

**MINUTES OF THE 10/19/2007
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.....Alternate Chief of Staff Michael McLachlan
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, Chair
Sherman.....First Selectman Andrea O'Connor

OTHERS IN ATTENDANCE

DEMHS Region 5 Coordinator Roy Piper, New Canaan First Selectwoman Judy Neville, Larry Wagner of Wagner Associates, Andrea Rynn of Danbury Hospital, United Way Vice President Elizabeth Goehring, Newtown Director of Health Donna Culbert, Redding Pilot Editor Sue Wolf, Peg Daley of the Housatonic Valley River Trail, Lynn Waller of Danbury, and from the HVCEO staff Camille Acquanita, David Hannon, and Jonathan Chew.

CALL TO ORDER / PUBLIC COMMENT

The meeting was called to order by Chairman Rudy Marconi at 12:35 PM, after which attendees recited the Pledge of Allegiance. Public comment was offered by Lynn Waller, advising that regionalization based on geographic areas larger than HVCEO, such as with tourism, work against citizen involvement and should be resisted.

Housatonic Valley River Trail Coordinator Peg Daley then reported that \$1,300 was raised from the recent paddle race in Candlewood Lake, this funding for cleaning debris from the Still River in Brookfield for the benefit of paddlers. An advisory group for the River Trail will need to be restarted soon, with appointments by HVCEO members, she noted.

Also, in her capacity as HVCEO's representative on the King's Mark board, that the recent coastal agricultural Tour de Farms bike ride had 122 riders, each peddling 62 miles, that Oxford will be the location for the next year's Tour de Farms, and then back to Bethel.

MINUTES AND FINANCIAL STATEMENTS

On a motion made by Andrea O'Connor and seconded by Robert Brown, the minutes of the meeting of 9/21/2007 were unanimously approved, with abstentions by J. Murphy, J. Hodge and P. Murphy who were not present then. Concerning the financial statement for September 2007, on a motion made by Robert Brown and seconded by Herb Rosenthal, the statement was unanimously approved.

ACCESS TO RESPONSIBLE GROWTH TASK FORCE

Chairman Marconi reviewed a communication from Natalie Ketchum concerning the recent creation of the Office of Responsible Growth by the General Assembly. Also created by legislation was a Responsible Growth Task Force, this group to make its report by 2/15/08.

Governor Rell has two appointments to the Task Force, one a chief elected official from a municipality with a population over 25,000 and one with a population under 25,000. The appointments have been made and are Natalie Ketcham from Redding in our region and the mayor of Torrington. By this communication Mrs. Ketcham is inviting HVCEO municipalities to "be at the table" through her; "members and their staffs are encouraged to email me or call me with issues of concern regarding responsible growth."

**IMPACT ON GREATER DANBURY
OF PROPOSED FAA AIRSPACE REDESIGN**

Rudy Marconi introduced New Canaan First Selectwoman Judy Neville who then made a presentation on the FAA airspace redesign issue. Members were referred to an agenda attachment entitled "10/2007 SWRPA Technical Memo – Day and Night Average Sound Level in Fairfield County Resulting from the FAA's Airspace Redesign."

Also distributed were additional flight pattern maps and a copy of the agreement that ten Connecticut municipalities and one New York State municipality have signed to engage legal services to appeal the proposed airspace changes. Highlights of the presentation were as follows:

--- On 9/5/2007 the Federal Aviation Administration issued a "Final Decision and Order" for its plan to redesign airspace in Greater New York, in their view to enhance efficiency for the air traffic control system. However, impacts will include increased jet noise as incoming flights to La Guardia are rerouted from the Hudson Valley in New York State to Fairfield and Litchfield Counties in Connecticut.

--- According to the SWRPA technical memo the greatest increase in noise in our area is forecast to occur along a generally north – south band stretching from Brookfield and Danbury through Redding and Ridgefield to New Canaan and Stamford. Yet the new flight pattern over Connecticut will enable air traffic controllers to legally and quickly move the north – south flight path fifteen miles east or west, so all of Fairfield County and southern Litchfield County will be impacted.

--- The results of what is essentially a move towards higher airline profits will be negative in terms of quality of community life in western Connecticut. Southbound jets approaching LaGuardia will be at 8,000 feet over Ridgefield, 5,800 over New Canaan and then 3,000 feet at the Long Island Sound coastline. The FAA decision has not adequately considered noise, drop in real estate values and other issues and is being aggressively appealed.

