. When fully implemented, it would save towns

and cities \$9 million.

CCM has long advocated for protecting municipalities from the premium tax as a tangible step that the State can take to help cut costs for property taxpayers. The premium tax costs municipalities up to \$9 million each year. The tax is 1.75% on fully insured municipal premiums. Municipalities that are self-insured do not pay the premium tax. But some municipalities, particularly small towns, cannot reasonably consider self-insurance as an option, because just one catastrophic illness could have a severe negative impact on a local budget.

Storage of Evicted Tenants Possessions:

Would (1) allow municipalities to assess landlords for the cost of storing evicted tenants' possessions, and (2) permit tenants to request that such possessions be stored an additional 15 days. The tenant would pay full expenses for such storage.

Although some relief was provided to towns and cities by eliminating the portion of this mandate that required municipalities transport such items - the existing mandate to store items continues to drain local finances and resources. While municipalities are allowed to try to recoup some of the costs by auctioning off the items, municipalities must incur costs associated with conducting an auction (including publicizing the auction, etc.). And, usually the possessions are not sellable - ultimately, the revenue generation does not meet full reimbursement. Therefore, requiring municipalities to collect receipts from landlords and calculate the amount of reimbursement might be an added administrative burden.

HB05155 AN ACT MODIFYING THE BAN ON PESTICIDE APPLICATIONS ON SCHOOL GROUNDS.

Kachina Walsh-Weaver
Ron Thomas

Curr. Loc.: Planning and Development Committee
Last Act.: 03-01 - REFERRED TO OLR, OFA 03/06/12 5:00 PM

PEST MANAGEMENT ON SCHOOL GROUNDS

Would reinstate the requirement that Integrated Pest Management plans (IPM) be used on public and private school grounds in Connecticut to manage pest control on fields and facilities, and expand the requirement to include high schools.

HB05158 AN ACT CONCERNING THE ASSESSMENT OF BUILDINGS UNDER CONSTRUCTION.

Ron Thomas
Bob Labanara

Curr. Loc.: Planning and Development Committee
Last Act.: 02-17 - PUBLIC HEARING 0222

LOCAL ASSESSMENT OF PARTIALLY COMPLETED STRUCTURES

Would clarify municipal authority to assess, for the purposes of local property taxes, partially constructed structures by amending CGS 12-64 to include "improvements that are partially completed or under construction."

Background: *Kasica v. Town of Columbia*, a Superior Court decision dated October 6, 2011, decreed that municipalities are not permitted to assess partially constructed structures until completion and the issuance of a certificate of occupancy. **Not enacting this proposal could cost municipalities approximately \$30 million statewide in lost property tax revenue.**

HB05201 AN ACT CONCERNING DEADLINES FOR THE COMPLETION OF MUNICIPAL BINDING ARBITRATIONS. Bob Labanara

Curr. Loc.: Labor and Public Employees Committee
Last Act.: 02-24 - PUBLIC HEARING 0301

MODEST ADJUSTMENTS TO BINDING ARBITRATION DEADLINES

Would establish a deadline for filing statements of last best offers and reply briefs within 180 days after binding arbitration is imposed or requested.

CCM has long advocated for modest adjustments to compulsory binding arbitration to establish timetables under the Municipal Employees Relations Act (MERA), similar to the rules established under the Teacher Negotiation Act (TNA). Therefore, CCM urges the Committee to amend HB 5201 so that the binding arbitration laws under the Municipal Employee Relations Act (MERA) would:

- (1) Amend Section 7-473c within the Municipal Employee Relations Act (MERA) – to impose deadlines for interest arbitration which would require that the negotiation process and binding arbitration be completed no later than one year from the date binding arbitration is imposed by the State and;
- (2) Amend Conn. Gen. Stat. § 31-98(a) to require that a grievance arbitration award be issued not more than 60 days following the date post-hearing briefs are filed therefore, establish mandatory time limits to issue grievance arbitration awards in cases before the State Board of Mediation and Arbitration.

HB05203 AN ACT CONCERNING MUNICIPAL COLLECTIVE BARGAINING ARBITRATION AND THE APPOINTMENT OF ARBITRATORS TO THE ARBITRATION PANEL. Bob Labanara

Curr. Loc.: Labor and Public Employees Committee
Last Act.: 02-24 - PUBLIC HEARING 0301

STATE-MANDATED RANDOM SELECTION OF ARBITRATORS

Would eliminate local CEO authority (and union representatives') to select their respective arbitrator – and instead, would impose a new state mandate that stipulates that arbiters be randomly selected and assigned by the State Board of Mediation and Arbitration.

CCM has long-advocated for modest adjustments to local collective bargaining in order to preserve the integrity of the process – including recommendations that would have established guidelines for arbitrators' qualifications (that they are members of either the American Arbitration Association, or the Alternative Dispute Resolution Center). HB 5203 would be the opposite of a modest reform by abolishing the right of both parties to select an arbitrator.

HB05233 AN ACT CONCERNING WORKERS' COMPENSATION FOR FIREFIGHTERS. Bob Labanara

Curr. Loc.: Labor and Public Employees Committee
Last Act.: 02-24 - PUBLIC HEARING 0301

SPECIAL WORKERS' COMPENSATION BENEFITS FOR FIREFIGHTERS

Would create a new unfunded state mandate by requiring professional counseling be compensable under the Workers' Compensation Act for firefighters diagnosed with mental or emotional injuries -- defined as post-traumatic stress disorder -- as a result of witnessing a death of a firefighter.

