

REGULAR MEETING – MANSFIELD TOWN COUNCIL
December 10, 2012

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: Freudmann, Keane, Kochenburger, Moran, Paterson, Paulhus, Ryan, Schaefer, Shapiro

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Ms. Keane seconded to approve the minutes of the November 26, 2012 meeting as amended. The motion passed with all in favor except Mr. Paulhus and Mr. Schaefer who abstained.

III. PUBLIC HEARING

1. Proposed Amendments to the Building Construction Ordinance and the Rescission of the Fees for Fire Prevention Services Ordinance.

Director of Building and Housing Mike Nintean reviewed the reasons for the proposed amendments and rescission. The current ordinances are difficult to administer and difficult for the public to understand. A single fee structure will benefit both. Director of Planning and Development Linda Painter stated the Council will be able to approve an alternate fee schedule for large projects.

No comments from the public were presented and the public hearing was closed at 7:42 p.m.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Ric Hossack, Middle Turnpike, asked where the Town is proposing to use all the water specified in the EIE. Mr. Hossack asked for an accounting of all unspecified projects.

Betty Wassmundt, Old Turnpike Road, urged public participation be allowed in the form of a question and answer period at the end of the meeting on the School Building Project and requested members of State Board of Education's Department of Construction Services be invited. Ms. Wassmundt also asked why the Town is discussing water beyond the Four Corners project.

Alison Hilding, Southwood Road, asked for clarification of the current role of CREC, when they will be invited to the Council and what they will report on?

Art Smith, Mulberry Road, urged the Council to explore what would be the impact on the community if the new UConn Tech Park includes facilities for bio-level 3 and 4 projects.

V. REPORT OF THE TOWN MANAGER

In addition to his written report Town Manager Matt Hart commented on the following:

- Mr. Hart will be meeting with Comptroller Kevin Lembo on December 11, 2012 as part of CCM contingency to discuss an increase in employee's contributions to MERS.
- The Town Attorney has stated that after researching the issue of appealing rulings of the Ethics Code to the State Superior Court he has determined rulings of the municipal board do not qualify. Ms. Moran noted the Ethics Board does not have the power to impose sanctions, only recommendations.
- Discussion on the Agricultural Land Usage Agreement Policy and Model Agricultural Lease were tabled to this meeting and will need to be added to the agenda.

- The initial plan for the UConn Tech Park does not include any bio-level 3 and 4 projects.
- Our legislators and members of the Department of Education's Department of Construction Services will not be able to attend the School Building Committee meeting scheduled for December 17th. After discussion, the Council agreed by consensus the meeting on December 17th will include staff reports on the debt service if the project is sequenced, an opinion by CREC on the Town's ability to propose a "renovate like new" project, and a proposal for services CREC can provide for the Town. These services will include a peer review of the work performed to date and advocacy services for the determined project.

Mr. Freudmann asked the Town Manager to discuss at his meeting with the Comptroller what it would take for the Town to get out of the MERS program and if he would support allowing new employees to be shifted out of MERS. This is a CCM meeting but the Town Manager will attempt to address the issues raised.

Ms. Keane moved and Ms. Moran seconded to add a discussion on the Agricultural Land Usage Agreement Policy and Model Agricultural Lease to the agenda under old business (Item 5a)

The motion passed unanimously.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mr. Freudmann attended both master plan meetings on the UConn Tech Park and asked the Council to ask our legislators for the same type of municipal tax legislation crafted for the UCEPI project in the 1980's.

Mayor Paterson and Councilor Freudmann attended the lighting of the menorah at the East Brook Mall.

Mayor Paterson and Deputy Mayor Moran attended the National League of Cities conference in Boston and will share the information received at that meeting.

The Town Manager will look at the budget workshop offered by CCM to see if the material to be focused on is intended for staff or elected decision makers.

Mr. Schaefer moved and Ms. Keane seconded to move Item 4, Amendments to the Building Construction Ordinance and Rescission of Fees for Fire Prevention Services Ordinance, as the next item of business.

