

**MINUTES OF THE 6/20/2008
HVCEO MEETING
AT BROOKFIELD, CT TOWN HALL**

MEMBERS AND ALTERNATES IN ATTENDANCE

Bethel.....First Selectman Robert Burke
Bridgewater.....Absent
Brookfield.....First Selectman Robert Silvaggi
Danbury.....Alternate Chief of Staff Michael McLachlan
New Fairfield.....Absent
New Milford.....Mayor Patricia Murphy, Vice Chairman
Newtown.....Alternate Selectman Herb Rosenthal
Redding.....First Selectman Natalie Ketcham
Ridgefield.....First Selectman Rudy Marconi, Secretary - Treasurer
Sherman.....First Selectman Andrea O'Connor, Chairman

OTHERS IN ATTENDANCE

Kathryn Faraci of Connecticut DOT, Robert Miller of the News Times, Brookfield Selectman Jerry Murphy, Newtown Planning and Zoning Chair Lilla Dean, Newtown Land Use Manager George Benson, David Fink of the CT Partnership for Strong Communities, Andrea Rynn of Danbury Hospital, Scott Leroy and Dan Barood of the Danbury Health Department, Eric Hampton of CT DEDC, Charlotte Barrows and Lynn Waller of Danbury, Redding Zoning Enforcement Officer William Flanagan, Kayla DePino of Litchfield, and Scott Benjamin of the Brookfield Journal.

Also Danbury Planning Director Dennis Elpern, Assistant Bethel Planning and Zoning Official Beth Cavagna, Western CT Red Cross Director Stephen Woods, Jennifer Reid and Sue Perlatto of the Ridgefield Health Department BLAST Program, Karen Gaudian of the Ridgefield Lyme Disease Task Force, Monica Bolesta and Russell Cornelius of the Brookfield Lyme Disease Task Force, Maggie Shaw of the Newtown and Brookfield Lyme Disease Task Forces, and from the HVCEO staff Camille Acquanita, George Blake, David Hannon and Jonathan Chew.

CALL TO ORDER / PUBLIC COMMENT

The meeting was called to order by Chairman Andrea O'Connor at 12:35 PM, after which attendees recited the Pledge of Allegiance. Lynn Waller spoke to the need for more affordable elderly housing to be developed in the area, preferably without stairs.

ADMINISTRATIVE ITEMS

MINUTES AND FINANCIAL STATEMENTS: On a motion made by Pat Murphy and seconded by Robert Burke the minutes of the meeting of 5/16/2008 were unanimously approved, with Andrea O'Connor abstaining. Then concerning the financial statement for 5/2008, on a motion made by Natalie Ketcham and a second by Robert Silvaggi, the 5/2008 financial statement was unanimously approved.

TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENTS: Dave Hannon reviewed the Conn DOT requested Transportation Improvement Program (TIP) amendments and accompanying resolution. The TIP items concerned 1) new pedestrian safety improvements in Bethel on Maple Avenue, Plumtrees Road and Whittlesey Road, 2) development of Connecticut's statewide 511 traveler information system to determine upcoming roadway conditions, construction information and transit options, including use of video from cameras for local first responders. During the discussion of this item it was stated that the new Connecticut system is designed to fit into 511 systems in neighboring states and is comparable to the more well developed national 911 emergency number system.

Mr. Hannon stated that the staff had reviewed the proposed TIP amendments and recommended their approval. Then on a motion made by Robert Burke and a second by Natalie Ketcham, the TIP amendments and accompanying resolution were unanimously approved.

TRANSPORTATION WORK PROGRAM APPENDIX: Jon Chew explained that Conn DOT had requested adoption of a standardized work program for all planning regions, to supplement the individual work programs previously approved. Then on a motion made by Dennis Elpern and a second by Natalie Ketcham, the Work Program Appendix was unanimously approved.