Towns and cities currently offer extensive Employee Assistance Programs (EAPs) to employees suffering from stress. These existing benefits provide all employees counseling, therapy, and other essential services to assist them and their families during difficult periods. This proposed mandate would unnecessarily and inappropriately create a new, costly special benefit -- without any state financial assistance.

HB05238 **AN ACT CONCERNING MUNICIPAL ARBITRATIONS AND A MUNICIPALITY'S RESERVE FUND BALANCE.** Bob Labanara

Curr. Loc.: Labor and Public Employees Committee
Last Act.: 02-24 - PUBLIC HEARING 0301

MUNICIPAL RESERVE FUND BALANCES

Would exclude municipalities' reserve fund balances of up to 10% of the total municipal budget, when considering municipalities' financial capabilities.

Precluding arbitrators from using fund balance to justify for wage or benefit improvements will help to ensure that municipalities are not penalized for having sound financial policies. In addition, it will avoid the situation where employees receive a wage or benefit improvement in one year only to face layoffs or the need for concessions in a future year when there is no fund balance left to pay for the wage or benefit gain.

HB05240 **AN ACT REQUIRING DOUBLE DAMAGES BE AWARDED IN CIVIL ACTIONS TO COLLECT WAGES OR BENEFITS.** Bob Labanara

Curr. Loc.: Labor and Public Employees Committee
Last Act.: 02-24 - PUBLIC HEARING 0301

MANDATED DOUBLED-AWARDS

Would require local officials pay double the amount of an award as a result of a civil action decided in favor of an employee or labor union, and places the onus on municipalities to argue otherwise.

HB05271 **AN ACT CONCERNING THE SITING COUNCIL.** Donna Hamzy

Curr. Loc.: Energy and Technology Committee
Last Act.: 02-24 - PUBLIC HEARING 0301

SITTING COUNCIL

Among other things, would:(1) Provide municipal authority over the siting of telecommunication towers within 250 feet of a school, or commercial day care center; (2) require payments be made to municipalities from the Municipal Participation Account first to defray costs incurred by such a municipality who participates as a party to a certification proceeding, and eliminates any requirement that the municipality refund any excess funds it may have received from the account; and (3) Require applicants to make a "good faith" effort to meet with the municipal CEO where such facility is being proposed, within 90 days before filing an application.

HB05316 **AN ACT REQUIRING A TWO-THIRDS VOTE OF THE GENERAL ASSEMBLY TO ENLARGE MUNICIPAL MANDATES AND AUTHORIZING A REVIEW OF CERTAIN MUNICIPAL BUDGETS.**

Ron Thomas

Curr. Loc.: Planning and Development Committee
Last Act.: 02-27 - PUBLIC HEARING 0302

MANDATES PROHIBITION

Among other things, would (1) enact a statutory prohibition to against the passage of new unfunded state mandates without a 2/3 vote of both chambers of the General Assembly; and (2) would require the state auditors to audit the books and accounts of any municipality that receives more than 35% of its revenue from the state, and has a population over 30,000.

HB05317 **AN ACT CONCERNING THE INTEREST RATE ON DELINQUENT PROPERTY TAXES.**

Ron Thomas

Curr. Loc.: Planning and Development Committee
Last Act.: 02-27 - PUBLIC HEARING 0302

INTEREST ON DELINQUENT PROPERTY TAXES

Would (1) give municipalities the option to charge interest of 12%, instead of 18%, to delinquent property taxpayers, and (2) require that the interest be charged per day instead of per month. This proposal could create a \$14.5 million hole in municipal budgets.

HB05318 **AN ACT CONCERNING THE REVISION OF MUNICIPAL CHARTERS.**

Ron Thomas

Curr. Loc.: Planning and Development Committee
Last Act.: 02-27 - PUBLIC HEARING 0302

CHARTER REFORM

Would allow municipalites to enact charter reform without having to make wholesale changes.

HB05320 AN ACT CONCERNING BONDS AND OTHER SURETY FOR APPROVED SITE PLANS AND SUBDIVISIONS. Ron Thomas **Curr. Loc.:** Planning and Development Committee
Last Act.: 02-27 - PUBLIC HEARING 0302

BONDS FOR SUBDIVISIONS

Would tighten the language in Public Act 11-79. However, would also prohibit zoning commissions

HB05348 AN ACT CONCERNING SCHOOL NURSES AND SCHOOL MEDICAL ADVISORS. Kachina Walsh-Weaver **Curr. Loc.:** Education Committee
Last Act.: 03-01 - PUBLIC HEARING 0305

SCHOOL NURSES AND LOCAL SCHOOL MEDICAL ADVISORS

Would mandate an "appropriate" number of nurses be employed by school districts to meet the "size and needs of the student population." In addition, makes changes to the duties and responsibilities of local school medical advisors.

HB05350 AN ACT CONCERNING ACHIEVING UNIVERSAL LITERACY BY GRADE THREE. Kachina Walsh-Weaver **Curr. Loc.:** Education Committee
Last Act.: 03-01 - PUBLIC HEARING 0305

NEW EDUCATION MANDATE

Would establish a new unfunded state mandate by requiring universal literacy programs in local school districts.