Motion passed unanimously.

VII. OLD BUSINESS

2. Storrs Center Update

Town Manager Matt Hart addressed concerns raised at the last meeting regarding Price Chopper. Staff researched the objections and found that while there were a number of NLRB decisions regarding Price Chopper many of them concerned a separate company in the Midwest. Price Chopper is a family owned company in six states in the Northeast which offers employee stock options, competitive wages, and benefits. The company is planning to build the local facility to LEED standards.

3. Community Waste/Wastewater Issues, Draft UConn Water Supply EIE

Director of Planning and Development Linda Painter noted staff received comments from the PZC, Conservation Commission and the Four Corners Water and Sewer Advisory Committee. Ms. Painter reviewed the calculations for determining the Town's water needs for the next 50-60 years most of which was taken from the 2007 Water and Wastewater Plan. Quentin Kessel, Chair of the Conservation Commission, noted the EIE will comment on the questions proposed by the Town boards.

Ms. Keane moved and Mr. Paulhus seconded, effective December 10, 2012, to authorize the Mayor to transmit to the UConn Office of Environmental Policy for its review and consideration the attached comments from the Planning and Zoning Commission, the Conservation Commission and the Four Corners Water and Wastewater Advisory Committee regarding the draft UConn water supply environmental impact evaluation (EIE).

Motion passed unanimously.

4. Amendments to the Building Construction Ordinance and Rescission of Fees for Fire Prevention Services Ordinance

Mr. Shapiro moved to suspend the rules and authorize immediate consideration of the motion described on pages 79, 80 and 81 and listed as Item 4 on the agenda.

Motion passed unanimously.

Ms. Keane moved and Mr. Ryan seconded effective December 10, 2012, to: 1) approve the proposed amendments to the Building Construction Ordinance (Chapter 107 of the Mansfield Code); and 2) rescind the Fees for Fire Prevention Services Ordinance (Chapter 122, Article VI of the Mansfield Code), which revisions and rescission shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Motion passed unanimously.

5. Adjustments to Easements for Storrs Road and Wilbur Cross Way

Mr. Ryan moved and Mr. Shapiro seconded to approve the following resolution:

RESOLVED, that Matthew W. Hart, Town Manager, be, and hereby is authorized to sign the two attached Quit Claim Deeds: (1) The Quit Claim deed to re-convey a portion of the property conveyed by Warranty Deed dated November 16, 2011 and recorded in Volume 717 at Page 144 of the Mansfield Land Records; and (2) The Quit Claim Deed to terminate a portion of the Easement "B" granted to the Town of Mansfield dated November 9, 2011 and recorded in Volume 717 at Page 4 of the Mansfield Land Records.

Motion passed unanimously.

5a. Agricultural Land Usage Agreement Policy and Model Agricultural Lease

Ms. Keane moved and Mr. Paulhus seconded to table this item to the next regular meeting at which time the required information from the Town Attorney will be available.

Motion passed unanimously.

VIII. NEW BUSINESS

6. Proposed Budget Calendar for 2013

Mr. Paulhus moved and Ms. Moran seconded, effective December 10, 2012, to adopt the Proposed Budget Calendar for 2013, as presented by the Director of Finance and the Town Manager.

Motion passed unanimously.

7. Salary Transfers for FY 2012/13

Mr. Ryan moved and Mr. Paulhus seconded, effective December 10, 2012, to approve the Salary Transfers for FY 2012/13, as presented by the Director of Finance in her correspondence dated December 5, 2012.

Motion passed unanimously.

Mr. Paulhus moved and Mr. Shapiro seconded to recess as the Town Council and convene as the Mansfield Resource Recovery Authority.

Motion passed unanimously.

