

**MINUTES OF THE 4/18/2008
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 Robert Silvaggi
Danbury.....Alternate Chief of Staff Michael McLachlan
New Fairfield.....First Selectman John Hodge
New Milford.....Mayor Patricia Murphy, Vice Chairman
Newtown.....First Selectman Joseph Borst
Redding.....Absent
Ridgefield.....First Selectman Rudy Marconi, Secretary - Treasurer
Sherman.....First Selectman Andrea O'Connor, Chairman
Joseph Keneally, Sherman Alternate

OTHERS IN ATTENDANCE

Kathryn Faraci of Conn DOT, Attorney Ted Backer of Pinney Payne, Eric Hampton of CT DEDC, Candlewood Lake Authority Director Larry Marsicano, Richard Schreiner of HART, Lynn Waller of Danbury, Roy Piper and Robert Kinney of DEMHS, Kathryn Faraci of Conn DOT, Joan Hubbard and Daniel Morley of CT OPM, 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 Andrea O'Connor at 12:30 PM, after which attendees recited the Pledge of Allegiance. Under public comment Lynn Waller spoke to the need to provide specialized waste disposal for unwanted medications. Larry Marsicano reviewed the slow progress with state authorization for a boat sticker program. Also, he stated that unlike earlier owners of Candlewood Lake, First Light is not paying its voluntary dues to the Authority and is also not cooperating technically on GIS.

Chairman O'Connor then stated that long time Conn DOT coordinator to HVCEO Kathryn Faraci was soon to take another position within Conn DOT. She noted Kasey's past receipt of a plaque of recognition from HVCEO and her continuing fine work for the Council, then wished her good luck in her new position.

The chairman then introduced Joan Hubbard of CT OPM's Office of Responsible Growth who was observing the meeting today. She also introduced Daniel Morley of CT OPM, who is the master planner for Connecticut and the chief architect of the state's Conservation and Development Policies Plan. Other guests were also welcomed.

MINUTES AND FINANCIAL STATEMENTS

On a motion made by Bob Burke and seconded by John Hodge, the minutes of the meetings of 2/15/2008 and 3/14/2008 were unanimously approved.

Concerning the financial statements for 2/2008 and 3/2008, Jon Chew explained an amendment for \$93,500 relating to the area police chief's request relative to the newly regionalized federal Justice Assistance Grant for Local Law Enforcement (JAGLLE). The total of \$93,500 represents

\$5,500 grants to 17 towns, all directed to HVCEO as one recipient for the Fairfield County Chiefs of Police Association for upgrading its intermunicipal radio communications system. On a motion made by Joe Borst and a second by Bob Silvaggi, the two financial statements were unanimously approved.

TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENTS

Dave Hannon reviewed the Conn DOT requested Transportation Improvement Program amendment and accompanying resolution. The change related to a statewide recreational trails project where the federal share was being increased by 600k, no impact on this planning region. On a motion made by Bob Brown and a second by Rudy Marconi the TIP amendment was unanimously approved.

UPDATE ON OPPOSITION TO FAA AIRSPACE REDESIGN

Rudy Marconi brought the members up to date regarding the activities of the Alliance for Sensible Airspace Planning. The legal brief in opposition to the FAA proposal to reroute incoming LaGuardia air traffic from Westchester County to Fairfield County is to be filed in July. With planned incoming flights to be at 3k to 4k feet above New Canaan and 5k to 6k feet over Ridgefield, interpolation of jet altitudes to the north is needed but FAA will not release the necessary data, citing pending litigation. He also said that expressions of interest have been received from Woodbury and Roxbury, and that the Alliance will make a presentation to any interested town.

CT DOT GRANTS FOR WHEELCHAIR ACCESSIBLE VANS

Rick Schreiner of HART gave a report, referring to his recommendation attached to the agenda. He noted that in November HART had mailed out notices of grant funding through the Federal Transit Administration's 5310 van grant program. Three proposals for grant funds were received from Ability Beyond Disability, the City of Danbury and the Town of Sherman.

He stated that all three are good applications, but that prioritization is needed, and that after consultation with the state van grant coordinator he recommended the priority order of 1) Sherman, 2) Danbury and 3) Ability Beyond Disability. He also noted that Sherman currently uses a leased vehicle as a stop gap measure for its one vehicle that is no longer in service, the most tenuous of the three situations. After discussion and on a motion made by Bob Silvaggi and a second by Robert Brown, the Council unanimously endorsed van grant priorities for submission to Conn DOT as recommended by Mr. Schreiner.

REPORT ON REGIONAL PLANNING BY THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATION COMMITTEE

Jon Chew distributed copies of the December 2007 report by the Legislative Program Review and Investigations Committee entitled "Connecticut's Regional Planning Organizations." A large wall map of Connecticut's planning region boundaries was also referred to.

The report found little fault with the regional planning system, leading to few substantive recommendations for revisions, he said. Also, that the three Committee members from our region, Senator David Capiello and Representatives Mary Ann Carson and Julia Wasserman each stated their opinion that HVCEO did its job well. The report essentially provides Connecticut's regional planning system with a "clean bill of health" for future engagements with state agencies, he said.

ANNUAL AGREEMENTS AND CERTIFICATIONS

Jon Chew presented the annual administrative approvals for FY2009 which included: A) FY2009 annual agreements with 1) Conn DOT and 2) HART; B) recertification for 1) transportation planning, 2) transportation plan, 3) nondiscrimination, C) air quality conformity for 1) TIP, 2) transportation plan, 3) particulates, 4) ozone, and D) CT OPM FY2009 Grant-in-Aid Authorization. Then on a motion made by John Hodge and a second by Robert Brown, the annual approvals and certifications was unanimously approved.