HB05370 AN ACT CONCERNING CHANGES TO THE LOCAL BRIDGE PROGRAM. Donna Hamzy **Curr. Loc.:** Transportation Committee
Last Act.: 03-01 - PUBLIC HEARING 0305

LOCAL BRIDGE PROGRAM

Would among other things: (1) increase the municipal reimbursement rate under the Local Bridge Program, and (2) authorize the State Bond Commission to issue bonds, not exceeding \$15 million, to the Department of Transportation for deposit into the Local Bridge Program Revolving Fund.

HB05379 AN ACT CONCERNING FUNDING FOR POLICE TRAINING. Michael Muszynski **Curr. Loc.:** Public Safety and Security Committee
Last Act.: 03-02 - PUBLIC HEARING 0306

POLICE OFFICE TRAINING FUNDING

Would ensure that funds collected for municipal police training purposes from motor vehicle violations be directed towards police officer training.

HB05405 AN ACT ESTABLISHING A STATE-WIDE MILL RATE FOR MOTOR VEHICLES AND AMENDING THE DEFINITION OF ANTIQUE, RARE OR SPECIAL INTEREST MOTOR VEHICLES. Ron Thomas Curr. Loc.: Planning and Development Committee
Last Act.: 03-05 - PUBLIC HEARING 0309

STATEWIDE MILL RATE FOR MOTOR VEHICLES

Would establish a statewide mill rate for motor vehicles.

Although CCM appreciates the intent behind this proposal, it would (1) require revenue to go to the State to be doled out to municipalities, and (2) establish winners and losers among municipalities due to a statewide uniform mill rate.

HB05406 AN ACT ESTABLISHING A TASK FORCE TO STUDY BARRIERS TO THE FORMATION OF MUNICIPAL UTILITIES. Ron Thomas Curr. Loc.: Planning and Development Committee
Last Act.: 03-05 - PUBLIC HEARING 0309

TASK FORCE ON MUNICIPAL UTILITIES

Would study ways to lessen red tape and expenditures for establishing municipal utility companies.

SB00023 AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE. Donna Hamzy Curr. Loc.: Energy and Technology Committee
Last Act.: 02-09 - REF. TO JOINT COMM. ON ET

EMERGENCY PREPAREDNESS AND RESPONSE

Would, (1) add public service companies to the list of entities required to abide by the standards of the Department of Emergency Services and Public Protection's (DESPP) comprehensive plan and program for the civil preparedness of the of the state, (2) require the Public Utilities Regulatory Authority (PURA) establish minimum standards of performance for utilities in emergency preparation and restoration of service to customers in an emergency, (3) require each utility to submit an emergency response plan by August 1, 2012 and annually there after, (4) allow PURA to investigate a utilities compliance with any of the Authority's emergency preparedness and response standards and to enforce such standards, and (5) require the Department of Energy and Environmental Protection (DEEP) to establish a micro-grid grant and loan program to support local renewable distributed energy generation for critical facilities.

SB00024 AN ACT CONCERNING
EDUCATIONAL
COMPETITIVENESS.

George Rafael
Jim Finley
Kachina Walsh-Weaver

Curr. Loc.: Education Committee
Last Act.: 02-15 - PUBLIC HEARING 0222

GOVERNOR'S EDUCATION REFORM PACKAGE

Would make PreK-12 public education reform a priority despite the difficult fiscal challenges facing the State and local governments.

Some of the provisions included in the bill are as follows: significant changes to ECS; modifications to MBR; new funding mechanism for charter schools; creating of "conditional school districts" and new requirements on them; a push for regional consolidation; and, changes to local authority over hiring teachers and administrators. The full implications of the proposals on local school districts, towns and cities, and local property taxpayers are difficult to evaluate based on the information presently available.

SB00096 AN ACT EXEMPTING
MUNICIPALITIES FROM THE
HEALTH INSURANCE PREMIUM
TAX.

Bob Labanara

Curr. Loc.: Finance, Revenue and Bonding Committee
Last Act.: 03-02 - CHG. REF., HOUSE TO COMM. ON FIN

EXEMPTION FROM THE HEALTH INSURANCE PREMIUM TAX

Would eliminate this burdensome tax on or after July 1, 2012. The premium tax costs municipalities up to \$9 million each year. The tax is 1.75% on fully insured municipal premiums. Municipalities that are self-insured do not pay the premium tax. However, some municipalities, particularly small towns, cannot reasonably consider self-insurance as an option, because just one catastrophic illness could have a severe negative impact on a local budget.

SB00102 AN ACT PROHIBITING LOCAL
BUILDING STANDARDS.

Ron Thomas

Curr. Loc.: Planning and Development Committee
Last Act.: 02-17 - PUBLIC HEARING 0222

LOCAL BUILDING STANDARDS

Would prohibit towns and cities from enacting ordinances that contain building codes that are stronger than that of the state's.

SB00103 AN ACT CONCERNING THE
CONSOLIDATION OF
NONEDUCATIONAL SERVICES.

Ron Thomas

Curr. Loc.: Education Committee
Last Act.: 03-01 - FAV. CHG. OF REF. HOUSE TO COMM. ON ED

CONSOLIDATION OF LOCAL SERVICES

Would require a board of finance or board of selectmen to make spending recommendations and suggestions to a board of education regarding how such board of education may consolidate noneducational services and realize financial efficiencies. Suggestions must

be made within 10 days of the date the board of education submits its budget estimate. The board of education may accept or reject the suggestions, however, it must submit a written explanation of the reason for any rejection.

