



**NAUGATUCK VALLEY
COUNCIL of GOVERNMENTS**

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MINUTES

Naugatuck Valley Council of Governments – Transitional Executive Committee

COGCNV Conference Room

49 Leavenworth Street, Suite 303

Waterbury, CT 06702

Friday, September 12, 2014

NVCOG Members: David Cassetti, Mayor, Ansonia; Dominick Sorrentino, Proxy, Beacon Falls; Leonard Assard, First Selectman, Bethlehem; Ken Cockayne, Mayor, Bristol; Jerry Sitko, Proxy, Cheshire; Ed St. John, First Selectman, Middlebury; Bob Mezzo, Mayor, Naugatuck; Joanne Pelton (by phone), proxy, Oxford; David Merchant, Mayor, Plymouth; Tom Galvin, Proxy, Prospect; Kurt Miller, First Selectman, Seymour; Mark Lauretti, Mayor, Shelton; Ed Edelson, First Selectman, Southbury; Kevin DelGobbo, Proxy, Waterbury; Amy Desaulniers, Proxy, Wolcott, Bill Butterly, Jr., First Selectman, Woodbury.

Speakers and Guests: John DiCarlo, Waterbury Regional Chamber; Stephanie Podewell, Congresswoman Elizabeth Esty's office; John Monteleone, Selectman, Southbury.

Staff: Samuel Gold, Pat Gallagher, Glenda Prentiss, Aaron Budris, Joanna Rogalski, Virginia Mason, Lauren Rizzo, Rick Dunne, Clare Falcha, Mark Nielsen, Sean Kellerher.

The meeting was convened at 12:28 p.m. There was no public comment.

1. Approval of the Minutes of the August 22, 2014 COGCNV-NVCOG TEC Joint Meeting

On a motion by Kevin DelGobbo, seconded by Bob Mezzo, it was unanimously

VOTED: To approve the minutes of the August 22, 2014 COGCNV-NVCOG TEC joint meeting.

2. Authorization of NVCOG TEC Co-Chairs to Enter into a Lease Agreement with Leavenworth Partners

Sam Gold said the owners of 49 Leavenworth Street, Waterbury, have offered an amendment to COGCNV's current lease to be assumed by NVCOG on January 1, 2015. The new lease will be for the entire third floor for up to 10 years with a 10 year renewal. The lease has been reviewed by COGCNV and VCOG staff and is currently being reviewed by COGCNV counsel Steve Mednick. The landlord has agreed to pay for finishes and upgrades that would otherwise be done for another tenant. NVCOG will pay additional for upgrades beyond those to be specified in the lease agreement. Following discussion, on a motion by Kevin DelGobbo, seconded by Bob Mezzo, it was unanimously

VOTED: To authorize the Co-Chairs of the NVCOG Transitional Executive Committee to enter into a lease agreement for up to five years with Leavenworth Partners, LLC for the third floor of 49 Leavenworth Street, Waterbury, CT, upon review of counsel.

3. Authorization of NVCOG TEC Co-Chairs to Enter into a MOU with Capitol Region COG for Payment for Transportation Planning Work for Bristol and Plymouth from January 1, 2015 until the Dissolution of the Central Connecticut MPO

Samuel Gold explained that the Central CT Regional Planning Agency (CCRPA) will cease to exist after 12/31/14. One of CCRPA's responsibilities is providing transportation planning services to Plymouth and Bristol. On 1/1/15, the Capitol Region Council of Governments will take over the hosting of the Central CT Metropolitan Planning Organization (MPO) and its transportation planning responsibilities. A draft MOU to share the responsibilities of running the MPO with Capitol Region has been prepared. Capitol Region will be the host and NVCOG will be a subcontractor. In exchange, Capitol Region will enter into a contract with NVCOG to share the portion of transportation planning funds owed to Bristol and Plymouth, based on a per capita formula. This is intended to be a short term, interim arrangement, as it is hoped the MPOs will be redesignated by 7/1/15, but if there are any delays, the MOU with Capitol Region would last as long as necessary. The goal is to have Bristol and Plymouth first join the Central Naugatuck Valley MPO and then eventually, perhaps in tandem with the Valley COG towns, join a new Naugatuck Valley Metropolitan Planning Organization having the same boundaries as the new COG.

