



Lower Connecticut River Valley Council of Governments

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Lower Connecticut River Valley Council of Governments And Lower Connecticut River Valley Metropolitan Planning Organization

MINUTES OF REGULAR MEETING

Wednesday, January 22, 2020

RiverCOG Members;

Chester: Lauren Gister * (9:15)
Clinton: Karl Kilduff * (until 10:10)
Cromwell: Anthony Salvatore *
Deep River: Angus McDonald * (9:15)
Durham: Laura Francis *
East Haddam: Robert Smith *
East Hampton: David Cox *
Essex: Norm Needleman
Haddam: Robert McGarry *
Killingworth: Cathy Iino *
Lyme: Steve Mattson
Middlefield: Ed Bailey * (9:15)
Middletown: Ben Florsheim * (9:30)
Old Lyme: Tim Griswold *
Old Saybrook: Carl Fortuna *
Portland: Susan Bransfield * (until 10:00)
Westbrook: Noel Bishop *

MPO Members:

Middlesex Chamber of Commerce: Darlene Briggs *
Estuary & Middletown Are Transit Districts: Joe Comerford *

Others Present:

Rep. Devin Carney
Rep. Irene Haines
Rep. Christie Carpino
Rep. Christine Palm
Sen. Paul Formica
Sen. Christine Cohen
Mayor Enzo Faienza, Cromwell
Joe Samolis, Director of Planning, Middletown
Pat Bandzes, Eversource
Cathy Lezon, Eversource
Johnathon Ferrigno, Eversource
Carol Conklin, Regional Election Monitor
Kenny Cusano, Weston & Sampson
Suzanne Helchowski, Westbrook
Ron Capozzi, Durham

RiverCOG

Staff Present:

Margot Burns
 Janice Ehle/Meyer
 Torrance Downes
 Rob Haramut
 Eliza LoPresti
 Sam Gold

1. Call to Order, Roll Call/Introductions, Public Speaking

Chairman Salvatore called the meeting to order at 9:05 a.m. at the TPC at River Highlands, 1 Golf Club Road, Cromwell, CT. Cromwell Mayor Enzo Faienza welcomed everyone.

Roll was called by Sam Gold.

a. Regional Election Monitor Report – Carol Conklin

Ms. Conklin noted that due to a state mandate there have been changes related to cyber and physical security in registrar's offices such as the creation of two-level authentication passwords. Her emails were hacked in May and November; she has been working with the state's cyber security task force and turned over her personal laptops for further investigation.

Ms. Bransfield noted that at a meeting in Portland she met a woman that is starting an anti voter fraud organization in Middletown. She mentioned that some of the statements made should be addressed by Ms. Conklin or other registrars.

At this time Mr. Gold walked through the timeline of the RiverCOG ransomware attack and discussed what steps are currently being taken.

2. Nominating Committee 2020 Officers and At-Large Executive Committee Members Report

All existing officers and at-large members of the Executive Committee have agreed to serve another one year term. Tim Griswold has accepted the nomination for the vacant at-large position.

The slate of officers is: Tony Salvatore for Chairman, Lauren Gister for Vice-Chairman, Ed Bailey for Secretary, Noel Bishop for Treasurer, Cathy Iino for at-large and Tim Griswold for at-large.

Ms. Francis moved the slate of officers as stated; Mr. McDonald seconded. Vote was unanimous in favor.

3. Annual Meeting with Lower CT River Valley Legislators**a. 2020 RiverCOG Legislative Agenda**

The draft agenda was presented but not voted upon

b. Discussion with Legislators

Discussion began with the issue of dead trees. Relief for municipalities, including for liability and help with purchasing equipment (collaboratively or at the state level) was discussed. Ms. Iino noted that there could be an economic development opportunity attached to using wood from the trees for a product.

Sen. Cohen stated she is very interested in this issue, especially in respect to regionalizing for equipment purchase which may be a capital expenditure. Rep. Palm noted that going forward this issue should be marked as an opportunity and a disaster and should be part of conversation related to bills for a green new deal and climate change as the root cause.

Sen. Formica noted there is a biomass plant though getting the dead trees there is an issue. He asked if state action is needed to help bypass tree wardens/posting. Ms. Gister noted that Chester has not had that as an issue, but town staff is often not certified to work near power lines, nor do they have the resources to deal with some of the trees so that work must be contracted out.

