

DRAFT MINUTES
H V C E O
MEETING OF APRIL 11, 2003
AT BROOKFIELD, CT TOWN HALL

Chairman Herbert Rosenthal of Newtown
Vice Chairman Martin Foncello of Brookfield; Secretary-Treasurer Natalie Ketcham of Redding

MEMBERS AND ALTERNATES IN ATTENDANCE

Bethel.....First Selectman Judy Novachek
Bridgewater.....Alternate Robert Brown
Brookfield.....First Selectman Martin Foncello
Danbury.....Mayor Mark Boughton, Alternate Dennis Elpern
New Fairfield.....First Selectman Peggy Katkocin
New Milford.....Absent
Newtown.....First Selectman Herbert Rosenthal, Chairman
Redding.....Absent
Ridgefield.....Alternate Peter Yanity
Sherman.....First Selectman Arthur von Plachecki

OTHERS IN ATTENDANCE

Eric Hampton of the CT Department of Economic and Community Development, Kathryn Faraci of Conn DOT, Charles Langley of HART, John Eustice of Sparta Cycling, Penelope Forman, Mike Neustadt and Catherine Brashich of the Housatonic Valley Tourism Commission, Jack Deering of Bethel, Lynn Waller of Danbury, James Bellano of HVEDP, Andrew Carrier, Candy Acquanita and Jonathan Chew of the HVCEO.

CALL TO ORDER AND PUBLIC COMMENT

The meeting was called to order by Chair Herbert Rosenthal at 12:35 P.M. Lynn Waller of Danbury spoke of the need for local governments to serve as electric service aggregators to assist residents to reduce the size of electric bills.

Written comments, and an attachment from a 1996 HVCEO consultant study on Route 37, from Dr. Robert Fand concerning plans for traffic operations near his office on Route 37 in Danbury were distributed by staff to the members. Jon Chew also conveyed Dr. Fand's verbal comment as received over the phone that funds for this proposed Route 37 project could better be spend on a traffic project of greater need.

**UPDATE ON 2003 HOUSATONIC VALLEY
CLASSIC (HVC) BIKE RACE AND CT TOUR**

John Eustice of Sparta Cycling addressed this topic, noting that the HVC is now one of the top six bike races in the USA. This year it is organized as a mini Tour de France, with cycling in New Haven on Friday night, Waterbury in Saturday, then the conclusion, finish and awards in Danbury.

Mr. Eustice thanked the municipal officials for their support. He noted he will continue to need assistance with local contribution of police overtime costs. There will be twenty teams this year, and seven visits by teams to local schools. The presentation was followed by a question and answer period.

MINUTES FROM THE MEETING OF 2/21/2003

On a motion made by Marty Foncello and seconded by Art von Plachecki, the minutes of the meeting of 2/21/2003 were unanimously approved.

FINANCIAL STATEMENTS FOR 2/2003 AND 3/2003

On a motion made by Judy Novachek and seconded by Marty Foncello, the financial statements for 2/2003 and 3/2003 were unanimously approved.

ANNUAL GRANT RELATED RESOLUTIONS AND APPROVALS

Jon Chew reviewed the following items: 1. Transportation Planning Program Recertification, 2. Recertification of the Regional Transportation Plan, 3. Grant Agreement with Conn DOT, 4. Grant Agreement with HART, 5. Unified Transportation Planning Work Program, 6. CT OPM Grant-in-Aid Authorization, 7. Certifications for CT OEM Regarding Lobbying, Debarment, Suspensions and Drug Free Workplace, and 8. Certifications to Newtown regarding pass thru of grant funds for emergency planning. After brief discussion and on a motion made by Art von Plachecki and seconded by Judy Novachek, the above administrative items were unanimously approved.

SUBMISSION OF LOCAL ROAD ACCIDENT PROGRAM APPLICATIONS

Andy Carrier addressed this topic. He reported that four applications had been received, one from Bethel for the Walnut Hill Road and Hoyt Road intersection at \$161,850, one from Brookfield for the Candlewood Lake Road at Forty Acre Mountain Road intersection at \$108,760, and two from New Milford; Erickson Road at \$185,780 and Heacock-Crossbrook Road at Great Brook Road at \$164,360.

He stated that his staff recommendation as to priorities is based upon his review of the applications and likeliness that the projects would be funded by Conn DOT as submitted. His written rankings on the agenda attachment had the Bethel project first, followed by New Milford's Heacock - Crossbrook Road, then third New Milford's Erickson Road, and fourth Brookfield's signalization of Candlewood Lake Road at Forty Acre Mountain Road.