8. MRRA, Amendments to Solid Waste Regulations for Higher Frequency Services
 Mr. Ryan moved and Mr. Paulhus seconded to approve the following resolution:
 Resolved, effective December 10, 2012, to amend Section A196-12(G) of the Mansfield
 Solid Waste Regulations, to add the following fees for trash and recycling services:

8-cubic-yard refuse container (three times/week)	Providing and emptying an 8-cubic-yard covered refuse container three times per week.	\$902.00
8-cubic-yard refuse container (four times/week)	Providing and emptying an 8-cubic-yard covered refuse container four times per week.	\$1,188.00
8-cubic-yard recycling container (once/week)	Providing and emptying an 8-cubic-yard covered recycling container once per week.	\$98.00
8-cubic-yard recycling container (twice/week)	Providing and emptying an 8-cubic-yard covered recycling container two times per week.	\$190.00
8-cubic-yard recycling container (three times/week)	Providing and emptying an 8-cubic-yard covered recycling container three times per week.	\$280.00
8-cubic-yard recycling container (four times/week)	Providing and emptying an 8-cubic-yard covered recycling container four times per week.	\$370.00

Motion passed unanimously.
 Mr. Paulhus moved and Mr. Shapiro seconded to reconvene as the Town Council.
 Motion passed unanimously.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

Mr. Freudmann requested information regarding the hiring of Management Partners by the Mansfield Downtown Partnership. Ms. Moran, a member of the MDTP Board, reported the company has been retained to assist in the development of a strategic plan and a review of their mission.

X. REPORTS OF COUNCIL COMMITTEES

Chair of the Finance Committee Mr. Ryan reported in addition to the salary transfers approved earlier this evening, the Committee asked the Finance Director to look at the cost of the Finance Department and how it is allocated among those it serves.

XI. PETITIONS, REQUESTS AND COMMUNICATONS

- 9. M. Hart re: Appointment to Region 19 Board of Education
- 10.M. Hart re: Letters of Commendation
- 11.M. Hart re: Storm Sandy Thank you letters
- 12.Mansfield Advisory Committee on Persons with Disabilities re: South Eagleville Walkway – Mr. Freudmann questioned the authorship of the letter and the process followed during the Committee meeting to approve the sending of the letter. Mr. Freudmann stated the item did not appear on the agenda, was not added, and no vote was recorded. Additionally, he noted the Chair was not at the meeting in question. The Town Manager will verify.
- 13.2012 Connecticut Neighborhood Assistance Act Program Summary
- 14.Notice of Permit Application re: Hansens Pond Dam

15. Notice of Public Meeting re: 2012 Housing Rehabilitation Grant Program – Mr. Freudmann questioned when the notice was published and what projects were considered. The Town Manager will provide an update on the current grant program.
16. Press Release: Ribbon Cutting Ceremony Scheduled for Storrs Automotive
17. Public Hearing re: Mansfield Historic District Commission
18. The Mansfield Minute, December 2012
19. Government Finance Officers Association re: Distinguished Budget Presentation Award – Mr. Hart thanked the Director of Finance and the rest of the budget team for their efforts and achievements.

XII. FUTURE AGENDA

Mr. Ryan requested a discussion of a Charter Revision be added to the January meeting.

Mr. Freudmann requested a discussion of special legislation regarding taxing language for the UConn Tech Park be added to a future agenda. He also requested a discussion of the Mansfield Downtown Partnership's existing charge be added to a future agenda. After some discussion the Council agreed by consensus to add the MDTP charge to a future agenda.

Mr. Ryan moved and Mr. Paulhus seconded to move into Executive Session to discuss pending claims and litigation, pursuant to CGS§1-200(6) (B) and to include the Town Manager.

Motion passed unanimously.

XIII. EXECUTIVE SESSION

Pending claims and litigation, pursuant to CGS§1-200(6) (B)

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

Also included: Town Manager Matt Hart

XIV. ADJOURNMENT

Mr. Paulhus moved and Mr. Shapiro seconded to adjourn the meeting.

Motion passed unanimously.

Elizabeth C. Paterson, Mayor

Mary Stanton, Town Clerk

December 10, 2012