SB00109 AN ACT INCREASING THE
MAXIMUM SURCHARGE FOR
ENHANCED 9-1-1 SERVICE. Michael Muszynski **Curr. Loc.:** Public Safety and Security Committee
Last Act.: 02-16 - REF. TO JOINT COMM. ON PS

E-911 SURCHARGE

Would increase the state's emergency 9-1-1 system surcharge, from .50 cents to .75 cents.

SB00150 AN ACT CONCERNING FAMILY
AND MEDICAL LEAVE BENEFITS
FOR CERTAIN MUNICIPAL
EMPLOYEES. Bob Labanara **Curr. Loc.:** Labor and Public Employees Committee
Last Act.: 02-24 - PUBLIC HEARING 0301

NEW FMLA MANDATE

Would require towns and cities provide municipal paraprofessionals benefits in accordance with the federal Family Medical Leave Act (FMLA), by reducing the number of hours paraprofessional employees must work in order to qualify for certain family FMLA benefits.

SB00151 AN ACT CONCERNING
ADDITIONAL REQUIREMENTS FOR
AN EMPLOYER'S NOTICE TO
DISPUTE CERTAIN CARE DEEMED
REASONABLE FOR AN EMPLOYEE
UNDER THE WORKERS'
COMPENSATION ACT. Bob Labanara **Curr. Loc.:** Labor and Public Employees Committee
Last Act.: 02-24 - PUBLIC HEARING 0228

NEW WORKERS' COMPENSATION BENEFITS MANDATE

Would, among other things, mandate that municipalities obtain written approval from the Workers' Compensation Commissioner before discontinuing, reducing, or denying benefits that are deemed reasonable by a physician -- and would allow employees to choose the course of medical care when employers seek to change claimants' care.

In an identical proposal from last session (SB 986, File No. 64, 2011), the non-partisan Office of Fiscal Analysis determined that this proposal would be a new "STATE MANDATE" on municipalities that would "result in potential significant impact" on local budgets, "as it increases the number or routine examinations and treatments required to be covered and creates additional requirements for employers [towns and cities] to dispute such treatments".

SB00193 AN ACT CONCERNING MANDATED REPORTERS AND REQUIRING CRIMINAL HISTORY RECORDS CHECKS FOR YOUTH CAMP EMPLOYEES AND VOLUNTEERS. Ron Thomas - Curr. Loc.: Select Committee on Children
Last Act.: 02-23 - PUBLIC HEARING 0228

BACKGROUND CHECKS FOR YOUTH CAMPS

Would require that municipalities and others running youth camps require persons to submit to state and national criminal background checks if such persons are (1) beginning employment at such camps, (2) volunteering at such camps, or (3) associated with such camps and are transporting children attending such camps.

SB00195 AN ACT CONCERNING THE STORAGE OF STOLEN PROPERTY. Michael Muszynski Curr. Loc.: Public Safety and Security Committee
Last Act.: 03-02 - FILED WITH LCO

RELIEF FROM THE 'STORAGE OF STOLEN PROPERTY' MANDATE

Would amend the state-mandated threshold that requires local police officials seize and store stolen property, from the current value of over \$250 to a proposed value of over \$1,000. By law, local agencies may return stolen property to an owner if the value is equal to or less than the current threshold.

SB00245 AN ACT CONCERNING THE RECORDING OF POLICE ACTIVITY BY THE PUBLIC. Ron Thomas Curr. Loc.: Judiciary Committee
Last Act.: 02-23 - REF. TO JOINT COMM. ON JUD

Would increase municipal liability exposure and encourage litigation, by allowing persons to sue police officers if such officers prevent the taking of pictures, under certain circumstances. Would provide immunity to municipalities under certain circumstances.

SB00249 AN ACT CONCERNING THE DISMISSAL OF DEPUTY CHIEFS OF POLICE. Michael Muszynski Curr. Loc.: Public Safety and Security Committee
Last Act.: 02-24 - PUBLIC HEARING 0228

DISMISSAL OF DEPUTY POLICE CHIEFS

Would mandate that the dismissal of deputy police chiefs be kept internal, within the police department, and under the authority of the Chiefs of Police – and would therefore, eliminate local Chief Executive Officials' discretion and flexibility to execute such critical administrative decisions. SB 249 would abolish key managerial discretion and would disrupt a foundation of accountability that is

inherent among all local public safety officials, including deputy chiefs – and vital to the integrity of local public safety.

SB00257 AN ACT CONCERNING THE POSTING OF STATE AGENCY REGULATIONS ON THE INTERNET. Kachina Walsh-Weaver Curr. Loc.: Government Administration and Elections Committee
Last Act.: 02-24 - REF. TO JOINT COMM. ON GAE

GOVERNMENTAL RECORDS ONLINE

Would require that all state agency regulations, and public notices be published online.

SB00263 AN ACT CONCERNING LIABILITY OF ZONING ENFORCEMENT OFFICERS. Ron Thomas Curr. Loc.: Planning and Development Committee
Last Act.: 02-27 - PUBLIC HEARING 0302

TREBLE DAMAGES

Would eliminate the penalty of treble damages against zoning enforcement officers for frivolous or without probable cause citations.

SB00265 AN ACT CONCERNING THE TAXATION OF REFUSE EXPORTED FROM CONNECTICUT. Kachina Walsh-Weaver Curr. Loc.: Environment Committee
Last Act.: 03-02 - PUBLIC HEARING 0307

SOLIDA WASTE ASSESSMENT FEE

Would increasing the solid waste assessment fee to \$1.50 per ton, from its current \$1.00 per ton rate, for any waste disposed out of state. This represents an unfunded state mandate to municipalities, who should retain the ability to dispose of their solid waste in the most economical way available to them - without penalty.

