

**MINUTES OF THE  
HVCEO**

**MEETING OF APRIL 14, 2000  
AT BROOKFIELD, CT TOWN HALL**

**MEMBERS AND ALTERNATES IN ATTENDANCE**

Brookfield.....First Selectman Martin Foncello  
Danbury.....Mayor Gene Eriquez  
New Fairfield.....First Selectman Patricia Gay  
New Milford.....Mayoral Aide Patrick Maguire  
Newtown.....First Selectman Herbert Rosenthal  
Ridgefield.....Selectman Peter Yanity  
Sherman.....First Selectman Donna Tuck, Chairman

**OTHERS IN ATTENDANCE**

Congressman James Maloney, State Representative Mary Ann Carson, Lynn Waller of Danbury, Attorney Dan Casagrande, Cheryl Reedy and other staff of Congressman Maloney's Office, from the Candlewood Lake Authority Harold Mayer, Bruce Lockhart and Larry Marsicano, from the Lake Lillinonah Authority Ann Schiessl, Ron Butner and George Knoecklein, and Don Mackenzie of the Lake Zoar Authority.

Also in attendance were Kenneth Bates of the Danbury-Torrington Job Partnership Board, Fred Benedikt of Southbury, Elaine Labella and Ruth Malins of the Housatonic Valley Association, Raul DeBrigard of CL&P, various citizens, Peg Daley and James Bellano of the Housatonic Valley Economic Development Partnership, and Camille Acquanita and Jonathan Chew of the HVCEO staff.

**CALL TO ORDER  
AND PUBLIC COMMENT**

The meeting was called to order by Chairman Donna Tuck at 12:40 P.M. There was public comment offered by Fred Benedikt, Ruth Malins, Kenneth Bates and Raul DeBrigard.

**REVIEW OF DRAFT TESTIMONY  
FOR FERC RELICENSING HEARINGS**

A lengthy discussion was held in this topic. Included were remarks by Congressman Maloney, lake authority representatives, Housatonic Valley Association staff, and others.

**EXECUTIVE SESSION**

Of the fifteen issues presented in the draft testimony, the last issue concerning negotiations and strategy for the purchase of conservation easements for hydroproject related lands was considered appropriate for an executive session. Then on a motion made by Marty Foncello and seconded by Patty Gay, it was voted to enter executive session to discuss strategy and negotiations regarding the purchase of easements for properties surrounding FERC regulated hydropower projects.

Remaining in the room for this segment of the meeting were two support staff, Jon Chew of HVCEO and Attorney Dan Casagrande of Pinney Payne. A discussion on this issue was then held.

Then on a motion made by Herb Rosenthal and seconded by Marty Foncello, the Council came out of executive session. No votes were taken during the executive session.

### **PROPOSAL FOR LEGAL SERVICES**

Attorney Dan Casagrande then reviewed his proposed agreement for legal assistance to HVCEO during the FERC relicensing process. A discussion followed.

It was agreed that Pinney, Payne staff services may include assistance in development of testimony, preparation of intervention and submissions, monitoring of notices as to filing dates, participation as needed in negotiations with NGC, CL&P and other parties to implement recommendations in HVCEO's testimony to FERC, remarks at DPUC and other agencies on topics as necessary including on the current docket involving the Con Edison merger, and related FERC relicensing activities as requested by HVCEO.

Then on a motion made by Gene Eriquez and a second by Herb Rosenthal, the proposed agreement between HVCEO and Pinney, Payne dated 4/13/2000 was unanimously approved, as amended to include the scope of services as defined in these minutes.

The approval also included a provision that HVCEO shall not be liable for payment of an invoice received until funds from the seven municipalities participating in the process had been received at the HVCEO office.

Also, that the HVCEO's liability for Pinney, Payne's legal services shall be limited to a maximum of \$40,000, and that reimbursement costs shall be borne equally by the seven participants in the FERC relicensing process which are Bridgewater, Brookfield, Danbury, New Fairfield, New Milford, Newtown and Sherman, each responsible for a maximum municipal share of \$5,715.

### **AUTHORIZATION TO PREPARE SECOND DRAFT OF FERC TESTIMONY**

The Council then requested Jon Chew and Dan Casagrande to revise the first draft of testimony based upon today's discussion and input. It was also agreed that the upcoming 5/19/2000 HVCEO meeting would be formatted as a second FERC related workshop session to review the second draft of testimony.

### **ADJOURNMENT**

Then on a motion made by Marty Foncello and seconded by Patty Gay, it was voted unanimously to end the meeting at 3:05 P.M.