

**MAY 18, 2007 MINUTES
HVCEO MEETING**

HELD AT BROOKFIELD, CT TOWN HALL

MEMBERS AND ALTERNATES IN ATTENDANCE

Bethel.....First Selectman Robert Burke
Bridgewater.....Alternate Robert Brown
Brookfield.....First Selectman Jerry Murphy
Danbury.....Mayor Mark Boughton
New Fairfield.....First Selectman John Hodge
New Milford.....Mayor Patricia Murphy
Newtown.....First Selectman Herbert Rosenthal
Redding.....First Selectman Natalie Ketcham
Ridgefield.....First Selectman Rudy Marconi, Chairman
Sherman.....Absent

OTHERS IN ATTENDANCE

Danbury residents Charlotte Barrows and Lynn Waller, Roy Piper of DEMHS Region 5, Danbury Housing Partnership Chairman Mark Nolan, Rocky Tomlinson of the Western CT Red Cross, Attorney Ted Backer of Pinney Payne, Director of the Housatonic Valley Cultural Alliance James Moore, reporter Dirk Perrefort of the News Times, Eric Hampton of CT DECD, and from the HVCEO staff George Blake, David Hannon, Camille Acquanita and Jonathan Chew.

CALL TO ORDER / PUBLIC COMMENT

The meeting was called to order by Chairman Rudy Marconi at 12:30 P.M., after which attendees recited the Pledge of Allegiance. Public comment was offered by Lynn Waller and Danbury Housing Partnership Chairman Mark Nolan, both sets of remarks concerning housing issues and the proposed HVCEO housing study.

MINUTES AND FINANCIAL STATEMENTS

On a motion made by Pat Murphy and seconded by Jerry Murphy, the minutes of the meeting of 4/20/2007 were unanimously approved. Concerning the financial statement for April 2007, Jon Chew explained that the transfer of \$8,000 was for the Brookfield Route 202 Pedestrian Study. Then on a motion made by Herb Rosenthal and seconded by John Hodge the April 2007 financial statement was unanimously approved.

**MEMORANDUM OF UNDERSTANDING BETWEEN REGIONS FOR
COORDINATED TRANSPORTATION PLANNING IN THE NY METRO AREA**

Jon Chew reviewed a proposed Memorandum of Understanding (MOU) for coordinated transportation planning in the New York City Metropolitan Area. He noted that recent Federal Highway Administration certification reviews for the New York Metropolitan Transportation Council and the North Jersey Transportation Planning Authority recommended this step. The MOU will insure that all regional planning agencies involved including HVCEO can be successfully certified, necessary to insure receipt of federal project funds.

Emails and conference calls indicate that the directors of the three CT RPO's requested to participate, Housatonic Valley, Greater Bridgeport and South Western, are in favor. The goal is modest formalization of the current informal dialogue between these parties. The MOU can only assist with Greater Danbury's I-84, HART commuter bus and interregional rail commuter planning, he said.

The three state DOT's, the three state DEP's, and the five regional planning organizations are to meet once per year, share their transportation plans and continue informal communication, and share modeling data and other items. Then on a motion

made by Herb Rosenthal and seconded by Jerry Murphy, the MOU for coordinated NY Metro transportation planning was unanimously approved.

MOU WITH THE CT DEPT OF PUBLIC SAFETY FOR RECEIPT OF GIS DATA

Jon Chew explained that for some years the CT Department of Public Safety had been contracting with Tele Atlas North America, Inc. for digital road centerline data, of use in emergency 911 planning and other governmental applications.

That Department is willing to pass thru the copyrighted information to HVCEO and the other RPO's, but only on condition that the data is not resold or given out in usable form to profit making entities, he said. Yet maps and reports using the data may be freely distributed. Then on a motion made by Natalie Ketcham and seconded by Pat Murphy the MOU with the CT Department of Public Safety for receipt of GIS data was unanimously approved.

APPOINTMENT TO THE HOUSATONIC VALLEY CULTURAL ALLIANCE

James Moore, Director of the Housatonic Valley Cultural Alliance, spoke to the issue of the requested appointment. He reviewed a letter received from Lewis Wallace of Danbury, Steering Committee Chair of the HVCA, calling for an HVCEO appointment to the HVCA board, in accordance with that organization's bylaws.

He explained that the mission of the group is to support and strengthen the arts, historical and cultural organizations through collaboration and coordination. Activities include continued development of the community calendar website at hvculturalarts.org, organization of a directors roundtable, workshops on grant writing, and technical support for arts related non-profits.

The letter recommended that Robert Brown of Bridgewater, an alternate on HVCEO, be the HVCEO appointee, having indicated his willingness to serve in this capacity. Then on a motion made by Pat Murphy and seconded by Natalie Ketcham, the appointment of Mr. Brown as suggested was unanimously approved.

