

MINUTES OF THE  
**HVCEO**

**MEETING OF SEPTEMBER 15, 2000  
AT BROOKFIELD, CT TOWN HALL**

**MEMBERS AND ALTERNATES**

Bethel.....First Selectman Judy Novachek  
Bridgewater.....Alternate Robert Brown  
Brookfield.....First Selectman Martin Foncello  
Danbury.....Absent  
New Fairfield.....First Selectman Patricia Gay, Vice Chairman  
New Milford.....Alternate Patrick Maguire  
Newtown.....First Selectman Herbert Rosenthal, Secretary-Treasurer  
Redding.....First Selectman Natalie Ketcham  
Ridgefield.....First Selectman Rudy Marconi  
Sherman.....Absent

**OTHERS IN ATTENDANCE**

Representative Robert Godfrey of Danbury, Representative Jeanne Garvey of New Milford, Selectman Rick Levy of Kent, Representative Andy Rohrbach of Torrington, Cheryl Reedy of Congressman Maloney's Office, Elaine Labella of the Housatonic Valley Association, and Brookfield Personnel Director Denise Kurpiewski.

Also Alan Hachey of the Housatonic Area Regional Transit District, Marsha Gordon and Holly Burbank of MetroPool, Martin Schneider of the News Times, Linda Wellman of the Spectrum, Scott Benjamin of the Brookfield Journal, Susan Prosi of the South Western Regional Planning Agency, and from CL&P William Stax, Jack Dolan and Alan Carey.

Also attending were Lynn Waller of Danbury, Bob Rush and Bill Johnson of the New Milford Rail Restoration Society, Richard Corona of Conn DOT, James Bellano of the Housatonic Valley Economic Development Partnership, George Hefferon, Camille Acquanita, David Hannon and Jonathan Chew of the HVCEO staff.

**CALL TO ORDER AND PUBLIC COMMENT**

The meeting was called to order by Vice Chairman Patty Gay at 12:35 P.M. Public comment was offered from Lynn Waller, Bob Rush, Rick Levy and Bill Johnson. New Brookfield Personnel Director Denise Kurpiewski was introduced by Brookfield First Selectman Marty Foncello. She is also to be his alternate on the HVCEO board.

Vice Chairman Patty Gay complimented the City of Danbury on its organization for and management of the historic visit by President Bill Clinton to the City on September 11, 2000.

**MINUTES FROM MEETINGS OF 6/16/2000 AND 6/23/2000**

On a motion made by Marty Foncello and seconded by Rudy Marconi, the minutes of the HVCEO meeting of 6/16/2000 were unanimously approved, with the exception of an abstention by Natalie Ketcham who was not in attendance. Then on a motion made by Marty Foncello and seconded by Judy Novachek the minutes of the HVCEO meeting of 6/23/2000 were unanimously approved, with the exception of abstentions by Rudy Marconi and Patty Gay who were not in attendance.

**FINANCIAL STATEMENTS FOR 6/2000 7/2000 AND 8/2000**

On a motion made by Rudy Marconi and seconded by Marty Foncello, after brief discussion the financial statements for 6/2000 7/2000 and 8/2000 were unanimously approved.

### **TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AMENDMENT**

Dave Hannon reviewed TIP amendments requested by Conn DOT, concerning scheduling changes for Route 7 widening and Lanesville Road-Grove Street Bypass construction in New Milford, Conn DOT's High Accuracy Reference Network project, Conn DOT's completion of monumentation and mapping of I-84, and the widening of Route 6 in Danbury. After a motion by Natalie Ketcham and a second by Rudy Marconi, it was voted unanimously to approve the Conn DOT proposed amendments for inclusion in the FY2000 STIP.

Dave then presented changes to cost estimates for various Route 7 improvement projects on the TIP for Danbury, Ridgefield and New Milford. In these cases project cost estimates were exceeding the amounts shown by Conn DOT on the TIP. It would be wise to add the latest costs to the TIP, he said, as TIP funds are limited and such action helps to prevent the Region from being shortchanged. After a motion by Judy Novachek and a second by Rudy Marconi, it was voted unanimously to approve the staff proposed amendments to the FY2000-2002 STIP.

### **INVOICES FROM PINNEY, PAYNE FOR LEGAL ASSISTANCE WITH FERC RELATED ITEMS**

Members reviewed invoices submitted for assistance with FERC issues. The seven affected communities are to fund these costs equally. Then on a motion made by Herb Rosenthal and seconded by Judy Novachek, five invoices totaling \$12,867 were approved for staff collection from the municipalities, to be followed by payment to Pinney Payne.

### **REVIEW OF CL&P RESPONSE TO STORM OF EARLY JUNE**

Mr. William Stax, General Manager of the Danbury-New Milford CL&P District, addressed the Council on this matter. Jack Dolan and Alan Carey of his staff also made remarks on specialized aspects of the topic.

Samples of new transmission devices were demonstrated and circulated from person to person for observation. The techniques of the revised tree trimming program were explained along with promising indications of their effectiveness. Areas where improvement is still needed include faster addition of supplemental crews, more training in guarding of down wires to free up police and firemen, and faster installation of new high tech hardware devices, Mr. Stax said.