--- It was noted that as the minimum distance between jets is also to be reduced and general aviation will also have a lesser ceiling to operate, crash risks over Connecticut will likely escalate.

--- With effort the unfavorable FAA decision can be reversed. The coalition of towns including New Canaan, Ridgefield and Redding is fighting to win and has engaged legal and political skills to participate effectively. The firm of McDermott Will & Emery LLP has been engaged and other specialized services groups are also being contracted.

The group of municipalities formally known as the "Alliance For Sensible Airspace Planning" currently includes the Housatonic Valley Region's Redding and Ridgefield, then from the South Western Region Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston, Wilton and Westport (that entire planning region) and also Pound Ridge, NY.

--- Rockland County in New York State, Bergen County in New Jersey and other groups have also filed appeals. A "win" will be in the form of a circuit appellate court sending the drat decision back for revision.

The key point of the presentation was that the Housatonic Valley's remaining eight municipalities are invited to join the current eleven to protect their interests. The current eleven municipalities are now jointly responsible for a liability of \$920,000, this likely to increase. Each additional community that joins lowers the percentage share for all other members. The funding formula is based upon population as a percentage of group total at 50%, and equal shares of total as the other 50%. A municipality can withdraw on thirty days notice.

There was considerable discussion of the points raised. Rudy Marconi urged each HVCEO member community to act in its interests and join the Alliance. After further discussion First Selectwoman Neville was thanked for her informative visit.

COMMUNITY DEVELOPMENT BLOCK GRANT ACTIVITY IN THE REGION AND UPCOMING PROGRAM CHANGES

Larry Wagner, President of Wagner and Associates of Waterbury for the past thirty years, was then introduced. Chairman Marconi noted that Mr. Wagner is an expert with the HUD federal Community Development Block Grant Program (CDBG) and its subset the Small Cities Block Grant program and for decades has prepared applications to this program for municipalities in Connecticut including many within the Housatonic Valley Region.

Mr. Wagner noted that Danbury is a HUD defined "entitlement community" under the CDBG rules, while all other municipalities in the region compete for the "Small Cities" portion of CDBG. He explained that

entitlement communities are managed with HUD rules, while Small Cities applicants are managed by rules that HUD allows each state to structure individually and that are becoming more complicated.

Key criteria for both programs are benefits to low and moderate income populations, elimination of slums and blight, and threats to public health and safety. Populations that are automatically eligible include the homeless, HIV/AIDS infected, and seniors regardless of income.

Connecticut can expect \$12.7 million for Small Cities statewide next year, he said. However, new Connecticut rules require that 90% of the current grant, the old limit was 50%, be expended prior to applying for another grant, a deliberate system brake that effectively broadens the number of communities that will be receiving funding.

Another rule change by Connecticut for Small Cities involves the match, which was previously 10% as cash. Now, the match is "leveraging of private funds", with the percentage of grant not specified. Also, for housing authority projects, plans and specifications must be completed before the application is made, a difficult hurdle, placing up front costs on the municipality.

Mr. Wagner also noted that Small Cities applicants have always needed to attach a fair housing plan to their application, but must now also attach a local affordable housing plan. There was a discussion of how this requirement could be met by the HMA housing study currently in preparation for the region. It was agreed that Jon Chew would contact HMA to effect this coordination, adding to the practical value to the upcoming regional housing report. After further discussion, Mr. Wagner was thanked for his informative program update.

UPCOMING REPORT CARD ON HEALTH AND COMMUNITY SERVICES

Andrea Rynn of Danbury Hospital then addressed the Council. United Way Vice President Elizabeth Goehring and Newtown Director of Health Donna Culbert also participated in the discussion.

Mrs. Rynn explained that statistical indicators of community health, by municipality, are being collected for the Region. Indicators of the relative extent of mental health, poverty, disease, child abuse, etc. are all being gathered from diverse sources. This material will be presented in web format and will guide health and human service agency priorities and grant applications. Participants include both Danbury and New Milford hospitals.

There was a discussion of the draft list of indicators presented. Donna Culbert noted that the municipal health directors as a group are much in favor of this collaborative effort. There was agreement with Herb Rosenthal's suggestion that drug related hospitalizations be added to the list. The presenters were then thanked for the courtesy of their visit.