LOCAL ROAD ACCIDENT REDUCTION GRANT: As for this year's FHWA Local Road Accident Reduction Program grant applications, Dave Hannon reviewed the seven applications received. He noted that an application for one location was received from Danbury and applications for six locations received from New Milford, with a maximum of three to be forwarded by HVCEO and accepted by Conn DOT. The funding cap per project is \$325,000 with the municipal share 10% of that as well as 100% of costs for right of way and design.

Mr. Hannon recommended that the Danbury application, to address the high accident rate on Lake Avenue at Shannon Ridge Road, be approved for submission along with the two top priorities from New Milford. Questions were addressed regarding how cost benefit ratios are calculated for such projects. Then on a motion made by Rudy Marconi and a second by Robert Burke, the staff recommendation for Accident Reduction Program grant priorities was unanimously approved.

FY2009 HVCEO BUDGET: Jon Chew then reviewed the draft FY2009 HVCEO budget totaling to \$609,523. He noted that as usual the fiscal year's financial priorities are designed around our dominant federal transportation planning grant. The transportation grant work program guiding use of these funds was adopted on 4/18/2008 and represents 59% of the overall budget total. Consultant contracting priorities for the year are recommended as 1) Newtown state roadway curb cut management program, and 2) cost benefit analysis of proposed transit oriented development in Bethel.

Support from the ten municipalities reflects membership dues totaling \$144,695 or 24% of the budget. Staffing costs follow recommendations of the Personnel Committee meeting held on 4/30/2008, these minutes attached to the draft budget, he said. After discussion and on a motion made by Pat Murphy and a second by Robert Burke, the FY2009 budget was unanimously approved.

DECD COMMISSIONER TO BE INVITED TO COUNCIL MEETING: Eric Hampton of DECD spoke to this topic, recommending that DECD Commissioner Joan McDonald be invited to a future HVCEO meeting for discussion with members. Topics could include the future role of regional planning in economic development and how DECD wishes to interface with Connecticut's regional planning organizations. Members were enthusiastic about this idea and authorized Jon Chew to issue the invitation.

UPDATE ON ALLIANCE FOR SENSIBLE AIRSPACE PLANNING

Rudy Marconi, Chairman of the Executive Committee for this group, gave his report. Hearings in Washington continue, with Representative Shays and others testifying. Senator Dodd will speak to this topic in Norwalk in 7/1, with all HVCEO members invited. The GAO report on procedures followed during the FAA EIS process is due out soon, and may be a big help to the Alliance if there are unfavorable findings regarding the FAA. A brief discussion followed Mr. Marconi's remarks.

PREPARING FOR AGREEMENTS WITH FIRST LIGHT POWER

The full membership was updated as to the meeting held between Candlewood Lake municipalities and Attorney General Blumenthal on this topic on June 4. It was agreed that a summary of the results of the June 4 meeting would be placed in these minutes, included herein as follows:

The June 4 discussion with Attorney General Blumenthal indicated that there was agreement that FERC will not permit the full return of newly clarified First Light land use related public safety regulatory authority back to municipalities, but will likely accept an arrangement whereby municipalities exercise such authority on First Light's behalf. To accomplish this, there were two options offered at the meeting for structuring the proposed municipal agreements with First Light:

Option 1 - minimize the content of the agreement, an option proposed by Attorney Ted Backer. To maximize the retention of municipal powers, do not cede any more land use related public safety regulatory authority to FERC than is absolutely necessary.

While zoning permits will clearly be included in the agreement, questions remain as to the inclusion of building permits, certificates of occupancy and wetlands controls. Seek assistance from state agencies and the Attorney General in determining the precise limits of these. Include these limits in FERC authorized agreements with First Light.

Option 2 - Include in the agreement a broader, fuller package of land use related public safety regulatory authority, this option in progress with First Light by the Town of New Milford. First Light would in effect adopt the full scope of local land use regulations and delegate back enforcement to municipalities.