Ms. Francis discussed that we should be making sure that trees don't go back up in the same way. She has been working with DEEP regarding ordinances that can be passed to limit homeowners' abilities to plant trees in the right of way. She asked for enabling legislation to allow municipalities to adopt restrictive ordinances going forward so as not to recreate a future problem. Mr. Griswold noted that Old Lyme has a tree commission that governs tree planting on town roads/land by ordinance.

Rep. Carpino asked for more detail on some items on the agenda such as lifting limits on property tax abatements for first responders (needs ideas on what is being looked for) and ensuring accountability between the state's governments and agencies.

The conversation moved to trash and the MIRA facility. Mr. Bailey and Mr. Fortuna, who are both on the MIRA board, explained the state of the MIRA plant and financial impacts of rebuilding the plant or transporting our garbage out of state. MIRA currently processes 1/3 of the municipal solid waste in the state. At this time a policy needs to come from the state legislature whether we handle trash within our borders or ship it out of state. There are strategies that can be used to reduce the amount of trash, but they are not yet in place. The policies that exist surrounding this issue are at least 30 years old.

Sen. Formica stated that he believes we need to control the trash in state and not ship it out. He asked if there is a problem with the location of the plant in Hartford, which there is. He asked about other locations with Mr. Fortuna noting that there is not capacity in other plants/landfills. He acknowledged that if trash is reduced by pay as you throw (or other programs) there could be capacity but not at the current generation rate. The DEEP Commissioner has taken notice of this issue now. Sen. Cohen confirmed this and stated that this is the main focus of the environmental committee. She noted that most people don't understand what the complicated process is for waste in the state which is an obstacle. There are solutions around food waste diversion, capital investment in other facilities such as pulping stations or biosystems like Quantum. She also mentioned a bottle bill to increase the redemption rates.

Ms. Francis and Mr. Bailey spoke to what the next iteration of the MIRA plant could be if there were all the money in the world to help the solution: a mass burn plant. Currently the trash needs to be processed before it's burned which is an extra complicated step. This type of conversion would be in the area of 600 million dollars (vs. about 300 million dollars to fix the current plant). Ms. Francis noted that MIRA is being affected first because of contracts but this will be an issue for all the plants. Mr. Fortuna noted that bio plants in the state and aggressive recycling can create a lot of capacity. Also, that Hartford's Mayor is vehemently opposed to the plant in Hartford.

Food waste was discussed as a key component of reducing trash. Sen. Cohen noted that when food waste diversion becomes required, investors will come in for bio plants.

Tolls were discussed next. Rep. Carney spoke about the upcoming proposal, of which the details are still unknown. He has heard that it may be trucks only for twelve bridges in the state, there could be a board appointed to decide fees. It looks like \$197 million in revenue after costs that will go to transportation. He is unsure how the federal government weighs in on tolling revenue when it is for trucks only. Rhode Island is currently being sued for their tolls on trucks only. The Governor is also looking at some federal programs to try and leverage additional dollars into CT.

Chairman Salvatore stated there is concern with allowing CT DOT to administer the tolls. If a few tolls are in now, they can add more later, raise rates later, and go from trucks to vehicles later. Rep. Carney thinks Majority Leader Ritter is proposing a 13 member board that is a separate body that will decide on raising rates and that any proposals to change gantries or rates will have to go through the legislature (though he has not yet seen a proposal). Mr. Gold stated concern about how the money generated from tolls is spent. He would like to see a role for municipal CEOs in programming tolls revenue as in other programs.

Sen. Cohen stated that one of the possible contingencies is the oversight board which further diminishes the revenue from tolls. The twelve bridge locations are on the CT2030 website; the funds generated by those gantries would need to be used on those specific bridges. A constitutional amendment has been voted on for a transportation fund lockbox. Chairman Salvatore noted that money that is diverted before it gets into the lockbox is not in violation of the constitutional amendment, therefore the money is not guarantee to make it to the box.

Ms. Francis stated she is not in favor of having an oversight board because it is wasteful, creates another layer of bureaucracy and leads to transportation decisions being made on a political level instead of by transportation professionals.