SB00277 AN ACT ESTABLISHING A COUNCIL TO PROMOTE COLLABORATION BETWEEN LOCAL HEALTH DEPARTMENTS AND THE DEPARTMENT OF PUBLIC HEALTH. Michael Muszynski Curr. Loc.: Public Health Committee
Last Act.: 02-29 - PUBLIC HEARING 0307

ESTABLISH ADVISORY COUNCIL WITHIN THE DEPARTMENT OF PUBLIC HEALTH

Would create a council within DPH to promote collaboration between local health departments and DPH.

SB00298 AN ACT CONCERNING THE
MINIMUM BUDGET
REQUIREMENT.

Kachina Walsh-Weaver **Curr. Loc.:** Education Committee
Last Act.: 03-01 - PUBLIC HEARING 0305

MINIMUM BUDGET REQUIREMENT

Would call for a study to be conducted regarding the Minimum Budget Requirement – which mandates a level of funding to local districts based on the previous year's allocations.

SB00322 AN ACT CONCERNING
EMERGENCY MEDICAL DISPATCH
TRAINING.

Michael Muszynski **Curr. Loc.:** Public Safety and Security Committee
Last Act.: 03-02 - PUBLIC HEARING 0306

EMERGENCY MEDICAL DISPATCH TRAINING

Would exempt emergency medical dispatch training for any public safety dispatcher if the public safety answering point (PSAP) where they work has an arrangement for a separate entity to handle emergency medical dispatch services



Mandates Report



March 5, 2012

2012, Issue # 4

During the Legislative Session, CCM produces this weekly report to inform members and the Legislature about pending bills that propose (1) new unfunded mandates or (2) mandates relief for towns and cities.

Sometimes even well-intended bills will have negative impacts on residential and business property taxpayers.

CCM urges municipal officials to speak with their legislative delegation about the impact these bills would have on your community.

- Please feel free to share this report with other officials in your community. -

IMPORTANT INFORMATION IN THIS ISSUE

ISSUE OF THE WEEK: NEW WORKER'S COMPENSATION SPECIAL BENEFITS FOR FIREFIGHTERS

NEW UNFUNDED MANDATES

MANDATES RELIEF

CCM - KEEPING MEMBERS INFORMED

New Special Worker's Compensation Benefits for Firefighters

The Labor & Public Employees Committee raised HB 5233, *which would require professional counseling be compensable under the Workers' Compensation Act for firefighters diagnosed with mental or emotional injuries* -- defined as post-traumatic stress disorder -- as a result of witnessing a death of a firefighter.

This bill is a new unfunded state mandate on towns and cities. As noted by the Office of Fiscal Analysis (OFA) in similar proposals from years past, **the costs of just one emotional stress case could be significant.**

Local officials have long supported public safety employees and their just compensation when injuries occur on duty and as a result of their work. In fact, in 2008 local officials negotiated in good-faith reasonable benefits for specific cardiac emergencies while on duty. However, these special stress-related benefits proposed in HB 5233 simply go too far. This proposed new mandate could be the "camel's nose under the tent" scenario - as proponents would seek to mandate additional special benefits down the road--other public employees will seek the special benefits also.

HB 5233 is unnecessary. Currently, local public safety officials receive health benefits that already include professional, confidential counseling. **Furthermore, towns and cities also offer extensive Employee Assistance Programs (EAPs) to employees suffering from stress.** These existing benefits provide all employees counseling, therapy, and other essential services to assist them and their families during difficult periods.

There is no statewide public policy problem that demands action by the General Assembly. Local residential and business property taxpayers cannot afford the cost of this new state mandate in this economy.

Each year, proponents seek to mandate new special benefits to municipal employees. Although well-intended, now is not the time for new unfunded state mandates on already limited local resources. Furthermore, **changes to the entire workers' compensation system -- as a result of an individual case -- should not be the basis of any statewide public policy.**

The present workers' compensation law is reasonable and should not be changed. The existing system retains fairness and equity in servicing injured workers and it should be allowed to continue working towards that end.

PROPOSED NEW UNFUNDED MANDATES

<p>HB 5024</p>	<p><u>ELECTION DAY REGISTRATION</u> Among other things, would allow for voter registration on election day throughout Connecticut.</p> <p>While CCM understands the genesis behind this proposal -- to increase voter participation -- we have concerns about the fiscal impact to local governments. Registrars of Voters have indicated that there would be a need for additional staffing and resources on election day, the busiest day of the year for their office, in order to meet this new initiative.</p> <p><i>Current Location: Government Administration and Elections Committee</i></p>
<p>HB 5029</p>	<p><u>NEW ADMINISTRATIVE BURDEN ON SCHOOLS</u> Would require school districts to have high school students in their sophomore year complete an assessment of their "college readiness". Should any student demonstrate lack of preparedness for college, a remediation plan must be implemented.</p> <p>Certainly college preparedness should be the goal for all students in all districts. However, implementing a new "assessment" of any kind will increase the administrative and financial burden on local and regional school districts, that are already struggling with meeting the plethora of existing mandates on their backs.</p> <p><i>Current Location: Higher Education and Employment Advancement Committee</i></p>
<p>HB 5178</p>	<p><u>SYNCHRONIZING PRESCRIPTION REFILLS</u> Would mandate individual insurance policies cover refills of prescription drugs made in accordance with a plan to synchronize refilling multiple</p>