EMERGENCY RESPONSE PLANNING

Roy Piper of DEMHS Region 5 introduced his replacement, Robert Kinney, who will now be the Region 5 coordinator to HVCEO as Roy is being transferred to DEMHS Region 2. Roy then reviewed upcoming DEMHS related meeting dates, including the May 12 meeting in Bantam to vote on the \$942k federal grant spending plan.

Dave Hannon reported on negotiations regarding the draft \$942k spending plan. The large number of initial proposals have been reduced down to \$1.264 million, on the way to \$942k, he said. During the following discussion Mike McLachlan expressed concern that the Housatonic Region receive its fair share of the total, and Pat Murphy cautioned that maintenance costs and responsibilities resulting from the capital grants must be considered.

There was also discussion of the recent regional pandemic flu response exercise in Bethel, including for the first time in the area the setting up of a field hospital, the exercise was deemed to be a success. John Hodge noted that a recent health emergency table top exercise in New Fairfield made excellent use of the new DEMHS funded regional video conferencing system.

**PREPARING FOR NEGOTIATIONS WITH FIRST LIGHT POWER
IN RESPONSE TO RULING IN HACKETT V. JLG PROPERTIES**

It was noted that at the April meeting Attorney Ted Backer suggested that the Council write letters to the state building official and the DEP, to request their interpretation as to what authority local staffs retain below the 440 contour given the Supreme Court's Hackett ruling. These state agencies would rely upon the Attorney General for their responses.

And that upon receipt of responses, municipal leaders as a group would be in the proper position to negotiate a model agreement for regulation and inspection below the 440 with FirstLight. Attorney Backer was also requested to suggest a fee for preparing the letters from HVCEO to the state and for promoting receptivity as to their response.

Attorney Backer then presented his proposal. He stated that with help from John Hodge and Representative Mary Ann Carson, it was agreed that a meeting would be set up in the Attorney General's office to insure that the letters of inquiry would receive a response. Ted Backer and Jon Chew will make the arrangements for a meeting in Hartford after the legislative session ends on 5/7, with numerous attendees from the area the goal.

The proposed fee for services of \$7,500 was then reviewed. It had been agreed at the March meeting that as HVCEO has no legal services budget line, if a proposal for legal services from Attorney Backer was approved, the five municipalities bordering Candlewood Lake would be requested to accept invoices from Attorney Backer of equal 20% shares. Then on a motion made by Rudy Marconi and a second by Robert Brown, acceptance of the \$7,500 proposal and billing arrangement by Attorney Backer of five equal \$1,500 shares to be directed to the five lakeside communities was approved by all except Pat Murphy who was opposed.

**REGIONAL ROUNDTABLE RESPONSIBLE
GROWTH INITIATIVES TO EXPAND
TRANSIT AND PEDESTRIAN OPPORTUNITIES**

Joan Hubbard and Daniel Morley of CT OPM spoke to the request from CT OPM that HVCEO organize some of its activities as a "Regional Roundtable", defined by Governor Rell's Executive Order 15 on Responsible Growth. Increasingly, state funding for municipal projects will favor those that have regional components or regional priority, they said. Members then discussed three responsible growth topics relative to increasing transit and pedestrian planning, as follows:

1) UPDATE ON DANBURY BRANCH CENTRALIZED TRAIN CONTROL (CTC). Rudy Marconi reported on this topic, noting a recent meeting on the proposed CTC at Conn DOT with Deputy Commissioner Martin. He said the meeting was the second in a series for CTC advocacy, with Weston First Selectman Woody Bliss, Wilton First Selectman Bill Brennan and SWRPA and HVCEO staffs also in attendance.

He noted that the CTC is needed before Danbury Branch rail service scheduling improvements can be made, and that while the project design is largely complete, cost escalation to \$110 million is causing concern at both CT DOT and CT OPM. Another meeting will be planned to keep communications open and further promote the project.

2) UPDATE ON HART COMMUTER SHUTTLE BUS EXPANSION PLANS. Rick Schreiner of HART then reviewed progress with his 11/2006 research report recommending commuter bus service from New Fairfield to Southeast Station on the Harlem Line in nearby New York State. Funding for vehicles and operation is in place, with discussion in New Fairfield proceeding as to the most suitable park and ride location. A possible start date is late in 2008, if park and ride lot lease negotiations go smoothly, he said.

Next Mr. Schreiner provided an update on HART's 12/2007 report recommending commuter bus service from Danbury to Waterbury. Conn DOT may agree to funding this service, which will subsidize Bonanza Bus Company as the current intercity operator and franchise holder. The cost per trip for the rider could be reduced from about \$9.00 to about \$3.60, a stop in Newtown would be added, and a projection of daily trips under these conditions is about 170.

Joe Borst inquired as to the feasibility of a Newtown to Southeast Station commuter shuttle, and Mr. Schreiner stated that an earlier study did examine this option and found low feasibility. Mike McLachlan inquired as to ridership on the Danbury to Norwalk route and Mr. Schreiner reported a significant recent increase in ridership on that route.

3) BRIDGEWATER CENTER PEDESTRIAN PLAN. Jon Chew gave an update on this project, referring to an agenda attachment listing the Council's past and upcoming involvement with pedestrian planning. Copies of the Bridgewater report were distributed. Also, that First Selectman Bill Stuart was considering funding the recommendations with a state STEAP grant.

He noted that the next pedestrian planning efforts to be completed are the 1) New Milford Center Pedestrian Plan, 2) Brookfield Route 202 Pedestrian and Bus Stop Plan, and 3) the Pedestrian Chapter in the regional plan update.

ADJOURNMENT

On a motion duly made and seconded it was voted unanimously to adjourn the meeting at 2:00 P.M.