Mr. Gold also said the federal transportation planning grant that an MPO receives requires a 20% non-federal match, 10% coming from the state and 10% coming from the municipality. Capitol Region plans to create an arrangement where they will reimburse NVCOG. They will also have to demonstrate to the Federal Highway Administration that the required 10% match has been met. Some assessment of dues for Bristol and Plymouth will need to be determined for the second half of 2015 to meet their non-match requirement of the transportation planning grant. The other municipalities, through payment of COGCV or Valley COG dues, have already met the match for their respective planning grants. Mayor Cockayne had some questions regarding the match and funds coming from OPM. It was agreed that discussion of this topic will take place at a future date. On a motion by Ken Cockayne, seconded by Bill Butterly, it was unanimously

VOTED: To authorize the Co-Chairs of the NVCOG Transitional Executive Committee to enter into an agreement with Capitol Region for funding for Bristol and Plymouth starting January 1, 2015.

4. Authorization of NVCOG TEC Co-Chairs to apply for State Grant-in-Aid (SGIA) Notice of Grant Award

Rick Dunne said that under a new formula, there is State Grant-in-Aid available to the regions this year. He noted that both Valley COG and COGCV anticipated this OPM funding in their respective budgets. Now that agreements are being entered into on behalf of NVCOG, as it is certified and set-up, it is eligible to receive the funds directly. In discussions with the co-chairs, it was determined that the preference is to get funds into NVCOG's coffers. An employer identification number has been secured, as well as a state tax certificate, and bank accounts are being set up for NVCOG. He said the motion today would be for a request that the co-chairs be empowered to issue a letter to the Secretary of OPM requesting that the State Grant-in-Aid funds be issued in the name of the Naugatuck Valley Council of Governments for fiscal year 2015. Mr. Dunne said this plays into a number of other issues, such as entering into a lease agreement. He noted that an agreement has been entered into for the services of a search consultant and other outside contracts are being contemplated. He introduced Valley Financial Manager Clare Falcha who passed out a schedule of one-time merger expenses that are anticipated for the formation of NVCOG from now until 1/1/15. He noted that other expenses may arise and that there might be other expenses incurred by the two COGs that are not accounted for in the schedule. He said possibly at the next meeting, he would be looking for endorsement of expenditure items. He reviewed the schedule of merger expenses and the options shown on it for a cost allocation by the number of member towns or by population. He

felt that the population split might be more appropriate because the OPM grant has a per capita component. He noted he was looking for authorization to get the SGIA funds into the coffers of NVCOG and had prepared the schedule of one-time merger expenses in an advisory way to have the COG members review it and ask any questions.

Ed Edelson pointed out that the columns labeled as NVCOG should actually be labeled COGCVN. He reiterated that the figures are estimates of one-time expenses. Rick Dunne said that moving costs for NVCOG had not been allocated. He said it really didn't matter if they were allocated or not, as when the two agencies are merged all residual funds, through an asset transfer agreement, would come into the new NVCOG. Mr. Edelson said authorization was being sought for the co-chairs of NVCOG TEC to write to OPM to get them to release the funds, which might be anticipated within the next two or three weeks. The funding would enable NVCOG to start writing checks, rather than having expenses come half out of one organization and half out of the other. On a motion by David Cassetti, seconded by Ken Cockayne, it was unanimously

VOTED: To authorize the TEC Co-Chairs to apply for State Grant-in-Aid (SGIA) Notice of Grant Award (NOGA) with State Office of Policy & Management in the name of the Naugatuck Valley Council of Governments for the fiscal year end 2015.

Rick Dunne said there will be changes when going forward with the VCOG and COGCVN budgets, as the SGIA revenue will no longer be anticipated in their respective budgets. Ed Edelson said that speaking from the COGCVN point of view, if there are expenditures and insufficient funds because they went to the new organization, there would be a request for funds to be loaned or transferred out.

5. Update on CT DEEP Proposed MS4 Municipal Storm Sewer Permit Renewals

Aaron Budris said the current General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4) was issued on January 9, 2004, and has been reissued without modifications since then. The purpose of the general permit is to protect state waters from urban stormwater runoff through municipal separate storm sewer systems. The current permit regulates 113 MS4s across the state based on 2000 census designation of urbanized area, including all municipal systems in the new NVCOG region with the exception of Bethlehem.

The CT Department of Energy and Environmental Protection (DEEP) plans to re-issue the MS4 General Permit with modifications, and on July 7, 2014 released a draft of the permit with proposed changes. As outlined in Memorandum 090514S, COGCVN staff identified a number of proposed changes with serious impacts to municipalities.