Comments were then made by Pat Maguire, Judy Novachek and Herb Rosenthal. Mr. Stax and his staff were then thanked for their informative presentation.

### **PRESENTATION OF NEW COMMUTER RAIL AND BUS IMPROVEMENT PLANS FOR THE NORWALK-NEW MILFORD ROUTE 7 CORRIDOR**

This new interregional transit plan was presented by Dave Hannon of HVCEO and consultant Sue VanBenschoten of VHB, Inc. The goal is to have in place a comprehensive improvement program for rail and bus service in the Route 7 corridor, easily implementable in stages, that can be funded by existing or proposed transportation improvement funds. Importantly, for the first time a common program extends through two adjacent planning regions, South Western and Housatonic, enabling more vigorous legislative coordination.

Proposed passenger train service enhancements start with more frequent Danbury to Norwalk service, from the current 20 trips per day to 31, then up to 38. The next step would be the staged expansion of passenger service from Danbury to New Milford, also the introduction of Norwalk to Danbury bus service. The plan has been devised by technical

specialists for feasibility of integration with main line operations.

Costs, ridership projections and detailed justifications are all included in the report, they said. A discussion followed, including questions and comments by Herb Rosenthal, Bob Brown, Cheryl Reedy and Robert Godfrey.

It was then recommended that HVCEO adopt the plan as its goal and lobbying platform and also incorporate it into the HVCEO's Regional Transportation Plan. Then on a motion to this effect made by Herb Rosenthal and seconded by Rudy Marconi, the motion passed unanimously.

#### **UPDATE ON CONN DOT I-84 TRAFFIC IMPROVEMENT PLAN**

Conn DOT representative Richard Corona stated that the \$750,000 I-84 improvement plan that HVCEO had requested will be completed by September 30. Also, that Conn DOT Commissioner James Sullivan's stated goal of completion of all improvements proposed for this Region within 12 years remains in place.

A discussion followed. Mr. Corona was requested to forward to HVCEO, with the final I-84 plans, a listing of the projects and funds committed as part of a short range improvement plan, then a list of the mainline improvements that would proceed in the short term into the environmental assessment stage, the first step towards construction. Mr. Corona agreed to these requests and was then thanked for his visit to HVCEO.

#### **HVEDP STATUS REPORT**

HVEDP Director James Bellano reviewed the progress of the proposed Housatonic Valley Classic Bicycle Race, a course of 100 miles on a figure eight loop around the Region, designed to minimize left turns. A map was displayed showing the proposed routing passing thru all ten municipalities in the Region.

Detailed maps and other information is to be forwarded to each community. Jim will coordinate road closure details, which will be brief as the group of cyclists pass. The routing may serve as a future backbone for a permanently marked regional bicycle route for the general public, he said.

Jim also reviewed the on line municipal permit initiative of the HVEDP. To date one permit for Brookfield and two in New Milford are on line, with new Fairfield and Newtown next, he said. A discussion followed.

#### **DEP 401 PERMIT FOR THE HOUSATONIC RIVER**

Staff reviewed this issue, including earlier comment by HVCEO to FERC and the meeting in Sherman Town Hall on 7/18/00 on the matter.

The issue is the relationship between the draft DEP 401 water quality permit, which proposes a "run of river" flow north of the Rocky River pumped storage station intake to Candlewood Lake, rather than the long standing "pond and release" flow management practices of NGC (formerly CL&P).

Concern had been expressed in the Region that as the Falls Village and Bulls Bridge power stations will be prevented by the 401 permit from ponding water for later release, the capacity of the Rocky River power station to pump out Housatonic River water for maintaining Candlewood Lake water levels may be impaired.

Staff reported that Bob Gates of NGS stated that his company had negotiated this part of the 401 permit with CT DEP to his satisfaction. That even though water levels in the Housatonic River at the point of intake to Candlewood Lake can no longer be varied from

upstream by his company, the permit condition is not so severe that pumping capacity to Candlewood will be significantly impacted.

On July 14, 2000 Attorney Ted Backer on behalf of HVCEO made comment to CT DEP on the proposed 401 water quality permit for NGC. In his letter to CT DEP he provided an overview of the recently negotiated Candlewood Lake Conservation Restriction and its provisions for mandatory pumping to maintain water at the minimum 418 foot contour line. He requested that the "401 Certification be consistent with allowing the Licensee's to maintain the required water levels of Candlewood Lake in accordance with the terms of the Conservation Restriction."

At the 7/18/2000 meeting in Sherman it was agreed that Attorney Backer would write to CT DEP on behalf of HVCEO to request a written statement from CT DEP to this effect, such that the "no impact to Candlewood" intent of the 401 permit conditions for Housatonic River releases is formally on the record. This has been received from DEP and members reviewed it as part of their agenda packet.