HVCEO'S BRIEF FOR HACKET V. JLG PROPERTIES ON CANDLEWOOD LAKE

An update by Attorney Ted Backer was provided on his brief in the Hacket case, as authorized by HVCEO at its September 2006 meeting. The dispute is over the field of hydroelectric power generation, a recent CT Superior Court ruling that the states do not have dual authority to regulate FERC hydroelectric power projects, he said. As the defendant was required to obtain a license from the Northeast Generating Company, it was ruled that the defendant cannot be required to obtain permits from the Town of New Milford for the same activity.

But under this approval scenario the New Milford building inspector could not assess the safety of the construction. If there is any flaw in construction of a deck, etc. and someone is hurt, where is the liability, Attorney Backer noted? Also, that the poor regulatory precedent being set would affect Lake Lillinonah and other utility facilities in Connecticut.

He concluded that careful analysis shows that federal regulatory agencies are actually in support of continued local inspections and regulation, and that he expects the CT Supreme Court to endorse this view and states strong rights in this matter.

NEXT STEPS WITH REGIONAL HAZMAT TEAM FOR DEMHS 5 AREA

Rocky Tomlinson of the Western CT Red Cross then spoke to the members. He distributed the HAZMAT planning group's organizational chart. He requested that HVCEO assist by serving as fiduciary for DEMHS planning funds to be made available for team development and in the hiring of a consultant staff to assist thereafter. Jon Chew indicated that such an administrative arrangement would be included in the draft FY2008 budget to be presented in June. Roy Piper of DEMHS indicated that he favored this arrangement.

PROGRESS WITH VIDEO CONFERENCING GRANT

Dave Hannon reviewed a 4/27/2007 letter attached to the agenda from CT DEMHS Commissioner James Thomas, in which HVCEO's request for additional funding for the regional video conferencing system was approved. The Commissioner also stated that the "planned system will have significant benefits for regional emergency management."

Dave indicated that the equipment will soon be shipped to the Danbury Emergency Operations Center, and from there to each municipality, be set up locally, this step to be followed by training provided by the equipment vendor.

DEMHS REGION 5 STAFF COMMENTS

Roy Piper of DEMHS Region 5 indicated that overall, federal emergency management officials will be advocating more and more regional approaches, this the key to efficiency and good management. Regarding reimbursement for public costs of the April floods, paperwork for FEMA reimbursement is due to him by June 10, or by June 1 if towns wished a pre-review for potential problems with applications. He recommended each municipality retain the list of homeowners applications until a final decision by FEMA as to their eligibility.

DEMHS REGION 5 PLANNING UPDATE

Dave Hannon reviewed recent history with grants to HVCEO from DEMHS. He noted that several years ago the 15 regional planning organizations (RPO's) in Connecticut were selected for use as regional emergency response planning units. However, the designation then passed to the five newly created substate DEMHS regional districts, larger geographic areas composed of multiple RPO's.

But CT DEMHS has recently stated its intent to continue working with RPO's in a lesser capacity. The goal is to retain the efficiencies and talents of both the larger and smaller subdistricts, giving DEMHS access to groups of municipal chief elected officials, regional planning skills and established communication networks long associated with the RPO's.

Dave indicated that HVCEO would be offered a planning grant from DEMHS to assist with DEMHS Region 5 planning activities, this grant to be administered via the adjacent Council of Governments of the Central Naugatuck Valley and to be used for consultant assistance. Also, that as noted above by Rocky Tomlinson, HVCEO could serve as the grant agent to hire consultant staff for the DEMHS Region 5 HAZMAT planning group.

There was discussion of these administrative roles and proposed operating details. Then on a motion made by Herb Rosenthal and a second by Robert Burke, it was voted unanimously to authorize the chairman and staff to act on behalf of the HVCEO in negotiating and executing contractual instruments for the purpose of obtaining financial assistance to carry on a mutually agreed upon program of emergency management and HAZMAT planning with CT DEMHS and COGCNV.

PROPOSED 2008 REGIONAL HOUSING MARKET ASSESSMENT REPORT

Jon Chew noted that at the January 2007 HVCEO meeting there was agreement with the recommendation in the 2006 Danbury Homelessness Plan that a regional housing market study be undertaken, also that housing research would enhance the revised regional plan. It was agreed then that staff would formulate a study proposal, under discussion today.

Members then made comments on the draft scope of work, with changes recommended by Mark Nolan to be incorporated. It was agreed that staff will now forward the draft work plan to planning and zoning commissions and housing study groups for comment, prior to finalization and contracting with consultant HMA after 7/1/2008.

ADJOURNMENT

Then on a motion duly made and seconded, it was voted unanimously to adjourn the meeting at 2:10 P.M.