CONTINUED DISCUSSION OF IDEAS ON REGIONALIZING A MUNICIPAL SERVICE

Agenda attachments on this issue were reviewed. Jon Chew noted that this issue was discussed at the September meeting, with \$8.6 million available statewide for regionalization of existing municipal services. This is a one year program funded with 2006-07 state surplus funds, he said.

Grant conditions are that municipal mill rates may be reduced as one or more existing town services are regionalized. A cost benefit analysis is to be submitted with each grant application, and applicants must certify that binding arbitration will not be a constraint. It was emphasized that the grants are for regionalizing existing services and costs, not funding a new program or stand alone capital expenditure.

As this grant skips over planning and design phases directly to the implementation phase, it was the sense of the September meeting that HVCEO or municipal applicants had little likelihood of success, especially with town meeting approval due 12/31/2007.

Jon Chew reported that at a recent statewide meeting of regional planning organizations, most were in the same difficult position as HVCEO. CT OPM staff also stated that the wording of the legislation was not conducive to applications. It was agreed that he will continue to monitor this situation to determine if grant conditions are modified or if ideas are put forward from others that HVCEO could emulate.

UPDATE ON DEMHS ACTIVITIES

Roy Piper of the DEMHS Region 5 office then provided an update on DEMHS activities.

Next Jon Chew reviewed the status of regional planning organization participation in DEMHS 5 planning, noting that at their September meetings, all five regions had declined to participate, preferring that the DEMHS main office lead the work.

However, this act then led to further negotiation, with the DEMHS Commissioner agreeing to less stringent requirements on the coordinating RPO and also more focus on data being organized by metropolitan area subregions, adding to the practicality of the venture. The five RPO directors in DEMHS Region 5 then conferred and agreed that this was enough of a policy chance to allow them to participate.

Accordingly, the Council is now requested to a) approve an interregional MOU to this effect, and b) approve a budget amendment for a DEMHS grant to HVCEO of \$18,750 as specified in the MOU. There was discussion of the change. Then on a motion made by Andrea O'Connor and seconded by Robert Brown the two requested items were unanimously approved.

And then next Dave Hannon reported on the proposed police radio interconnection study, that a draft RFP for a consultant was circulating and would be considered for approval by the police chiefs group at their November 9 meeting.

He then noted that a one time expense of up to \$8,000 would be needed to purchase the internet bandwidth capacity for the videoconferencing system bridge equipment, thus allowing the final set up and training on the system to proceed. If approved it will be made clear that this is a one time appropriation to fill a midyear gap, after which a new internet resource to serve the bridge equipment must be found.

Then after discussion and on a motion to this effect made by Natalie Ketcham and seconded by Robert Brown, a budget amendment of \$8,000 from the STIF Reserve Fund for this one time purpose was unanimously approved.

OPPOSITION TO FEDERAL INDIAN TRIBAL RECOGNITION LEGISLATION

Mike McLachlan spoke to this issue, outlining the Danbury and HVCEO written comments that were submitted yesterday in Washington D.C. in opposition to HR 2837. While first formulated back in June, this draft legislation seemed dormant until it suddenly was scheduled for a hearing, thus the need for this fast action, he said.

He noted that the testimony identified four major concerns with the proposed legislation; weakened criteria for tribal recognition, a pro-petitioner bias in the composition of a new commission charged with the recognition process, insufficient procedural rights for interested parties, and the reopening of past final decisions.

Mike McLachlan conveyed Mayor Mark Boughton's view that the solution to the Indian tribal federal recognition process is not to create a new federal bureaucracy that will negatively impact neighboring communities' participation in the process. Also, that H.R. 2837 virtually shuts off participation from interested parties like HVCEO and the State of Connecticut.

Rudy Marconi commented that the proposed legislation would likely allow groups such as the Schaghticoke Tribal Nation, who were denied acknowledgment in the past, to reopen their rejected petitions. It was agreed that municipalities must remain vigilant on this issue.

HOUSATONIC VALLEY CULTURAL ALLIANCE

Robert Brown then spoke to his role as the HVCEO appointee to the Housatonic Valley Cultural Alliance. A fund raising breakfast is to be held at the Ethan Allen Inn on 11/13, and he asked that HVCEO finance the minimum cost of \$150 for a table of participants he will then organize. After discussion and on a motion to this effect made by John Hodge and seconded by Natalie Ketcham, staff was authorized to expend \$150 for this purpose.

ADJOURNMENT

Then on a motion duly made and seconded, it was voted unanimously to adjourn the meeting at 2:20 P.M.