	<p>prescriptions for certain insured persons.</p> <p>The expansion of insurance coverage will increase insurance costs and thus premiums, which will eventually be borne by policy holders -- municipalities to name one. This would result in increased insurance costs statewide.</p> <p style="text-align: right;"><i>Current Location: Select Committee on Aging</i></p>
<p>HB 5233</p>	<p><u>SPECIAL WORKERS' COMPENSATION BENEFITS FOR FIREFIGHTERS</u></p> <p>Would create a new unfunded state mandate by requiring professional counseling be compensable under the Workers' Compensation Act for firefighters diagnosed with mental or emotional injuries -- defined as post-traumatic stress disorder -- as a result of witnessing a death of a firefighter.</p> <p>Local officials know best the extreme dedication and commitment firefighters provide communities around the clock. In fact, towns and cities already offer extensive Employee Assistance Programs (EAPs) to employees suffering from stress. These existing benefits provide all employees counseling, therapy, and other essential services to assist them and their families during difficult periods. This proposed mandate would unnecessarily and inappropriately create a new, costly special benefit -- without any state financial assistance -- and thus, all at local property taxpayers' expense.</p> <p style="text-align: right;"><i>Current Location: Labor and Public Employees Committee</i></p>
<p>HB 5235</p>	<p><u>NEW PERSONNEL FILES MANDATE</u></p> <p>Would, among other things, mandate that local officials shall, no less than 10 days after receipt of a written request from a former employee, permit such former employee to inspect, and if requested, copy their personnel files -- and stipulates the timeframe and reasonable location of such "inspections." Would also mandate that local officials provide employees with written copies of any documentation of any disciplinary action imposed on employees no less than 24 hours after the date of imposing such action -- and that local officials must immediately notify employees, in writing, of their intent to terminate their employment.</p> <p>This new unfunded state mandate is a classic attempt at having the State micro-manage their partners in government -- towns and cities. Municipal leaders know best how to administer their communities' -- and do so on a daily basis. This proposal would impose an unnecessary, new administrative burden on already strained local resources.</p> <p style="text-align: right;"><i>Current Location: Labor and Public Employees Committee</i></p>

HB 5240	<p><u>MANDATED DOUBLED-AWARDS</u></p> <p>Would mandate that towns and cities pay double the amount of an award as a result of a civil action decided in favor of an employee or labor union, and places the onus on municipalities to argue otherwise.</p> <p>CCM is unaware of any statewide need for such costly, mandated policy. Lawmakers should focus on means to reduce state mandates on local budgets -- and not push new ones that would, in the case of H.B. 5240, double costs.</p> <p><i>Current Location: Labor and Public Employees Committee</i></p>
HB 5341	<p><u>ZONING ENFORCEMENT</u></p> <p>Would impose new administrative burdens on local government by requiring that they provide notice of the town's zoning enforcement process to applicants seeking a building permit or certificate of occupancy.</p> <p><i>Current Location: Commerce Committee</i></p>
HB 5376	<p><u>FIREARMS FOR FISH AND GAME WARDENS</u></p> <p>Would allow fish and game wardens to carry firearms, but would require local police departments to conduct the training for these wardens.</p> <p>A worthy proposal, however this mandate would place a fiscal and administrative burden on local police departments to conduct the necessary firearm training for these officials.</p> <p><i>Current Location: Public Safety and Security Committee</i></p>
SB 13	<p><u>MANDATES TELEMEDICINE COVERAGE</u></p> <p>Would mandate that health insurance policies cover costs for medical advice, diagnosis, care or treatment provided through "telemedicine" (interactive audio, video, or data communication).</p> <p>The expansion of insurance coverage will increase insurance costs and thus premiums, which will eventually be borne by policy holders - municipalities to name one. This would result in increased insurance costs statewide.</p> <p><i>Current Location: Insurance and Real Estate Committee</i></p>
SB 18	<p><u>EXPANSION OF COVERAGE FOR INFERTILITY TREATMENTS</u></p> <p>Would mandate that all health insurance policies cover costs for certain infertility treatments for up to age 45 (currently up to age 40).</p> <p>A worthy proposal -- however, local officials are already dealing with increases in health insurance costs. This would result in increased</p>