From this viewpoint Option 1 is seen as introducing complications with its separate bases of authority for land use approvals which are interrelated, such as the building permit being dependent upon the zoning permit. Attorney General Blumenthal stated he favored Option 2. His reasons included:

1) the fact that the CT Supreme Court's ruling in Hackett v. JLG properties was nearly unanimous and the intent was broad application, 2) the approach of broad application can preserve municipal authority for, if a FERC approved agreement with First Light "chooses" to involve the municipalities, then municipal approval becomes "essential" to First Light approvals, and 3) the more inclusive approach will have the best chance of surviving legal challenges.

The Attorney General also stated that he is willing to participate in discussions with FERC and First Light as to the structure of the agreements, and his office will provide review comments on the proposed agreement. Further, that he does not believe that DEP regulated Lake activities have been brought into question by the recent ruling.

There was then a discussion of next steps. It was agreed that a special HVCEO meeting would be called at which the New Milford model for agreement with First Light would be explained to other communities. As the Attorney General's recommendation was for other municipalities to follow the administrative precedent established by New Milford, the special meeting will be hosted by Mayor Pat Murphy and held in New Milford Town Hall. The New Milford town attorney and representatives of First Light will be invited to the meeting.

It was agreed that HVCEO members can attend or send a representative and invite observers as they wish. Mike McLachlan reported that municipal attorneys held had a phone conference call with attorneys at First Light.

It was agreed that the First Light – municipal agreements addressing issues arising out of the JLG Properties case can be more easily and satisfactorily resolved if kept separate from the FERC required Shoreline Management Plan. Also, that now that the direction for this issue had been settled, further services on option development by Attorney Ted Backer would not be needed and the process can proceed with municipal attorneys alone.

LYME DISEASE TASK FORCE UPDATE

Brookfield Selectman Jerry Murphy lead the presentation on this topic, which included supporting comments from representatives of the Ridgefield Health Department and representatives of the Ridgefield, Brookfield and Newtown Lyme Disease Task Forces. Highlights of the discussion were as follows:

- 1) *Lyme Disease is an out of control epidemic in our area. Underreporting and misdiagnosis are rampant. There is great pain and suffering by those affected.*
- 2) *Ridgefield has received a grant of \$50,000 from the CT Department of Public Health for a program of Lyme Disease prevention and education. The resulting BLAST Program (Bathe, Look for ticks, Apply repellent, Spray yard, Treat pets) is to be shared with all Fairfield County communities. A regional BLAST workshop will be held in Ridgefield on November 5, 2008.*
- 3) *A variety of educational materials have been produced and are being distributed. This included distribution to each municipal representative at the meeting of a box holding four separate educational curriculum binders with text and DVDs for kindergarten, third, sixth and ninth grades, school nurse's packet and a tick removal kit. Also, information about the Greenwich based timeforlyme.org web site.*
- 4) *Only Brookfield, Newtown and Ridgefield have local Lyme Disease prevention groups at present, with the Brookfield and Ridgefield groups town sponsored and the Newtown group developed from the grass roots. A regional coordinating group, sponsored by HVCEO, could assist them and stimulate local efforts in the other seven communities.*

There was then considerable discussion of the disease and the possible HVCEO role in promoting greater prevention. There was agreement that if a regional group was formed it could report progress at HVCEO meetings, also relate to the established regional group of health directors that meets monthly.

There was agreement that it would be best to retain wide choice in appointments by municipality, as in some the best representative may be from the VNA, others a citizen activist or health department staff person, etc. As the discussion evolved it was agreed the challenge would be to keep HVCEO members personally involved and to supplement, and not duplicate, work by health directors.

As for immediate action, it was moved by Natalie Ketcham and seconded by Pat Murphy to endorse the use of the BLAST program in all ten municipalities, all aye. As for the new regional Lyme Disease Prevention communications group it was agreed that Jerry Murphy would meet with Chairman Andrea O'Connor and Director Jon Chew to refine the recommendation for an HVCEO based process.