At a public information meeting on August 6, DEEP representatives explained that the issued draft was intended to be a starting point for dialogue, and they allowed for a 60 day public comment period. COGCVN staff submitted a letter which was endorsed by the CNV Regional Planning Commission. The letter expressed concern about the potential fiscal impact of some of the changes, and requested that DEEP rewrite the permit keeping in mind economic constraints at the municipal level. DEEP announced that they have been petitioned to hold a public hearing, and should be scheduling one sometime in the fall along with an additional opportunity for public comment. COGCVN staff will continue to follow developments and will keep municipal officials apprised of any developments.

Additionally, it was suggested that Samuel Gold's September 3 letter to Christopher Stone at DEEP might be modified as something the COG members could send to the state legislators to express their concerns with the proposed modifications.

6. NVCOG Formation Update

- a. *Authorization of Transitional Executive Committee to Procure Consulting Services* – Ed Edelson said Kurt Miller and he agree that the current executive directors are spending a lot of time on administering the COG formation process. In order to help them return their focus to their day to day work, Mr. Miller said it would be in the best interest of the 19 towns to bring in an interim management consultant to manage the process, thus removing the burden from Mr. Gold and Mr. Dunne. The consultant would report to the board through both the co-chairs, be assigned a specific staff, and manage the overall process. Instead of the executive directors giving information to the co-chairs, the co-chairs would get the information at the same time from one person. The consultant would be responsible for getting the necessary information from Mr. Dunne and Mr. Gold, as well as staff. Mr. Miller also said that with the subcommittees beginning to really take shape now and have impact, it is extremely important to have someone manage those processes and can help move them along. Mr. Miller hopes to assign staff from both COGCNV and Valley COG to work directly for the interim management consultant. He would also like to have this individual be allowed to choose an attorney to help manage the process, which would allow the attorneys for each COG to focus on the needs of the individual COGs. Mr. Miller said the person who came to mind for the position was Peter Burns. Mr. Miller also said that he felt many COG members were familiar with him and that Mr. Burns has a level of credibility and an understanding of the process, as well as a rapport with a number of the municipalities. Mr. Miller said the other members of the executive director search committee are comfortable and on board with the decision to hire Mr. Burns, and so he was now bringing the matter to group at large to see how they wish to proceed. Mr. Edelson clarified that Mr. Burns will not be a decision maker, but rather a facilitator or administrator. Jerry Sitko inquired about the scope of services and requested that the CEOs see a copy of it before anything is entered into. Kevin DelGobbo agreed that the hiring of Mr. Burns for a very short term basis would allow each COG to keep focus on the business at hand while insuring that a fully fleshed out NVCOG was in place for January 1. Mr. Miller said this is not perceived as being a full time position, and should only take 5 – 10 hours per week. In response to a query by Jerry Sitko, Mr. Miller said the rate would be \$100/hour with an amount not to exceed \$12,000. Mr. Miller said Mr. Burns might want to bring in additional consultants or an attorney and, administratively, he would pay for that himself. If the board is willing to move forward, Mr. Burns would begin on September 22. In response to a question, Mr. Miller said Mr. Burns was the only individual approached about this position. Mr. Cassetti and Mr. Lauretti said Mr. Burns is well versed in government and had been a former economic development commissioner. On a motion by David Cassetti, seconded by Mark Lauretti, it was unanimously

VOTED: To hire Peter Burns as an interim management consultant.

7. Other

Virginia Mason updated the members in DEMHS Region 5 on emergency planning activities. A training session will take place on October 8 at the Watertown Fire Department. Five COGCNV towns have not yet named recovery coordinators. The Citizens Corps conference takes place on

October 16, and on November 8 and 9 the annual Citizens Corps training will take place at the Fire Academy.

Back on to the topic of the Naugatuck Valley COG formation process, Samuel Gold said a policy subcommittee meeting had been held immediately prior to the COGCNV and NVCOG meetings. Draft bylaws and a code of ethics were reviewed. The next step of the process will be handing the material over to the attorneys for legal review. It is expected the bylaws and code of ethics will be presented to NVCOG for adoption in October.

Rick Dunne said NVCOG is operating under the transitional executive committee statute and it is intended to be an interim body that can function quickly in the short term. He said that NVCOG will, hopefully, form on January 1 and on that date all the rules and regulations adopted through this process will occur at that point. He said the statute is intended to give wide latitude to the co-chairs to engage services and get things done. He also noted that although he and Samuel Gold will be able to return to their duties with the hiring of Mr. Burns, he wanted to recognize administrative and planning staffs of both COGs, as they have been performing double duty and will continue to do so.

8. At 1:19 p.m., on a motion by Bill Butterly, seconded by Tom Galvin, it was unanimously

VOTED: To adjourn the meeting.

Respectfully submitted by
Lauren Rizzo
Administrative Assistant
for
Ken Cockayne
Secretary