### **REPORT ON DANBURY TRAFFIC FLOW AND SAFETY NEEDS AS OF 2001**

J. Chew reported that this document had been created as part of the regional transportation plan update, required by federal law for the last 25 years. There will be nine more similar reports created as part of that process, one for each municipality.

Most of the other nine already exist in draft format. This include a Brookfield edition forwarded for local use in the plan of development update, and a Route 35 section for Ridgefield completed to assist with a corridor study work program. Bridgewater and Sherman texts are next so as to provide state roadway safety and hazard statistics for their local plan updates. The 10 HVCEO texts will be compatible with local plans of development.

Danbury's was completed first as it is the largest community and also has a high priority in the regional plan, but also by request of the Danbury Planning Department as to assist with the plan of development update. Earlier municipal texts in all cases had been much less detailed.

This specialized research should be referenced as permit application conditions are set by planning and zoning commissions, as an input to setting enforcement priorities by the police department, for municipal traffic related grant applications and by citizens shaping governmental decisions. Having this research available also greatly reduces the cost of preparing the transportation chapter for the municipal plan of conservation and development.

The goal is to have as many of the ten local reports completed as possible by February 2001 when Conn DOT requires the next edition of the regional transportation plan to be completed.

### **UPDATE ON ROUTE 7 BYPASS DISPUTE**

Staff reviewed this topic, stating that the area continued to fight for the Alternative 4 routing through Brookfield as having superior traffic characteristics to Alternative 3. The Army Corps of Engineers will make the final determination, and has requested input from the Connecticut office of the Federal Highway Administration as to the "practicability" of Alternative 3. Staff then reviewed an agenda attachment documenting the following key correspondence on this issue:

6/29/2000 HVCEO to Governor Rowland requesting support for Alternative 4.

**7/6/2000** Governor Rowland to EPA and Corps supporting Alternative 4.  
**7/6/2000** EPA to Corps concerning alternatives evaluation.  
**7/7/2000** M. Foncello - A. Peitler questions submitted to six review agencies.

**7/10/2000** Eight area legislators to Governor Rowland supporting Alternative 4.  
**7/17/2000** From Corps to FHWA requesting opinion on viability of Alternative 3.  
**7/19/2000** Governor Rowland to HVCEO supporting Alternative 4.  
**7/25/2000** FHWA responding to M. Foncello - A. Peitler questions of 7/7.

**7/25/2000** EPA responding to M. Foncello - A. Peitler questions of 7/7.  
**8/2/2000** HVCEO staff to Corps and FHWA on better traffic service of Alternative 4.  
**8/2/2000** Conn DOT responding to M. Foncello - A. Peitler questions of 7/7.  
**8/2/2000** Corps responding to M. Foncello - A. Peitler questions of 7/7.

**8/8/2000** Fish and Wildlife Service to M. Foncello - A. Peitler questions of 7/7.  
**8/25/2000** Congressman J. Maloney to M. Foncello - A. Peitler.  
**9/5/2000** Brookfield to Corps and FHWA on better traffic service of Alternative 4.  
**9/5/2000** New Milford to Corps and FHWA on better traffic service of Alternative 4.

J. Chew stated that data as to the superior traffic characteristics was what would sway the Federal Highway Administration, and that thus far Brookfield, New Milford and the HVCEO office has submitted the original 1990 Route 7 Expressway justification, state planning policy from the Conservation and Development Policies Plan, state population projections, study of thru traffic characteristics, and negative impacts upon nearby Four Corners preservation potential.

Additional factors included submission of a travel time and delay study, information as to use of one leg of the bypass terminus as an industrial service road into New Milford, local road diversion impacts, request for inclusion of human habitat in decision-making, and information on quarry project costs. He also reported that Amy Jackson-Grove of the FHWA office on 9/13 stated that the review of the bypass alternatives would begin about October 1 and be concluded in one month or so.

#### **DESIGN PARAMETERS FOR RAILROAD BRIDGE OVER ROUTE 53 IN BETHEL**

Natalie Ketcham reported that Conn DOT had changed its position on this issue and has agreed to construct a truck height warning device while discussions continue over the proper height and cross section for a replacement bridge.

On a motion made by Rudy Marconi and seconded by Marty Foncello, it was voted unanimously to authorize Chairman Tuck to write to Conn DOT Commissioner Sullivan thanking him for the Department's revised position, also to offer continued cooperation towards reaching an acceptable solution. Natalie Ketcham then thanked Dave Hannon for his outstanding staff work on this issue, after which Dave received a round of applause from the Council.

#### **TRANSPORTATION SUMMIT**

Staff reported that HVCEO had received an invitation to the upcoming summit, which is by invitation only. Chairman Tuck had authorized Deputy Director Dave Hannon to represent the Council. Then on a motion made by Herb Rosenthal and seconded by Natalie Ketcham, it was voted unanimously to direct the staff to inform Summit leaders in advance of the meeting as to HVCEO priorities, including I-84 improvements, Route 7 improvements, and the recently completed Route 7 Corridor transit options plan.

#### **ADJOURNMENT**

On a motion duly made and seconded, the meeting was adjourned at 3:05 P.M.