Mr. Fortuna noted that if the toll proposal passes it may behoove the state to be an intervener in the lawsuit against RI prior to construction of gantries; because if gantries go up and CT gets sued the tolls will be moved onto passenger vehicles. Sen. Cohen noted that a decision is expected soon in the RI case and that if the toll bill passes the first gantry won't be up and running until three years from now.

Rep. Palm noted that the process has been disappointing from the beginning and the anti-toll voices are leading the narrative. She asked that any people that feel a form of tolling is sensible speak up as the legislators haven't been hearing from them. She suggested considering the 9-Town Transit model elsewhere. She feels that the latest plan brings us up to maintaining what we already have; with no provisions for anything green or visionary. The point is to move forward with funding with solar power, micro transit solutions, etc. Mayor Florsheim noted that the "nos" for tolls are loud because the "yes" votes needs to be about something more than the status quo. He asked what role municipalities will have in shaping decisions about funding.

Mr. Gold noted that the gas tax is intended as a user fee, but that is now a diminishing resource. There needs to be a larger conversation on what the new user fee will be, though it is not currently framed that way. He also underscored support for our transit districts. Rep. Haines voiced support for the 9 Town Transit micro service model and suggested this be looked at statewide, and also

used for educational purposes. She stated COGs could make this known as most people don't know it's happening, and using connecting services like this can get more people off the highways if there is sufficient service.

Chairman Salvatore cited an article in the Middletown Press having to do with the open container law in CT. The state is losing federal money (estimated at \$150 million over the years) because we won't pass legislation disallowing open containers for vehicle passengers. He stated we should consider passing this legislation to create extra revenue.

Rep. Carney stated that he is opposed because it's not really a safety hazard and that the police are spread too thin to enforce this law. He noted that our state police numbers are diminishing and would prefer them to focus on other laws.

Sen. Formica asked if towns have tourism representatives and if not, does the town rely on the Chamber? He is suggesting that legislation allow for regional tourism representatives. The Senator asked about other issues; Chairman Salvatore stated he would like to see the Interlocal Capital Equipment (ICE) money come back to encourage towns to work together to purchase shared equipment, especially since the RPIP money isn't really for capital equipment purchases.

Ms. Iino stated that disbanding virtual net metering would be a benefit to small towns. The Senator said this is being looked at in the energy committee. Ms. Francis is concerned about staffing for state police. The costs for training are being pushed onto the municipalities so training is being reduced. She stated that the cost of benefits and fringe for the state police is devastating to towns like Durham, especially if they have agricultural fairs. Chairman Salvatore reiterated the point about training and problems with municipal departments unable to recruit and not meeting due diligence in training municipal officers. He also stated that separating POST and DESPP should be explored.

4. LCRVMPO Business

a. **Approval of Minutes of the December 11, 2019 LCRVCOG & LCRVMPO Meeting**

This motion was tabled as COG staff was not able to access the minutes on the hacked network.

b. **2019 TIP Amendment 36, replacement of traffic signals in District 2, project #0172-0496**

Mr. Fortuna moved to approve TIP Amendment #36, second by Mr. Florsheim. Vote was unanimous in favor.

c. **Other Transportation Updates**

- i. **Update on Corridor & Transit Studies:** The Route 81 study is complete. Route 66 is in progress, the alternatives analysis & technical memo should be received this week, then there will be a series of public meetings with the final report anticipated for May.

Draft scenarios for different levels of integration have been received for the Regional Transit Integration Study. They were reviewed and sent back to the consultants as none of the stakeholders was happy with the initial product. They will be revised and returned soon.

5. LCRVCOG Business

a. RiverCOG Cyber Attack

CIRMA's insurer Axa has authorized their IT consultant to come to CT and work with our IT consultant to assist. Mr. Gold thanked staff for their help at this time.

b. Regional Performance Incentive Program Grant Applications

Four initial portions of applications were submitted by RiverCOG, They were for a regional GIS update, a shared building department and digital documentation feasibility study between Chester and Killingworth, new radios for Chester, Deep River & Essex through Valley Shore, and upgrades to the emergency communications network with Durham and Valley Shore. WestCOG's proposal for a statewide municipal boundary survey was also endorsed.

i. Endorsement Resolution of RPIP Projects

Ms. Iino moved to endorse the four projects submitted; second by Mr. Smith. Vote was unanimous in favor.

ii. Authorization of WestCOG to work on RiverCOG's behalf on the Statewide Municipal Boundary Survey

Ms. Francis moved to authorize WestCOG to work on RiverCOG's behalf on the Statewide Municipal Boundary Survey project. Second by Mr. Fortuna. Vote was unanimous in favor.