DRAFT OF DANBURY AREA COMMUNITY REPORT CARD

Andrea Rynn of Danbury Hospital distributed the draft report, which includes newly gathered statistical indicators of great importance to the health and social services communities. Indicators and related discussion for the ten town Housatonic Valley Region focus on town by town rates of access to health insurance, extent of child abuse, emergency room visits, mental health, rates of suicide, etc.

Collaborating agencies in preparing the community report card include the United Way of Western CT, Western CT State University, Danbury Hospital and the Danbury Health Department, with funding assistance from Boehringer Ingleheim, Fairfield County Bank, Union Savings Bank and the Fairfield County Community Foundation. It is anticipated that regular updating will be accomplished by WCSU graduate students and the latest report posted on the WCSU web site.

The key purpose of this cooperative effort is to provide new regional context and better comparisons on social and health problems, replacing town by town and agency by agency approaches to analysis, Mrs. Rynn said. Social service agencies have been advocating for this approach, and grant priorities will be shaped by this new data set. Danbury Health Department Director Scott Leroy stated that creating such

regional overviews is a national trend with the Greater Danbury effort somewhat ahead of most other areas.

There was then considerable discussion and questions and answers by members as to the process, some of the key statistics and their implications. Bob Silvaggi will make available data recently formulated as part of the Brookfield application for membership in the Newtown Health District. Members then thanked Mrs. Rynn for her presentation and requested to be informed when plans for a 9/18 report rollout are finalized.

EMERGENCY PLANNING UPDATE

Dave Hannon of HVCEO updated the members on emergency management planning matters. The DEMHS contract requirements for inventorying local emergency equipment have been met and the data forwarded to DEMHS. A link between the HVCEO regional video conferencing system and the Danbury Hospital system is expected by mid-July. Also that the process for distribution of the latest round of DEMHS grants to municipalities, using DEMHS Region 5 priorities approved by chief elected officials, is being finalized.

RESPONSIBLE GROWTH REGIONAL ROUNDTABLE

AFFORDABLE HOUSING. The first Regional Roundtable item was an update on affordable housing plans and grants by David Fink, Policy Director of the CT Partnership for Strong Communities. Mr. Fink noted that state financial incentives are available for municipalities that voluntarily create incentive housing zones. The zones must accommodate higher densities and the municipality must agree to ensure that a minimum 20% of the housing units in each development will be affordable. The affordable housing incentive zone grant applications are now available from Mr. Dimple Desai at CT OPM.

Also available from OPM, as of 4/1/2008 the agency is accepting applications for technical assistance funds to develop the capacity to plan and implement the necessary zones and then housing developments within the new zones. Mr. Fink also discussed progress with the similar program in Massachusetts, which is several years further along than the Connecticut program. There was then a question and answer period after which Mr. Fink was thanked for his visit.

ROADWAY ACCESS MANAGEMENT. The second Regional Roundtable discussion item concerned state roadway access management in New Milford, resulting in a "Routes 7 and 202 Access Management Overlay Zone" recently adopted by the New Milford Zoning Commission.

Dave Hannon explained the study process involved. This is an innovative way to maximize safety on busy commercial roadways and is part of the Council's overall responsible growth program, he said. He also noted that the next access management plan will be undertaken for Routes 6 and 25 in Newtown, then for Route 7 in Danbury, Ridgefield and Redding. The full list of all access management plans in the region, existing and proposed, was also presented.

OLD BUSINESS

Pat Murphy discussed bidding for fuel oil, noting that a regional approach may induce savings. This led to discussion of the services of the Capitol Regional Purchasing Council (CRPC) which includes Brookfield, Newtown, New Milford and Redding. Mike McLachlan stated that CRPC bid awards appear low, but then restrictions on the number of oil delivery points per municipality at that initial price raise the effective cost back up to less competitive levels once extra costs for multiple deliveries are factored in. Jon Chew will obtain the latest CRPC bid document.

ADJOURNMENT

On a motion duly made and seconded it was voted unanimously to adjourn the meeting at 2:35 P.M.