	<p>insurance costs statewide.</p> <p><i>Current Location: Insurance and Real Estate Committee</i></p>
SB 19	<p><u>MANDATED COVERAGE FOR HEAD LICE TREATMENTS</u></p> <p>Would mandate that all health insurance policies cover costs for prescription drugs for the treatment of head lice.</p> <p>The expansion of insurance coverage will increase insurance costs and thus premiums, which will eventually be borne by policy holders -- municipalities to name one. This would result in increased insurance costs statewide.</p> <p><i>Current Location: Insurance and Real Estate Committee</i></p>
SB 90	<p><u>TREE WARDENS - HAZARDOUS TREES</u></p> <p>Among other things, would require local tree wardens to inspect and report on potentially hazardous trees on public and private properties, if requested by a property owner. Such inspections would have to be done within 60 days of the notice and a report within 10 days of the inspection.</p> <p>While the genesis behind the bill is to provide property owners with a funding mechanism for the removal of hazardous trees, this bill constitutes a new mandate on local tree wardens and could potentially expose them to liability should a property owner fail to act on such wardens assertion that a tree is hazardous.</p> <p><i>Current Location: Environment Committee</i></p>
SB 150	<p><u>NEW FMLA MANDATE</u></p> <p>Would require towns and cities provide municipal paraprofessionals benefits in accordance with the federal Family Medical Leave Act (FMLA), by reducing the number of hours paraprofessional employees must work in order to qualify for certain family FMLA benefits.</p> <p>On identical proposals from previous sessions -- the non-partisan Office of Fiscal Analysis (OFA) has concluded this would be a "STATE MANDATE" on towns and cities, which could force "potential costs" on already struggling local budgets. According to OFA, such a proposal could impact approximately 25,000 paraprofessionals statewide; thus provoking overtime costs and administrative burdens on limited local resources. CCM is also concerned about the precedent this new mandate would set by lowering the threshold for eligibility for this particular benefit.</p> <p><i>Current Location: Labor and Public Employees Committee</i></p>
SB 151	<p><u>NEW WORKERS' COMPENSATION BENEFITS MANDATE</u></p> <p>Would among other things mandate that municipalities obtain written</p>

	<p>approval from the Workers' Compensation Commissioner before discontinuing, reducing, or denying benefits that are deemed reasonable by a physician -- and would allow employees to choose the course of medical care when employers seek to change claimants' care.</p> <p>In an identical proposal from last session (SB 986, File No. 64, 2011), the non-partisan Office of Fiscal Analysis determined that this proposal would be a new "STATE MANDATE" on municipalities that would "result in potential significant impact" on local budgets, "as it increases the number or routine examinations and treatments required to be covered and creates additional requirements for employers [towns and cities] to dispute such treatments".</p> <p style="text-align: center;"><i>Current Location: Labor and Public Employees Committee</i></p>
SB 189	<p><u>IMMUNIZATION EXEMPTION NOTIFICATION</u></p> <p>Requires schools to notify the Departments of Education and Public Health of children who have not received a scheduled immunization due to other medical necessities or religious beliefs.</p> <p style="text-align: center;"><i>Current Location: Public Health Committee</i></p>
SB 193	<p><u>BACKGROUND CHECKS FOR YOUTH CAMPS</u></p> <p>Would require that municipalities and others running youth camps require persons to submit to state and national criminal background checks if such persons are (1) beginning employment at such camps, (2) volunteering at such camps, or (3) associated with such camps and are transporting children attending such camps.</p> <p style="text-align: center;"><i>Current Location: Select Committee on Children</i></p>
SB 202	<p><u>MANDATED INSURANCE COVERAGE FOR HEARING AIDS</u></p> <p>Would mandate that all health insurance policies cover costs for hearing aids for people from age 55-65.</p> <p>Well-intended yet, this is proposed without any state financial assistance to cover added costs. The expansion of insurance coverage will undoubtedly increase insurance costs and thus premiums, which will eventually be borne by policy holders - municipalities to name one. This would result in increased insurance costs on local budgets statewide.</p> <p style="text-align: center;"><i>Current Location: Insurance and Real Estate Committee</i></p>
SB 206	<p><u>MANDATED ADDITIONAL SPECIAL HEALTH INSURANCE COVERAGE</u></p> <p>Would mandate that all health insurance policies cover costs for treatments related to specific pediatric disorders associated with strep infections.</p> <p>A very worthy proposal yet any expansion of insurance coverage will</p>

	<p>increase insurance costs and thus premiums, which will eventually be borne by policy holders - municipalities to name one. This would result in increased insurance costs statewide.</p> <p><i>Current Location: Insurance and Real Estate Committee</i></p>
SB 249	<p><u>DISMISSAL OF DEPUTY POLICE CHIEFS</u></p> <p>Would eliminate the chief elected official's authority and discretion to dismiss a deputy police chief. The authority would be given instead to the chief of police.</p> <p><i>Current Location: Public Safety and Security Committee</i></p>

PROPOSED MANDATES RELIEF

SB 96	<p><u>EXEMPTION FROM THE HEALTH INSURANCE PREMIUM TAX</u></p> <p>Would eliminate this burdensome tax on or after July 1, 2012. CCM has long advocated for protecting municipalities from the premium tax as a tangible step that the State can take to help cut costs for property taxpayers. The premium tax costs municipalities up to \$9 million each year. The tax is 1.75% on fully insured municipal premiums. Municipalities that are self-insured do not pay the premium tax. However, some municipalities, particularly small towns, cannot reasonably consider self-insurance as an option, because just one catastrophic illness could have a severe negative impact on a local budget.</p> <p>CCM also supports the Governor's proposal to "phase-out" this tax as a reasonable compromise approach that reflects the intent of S.B. 96, which is to provide critical relief to towns and cities during this historic fiscal crisis, while also limiting the fiscal impact on the State.</p> <p><i>Current Location: Insurance and Real Estate Committee</i></p>
HB 5035	<p><u>GOVERNOR'S MANDATE RELIEF PACKAGE</u></p> <p>Would provide relief to local governments in several areas:</p> <p>Local Assessment of Partially Completed Structures:</p> <p>Identical to CCM 's proposal - would clarify the municipal authority to assess, for the purposes of local property taxes, partially constructed structures by amending CGS 12-64 to include "improvements that are partially completed or under construction".</p> <p>Background: <i>Kasica v. Town of Columbia</i>, a Superior Court decision dated October 6 2011 decreed that municipalities are not permitted to assess</p>

partially constructed structures until completion and the issuance of a certificate of occupancy. During the 2011 Legislative Session, CCM lobbied to defeat Senate Bill 505, "An Act Concerning the Assessment of New Construction". The bill would have prohibited towns and cities from collecting property taxes on partially-completed construction sites. CCM opposed it as an unfunded state mandate, and successfully killed the bill in the Planning and Development Committee. According to results of a survey conducted by the Connecticut Association of Assessing Officers (CAAO), not enacting this proposal could cost municipalities approximately \$30 million statewide in lost property tax revenue.