Applications for all four need to be complete by February 28. Ms. Francis suggested setting up a meeting to walk through the applications.

c. RiverCOG FY 2021 Dues (same calculation as FY20)

Mr. Fortuna moved to open the agenda item for discussion; second by Mr. McDonald. Vote was unanimous in favor.

Discussion: The formula for calculation will stay the same as last year. All towns in the region but Essex declined in population.

d. New Household Hazardous Waste Vendor – Committee Report and Authorization

The HHW committee has looked through the three RFPs received. Ms. Ehle/Meyer noted that prices will be higher this year. She asked for a motion to allow the committee to select a vendor as they have not done so yet. They would like to get the schedule set before the next COG meeting. At this time Mr. Bishop created such a motion and Mr. Smith seconded, though this motion was later withdrawn by both. Ms. Iino asked about the fee differences between vendors. Ms. Ehle/Meyer explained the pricing structure of per container or per household, plus extra fees. The way that costs will be assigned to towns is still being worked on. Ms. Iino stated she felt uncomfortable approving something so amorphous. Mr. Gold suggested a special meeting, perhaps by phone, to approve this once the committee makes their selection and figures out the pricing for the towns.

Ms. Iino suggested that the committee produce a report by next week and authorize the COG to approve the vendor by a phone meeting or by email. Ms. Gister noted the large differences in price between the vendors and their methodologies so that it is almost like comparing apples and oranges. There are options being discussed such as holding fewer collections. Mr.

Bailey stated that three towns are on the committee and that they can be trusted to make a decision on behalf of the group.

Mr. Bailey moved that the committee, which includes a good cross-section of towns, shall decide which vendor will be chosen. Second by Mr. Bishop. Vote was unanimous in favor. Discussion: Mr. Cox noted that all the towns should have a conversation and be allowed to decide how the costs will be divided. Chairman Salvatore asked Ms. Ehle/Meyer to explain the division of costs now, which is that each 20 pounds of waste is one household and the towns are billed accordingly, plus a base charge per town for the program.

e. New RiverCOG Staff Member – Megan Jouflas

Megan will be starting as a Planner on February 13.

6. Chairman’s and Executive Director’s Reports

Chairman Salvatore had no report.

Mr. Gold stated that the met with the new Commissioner of Agriculture, Brian Hurlbut, during the Regional Agricultural Council meeting.

Mr. Gold has been chairing the meetings of the CT COGs. OPM has asked the COGs to fight it out amongst themselves how funding is divided. They have a solution that they all hate the least, there is a phone call with Martin Heft of OPM this week and it is moving forward.

7. DEMHS Report

A written report from Jake Manke was included in CEO packets. Mr. Downes reported that he will be creating an after-action report on the cyber security incident that is plaguing RiveCOG which will be a deliverable for the program. This will become a best-practices presentation to this board in the future.

8. Other Business

Ms. Burns stated that she is attempting to meet with Sen. Needleman, DEEP and others regarding a hydrilla survey. She would like as many towns as possible to attend.

Mr. Gold noted that because of the hacking we had to postpone the new COG members meeting which will be rescheduled.

Ms. Francis noted that the state allows by statute for municipalities to enter into agreements with one another to offer tax abatement for volunteer first responders that serve in one town but live in another. She is asking for assistance to help draft a model agreement that can be used in our region. Specifically she would like barriers to volunteerism removed. Mr. Gold suggested additional help from COST and/or CCM.

The February COG meeting will be a lunch time meeting; location TBD.

9. Adjournment

Mr. Fortuna moved to adjourn at 11:09 a.m. Second by Ms. Iino; vote was unanimous in favor.

Respectfully submitted, Eliza LoPresti

RiverCOG