A discussion of the accident data provided in the memo and the proposed rankings followed. Then on a motion made by Judy Novachek and a second by Marty Foncello, the Council voted unanimously to endorse the recommended rankings.

SUBMISSION OF VAN GRANT APPLICATIONS TO SERVE THE ELDERLY AND DISABLED

Andy Carrier also addressed this topic. He reviewed a letter from the Housatonic Area Regional Transit District, which serves as agent to HVCEO for the van grant application solicitation and review process. Applications from two groups had been received at HART, from Ability Beyond Disability and the City of Danbury's Department of Elderly Services.

Danbury is replacing a 1994 model year vehicle, and Ability Beyond Disability proposes replacement of a 1997 model year vehicle. Further, that Ability Beyond Disability operates 42 vehicles, giving them greater operational flexibility, while Danbury operates only three vans, two of which are nine years old. HART found that both proposals met the key criteria for funding, and that there was a long history of cooperation between the organizations and HART. However, that the City of Danbury proposal exhibited the greater need.

A short discussion followed, after which on a motion made by Art von Plachecki and a second by Judy Novachek the proposed rankings were unanimously approved.

RESPONSE TO TRANSPORTATION STRATEGY BOARD

A letter from TSB Chair Oz Griebel had been received and was attached to the agenda. It requested continuing support from HVCEO for the TSB process. A draft letter of response was also reviewed. After discussion of the TSB process, and then on a motion made by Mark Boughton and seconded by Art von Plachecki, the proposed response was approved.

UPDATE ON FOI COMMISSION RULING ON VOICE MAIL AND EMAIL

Herb Rosenthal and Jon Chew reported on a CCM meeting on this topic that they had attended. All agree that the recording of voice mails is a poor proposal, easily circumvented by non-use of voice mail for those that may seek to evade the law.

For both email and voice mail, the proposed ruling has three categories of communications. These are 1) transitory messages, without substantive information of the public's business, 2) records to be retained for a period of time, and 3) permanent records. AS FOI realizes that storage equipment for category 2 and 3 voice mail records is expensive and not in most public agencies, these voice records must be transcribed and converted to paper.

CCM members note that voice mail was designed to simplify communications burdens, not increase them. It was reported that in small towns voice mails often go to first selectman's homes, where family members cannot be expected to transcribe them. Also, that FOI is making its own policy, an oversight function that should be reserved for the General Assembly. It is creating, judging and executing its own rules. How to record voice mail on cell phones, it is asked?

It was noted during the discussion that HVCEO is already on record as in support of Proposed Bill No. 828 by Senator Andrew Roraback, that would exclude voice mail messages from the Freedom of Information Act's definition of public records and files. Chairman Rosenthal reported that CCM will develop a strategy for the hearing on this topic, whereby different speakers will address different aspects, coordinated in advance by their specialties. It was noted that legislators themselves may wish to support the Roraback bill out of self interest, as they themselves receive so much voice mail.

UPDATE ON INTERSTATE 84, ROUTE 7 AND OTHER TRANSPORTATION IMPROVEMENT PROJECTS

Andy Carrier addressed this topic. Proposed improvement projects on Route 7 from north to south were reviewed. Then comments were made on I-84 projects and plans from east to west. Marty Foncello noted recent progress with the Brookfield Bypass, and Herb Rosenthal asked for information to be obtained on the slow progress of the Route 6 railroad overpass in Newtown.

NEXT STEPS WITH ANTI-CASINO LEGAL STRATEGY AS FEDERAL BIA INTERVENORS

Mark Boughton spoke to this issue, thanking members for their support. He suggested that Danbury Corporation Counsel Eric Gottschalk attend the 6/20 HVCEO meeting to review options as to legal strategy, and members agreed to this.

OLD BUSINESS, NEW BUSINESS

Members discussed issues concerning the upcoming grants for electronic voting machines. Mark Boughton invited other members to accompany him to the General Assembly Chamber for lobbying, for as a former member he has direct access to the floor. He also requested that the next meeting address the topic of the federal "No Child Left Behind", mandate, which is underfunded. It was also agreed that a representative of the Washington Group, consultants to Conn DOT for the Branch Line Rail study, will be invited to the next meeting.

ADJOURNMENT

On a motion duly made and seconded the meeting was adjourned at 1:50 P.M.