Phase-out of Health Insurance Premium Tax:
Would phase out the health-insurance premium tax on municipalities by (a) cutting the tax rate by 50% beginning 2014, (b) by another 25% for 2015, and (c) eliminating the premium tax on municipalities altogether for 2016.

CCM has long advocated for protecting municipalities from the premium tax as a tangible step that the State can take to help cut costs for property taxpayers. The premium tax costs municipalities up to \$9 million each year. The tax is 1.75% on fully insured municipal premiums. Municipalities that are self-insured do not pay the premium tax. But some municipalities, particularly small towns, cannot reasonably consider self-insurance as an option, because just one catastrophic illness could have a severe negative impact on a local budget.

Storage of Evicted Tenants Possessions:
A variation of previous CCM proposals - would allow municipalities to assess landlords for the cost of storing evicted tenants' possessions, and would then, stipulate towns and cities store such items for an additional 15 days.

Although some relief was provided to towns and cities by eliminating the portion of this mandate that required municipalities transport such items - the existing mandate to store items continues to drain local finances and resources. While municipalities are allowed to try to recoup some of the costs by auctioning off the items, municipalities must incur costs associated with conducting an auction (including publicizing the auction, etc.). And, usually the possessions are not sellable - ultimately, the revenue generation does not meet full reimbursement. Therefore, requiring municipalities to collect receipts from landlords and calculate the amount of reimbursement might be an added administrative burden.

Current Location: Planning and Development Committee

CCM - KEEPING MEMBERS INFORMED

CCM's website and [Legislative Action Center](#) are designed to ensure critical information is easily accessible for local officials on legislative and regulatory actions.

In addition, CCM is embracing today's new media outlets as a way to inform members and educate state elected officials and the public of CCM's advocacy efforts. Please follow us on [Facebook](#) and [Twitter](#), and be sure to view events on [CCM's YouTube site](#).

Along with many items of interest, on our website you will find such things as:

- [CCM's 2012 State Legislative Agenda](#)
 - [Legislative & Action Alerts](#)
 - [CCM Analyses of Various Budget Proposals](#)
 - [CCM State Capitol Reports](#)
 - [CCM Testimony to the General Assembly](#)
- ...and more

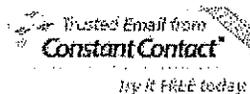
New content is added daily, if you are not already doing so...

**** PLEASE MAKE OUR SITE YOUR FIRST STOP EVERY DAY ****

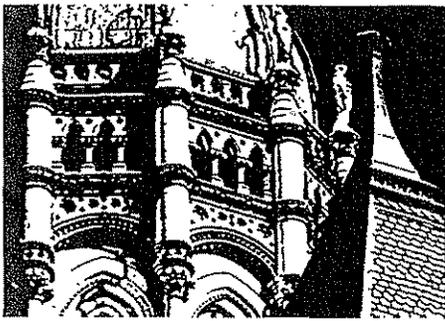
If you have questions concerning this Mandates Report or on any state-local issues, please contact [CCM's Public Policy & Advocacy Team](#):

- [Jim Finley, Jr.](#), Executive Director and CEO
- [Ron Thomas](#), Director of Public Policy & Advocacy
- [Kachina Walsh-Weaver](#), Senior Legislative Associate
- [Bob Labanara](#), Senior Legislative Associate
- [Donna Hamzy](#), Legislative Associate
- [Mike Muszynski](#), Legislative Analyst
- [George Rafael](#), Senior Government Finance Analyst
- [Kevin Maloney](#), Member & Public Relations Director
- [Ouanette Rhodes](#), Executive Services Administrator
- [Carolyn Ryan](#), Public Policy & Advocacy Administrative Associate

...or via phone at (203) 498-3000.



PAGE
BREAK



CCM DAY *on the* HILL



Save the Date!

Item # 11

You are Needed!!

March 21, 2012

Please join us for CCM's Annual Day on the Hill – an opportunity to speak with legislative leaders, get updates on the state budget, and discuss legislative issues of concern to towns and cities with your state legislators. Please plan on attending this event to be sure the municipal voice is heard loud and clear.

The preliminary schedule for the day includes:

- ▶ CCM Meeting With Legislative Leaders & Policy Briefing 2:30 p.m. to 3:30 p.m. Old Judiciary Room State Capitol
- ▶ One-on-One Meetings With State Legislators 3:30 p.m. to 4:30 p.m. Capitol Complex
- ▶ Legislative Reception 4:30 p.m. to 6:30 p.m. Old Judiciary Room State Capitol

(Contact your state legislators in advance to tell them you will be in Hartford for this event. Arrange a time to meet one-on-one.)

###

Please let Carolyn Ryan of CCM know your attendance plans at cryan@ccm-ct.org or (203) 498-3012.

MORE DETAILS TO FOLLOW



**State Underfunding
of Education**

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Higher Property Taxes

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