



MEETING MINUTES
ORGANIZATIONAL MEETING

Regional Planning Commission (RPC)
of the Naugatuck Valley Council of Governments (NVCOG)
49 Leavenworth Street – Suite 303, Waterbury, CT
7:00 p.m. Tuesday, January 6, 2015

Attendance: Joseph Jaumann, Ansonia; Gary Giordano, Bethlehem; Michael Opuszynski, Beacon Falls; Marie Keeton, Bristol; Ken Long, Middlebury; Bill Paecht, Seymour; Ruth Parkins, Shelton; Bob Flanagan, Thomaston; Jim Sequin, Waterbury; Cathe Sherman, Wolcott; Robert Clarke, Woodbury; Bob Travers, Woodbury.

Staff: Rick Dunne, Executive Director NVCOG; Mark Nielsen, Director of Planning, NVCOG; Joanna Rogalski, Regional Planner NVCOG; Patrick Gallagher, Senior Planner NVCOG; Aaron Budris, Regional Planner NVCOG.

1. Pledge of Allegiance, Roll Call, Introductions, Public Participation

The meeting opened at 7:05 PM. Mark Nielsen, Director of Planning for NVCOG opened the meeting with a welcome to all representatives and members of the public. The nature of the meeting would be organizational; a means of RPC members getting to know each other and discussing how the RPC will be working together. Members and staff introduced themselves and roll call was taken. The RPC representative appointment process was noted as having occurred relatively quickly. The pledge of allegiance was recited. It was noted that a quorum of 10 representatives was present. The public was then invited to make any comments. No comments were made from the public.

2. Establish Nominating Committee for RPC Officers – Chairperson, Vice Chairperson, Secretary

Because of the organizational nature of the meeting, it was decided that establishing a nominating committee was the best approach to organizing the NVCOG RPC officers. A call for volunteers to serve on this committee was made. Three members volunteered: Ken Long, Cathe Sherman and Bob Clarke.

As a matter of business, it was noted that a temporary chairperson could be elected tonight to lead the meeting.

Election of Ken Long as NVCOG RPC Temporary Chairperson for January 6, 2015 meeting
On a motion by Bob Flanagan, seconded by Michael Opuszynski, it was unanimously

VOTED: To elect Ken Long as NVCOG RPC Chairperson for the January 6, 2015 meeting.

Rick Dunne commented that for the record, 11 NVCOG RPC voting members are present for the meeting.



3. Mission Statement Review/Adoption (Action)

Ken Long opened the discussion by stating that there has never been a mission statement crafted for the COGCNV RPC or Valley COG RPC. As RPC read over the draft mission statement, Ken Long described the process of crafting the mission statement presented at this evening's meeting. The process began in the Summer of 2014 by Ken Long, former COGCNV Executive Director Samuel Gold and COGCNV Assistant Director Virginia Mason in anticipation of the NVCOG consolidation. A mission statement was drafted in the Fall of 2014 and discussed by the COGCNV RPC. The intention was that the entirety of the NVCOG RPC would edit and finalize the mission statement.

Joanna Rogalski invited the NVCOG RPC to share their experience with planning commission and their expectations of the NVCOG RPC. Ruth Parkins shared her experience and expectations.

Rick Dunne and Mark Nielsen discussed the purpose and intent of the RPC. It is a group focused on land use at the regional level; an advisory body to the COG. The RPC will look at zoning referrals and amendments and offer their comments. The RPC will be concurrently learning from each other and commenting – this is captured in the draft mission statement.

Rick Dunne discussed the Connecticut General Statutes guiding the RPC. The legislature has only mandated Councils of Government. The COG's require that CEO's make regional planning decisions. There was an allowance made for the COG to create a Regional Planning Commission. Article X of the NVCOG By-laws allow for the planning duties of the Council to be carried out by the Regional Planning Commission. State mandated referrals will go through the same process for RPC review. The RPC will also be used to develop policy embodied in the Regional Plan of Conservation and Development (RPOCD) and the Long Range Transportation Plan (LRTP). An RPC working committee will vet plans developed by staff and then send along those plans to the Council for endorsement. Most regionally based plans will go through the RPC.

The Board of the NVCOG has not yet had its organizational meeting – that will occur on January 16, 2015. At that meeting, the staff will be presenting and recommending for adoption all policies the agency.

By-laws can be amended at any time with a quorum present. Recommendations from the RPC for amendments can be brought before the Council on relatively short notice. A number of changes and recommendations have been made by the staff. The plan is to incorporate most of those for staff recommendation for adoption by the Council. Plan is to publish all recommendations by Friday, January 9, 2015. If something is not in the recommendations by January 9th, COG can make changes in the future.

Bob Flanagan stated that Rick Dunne has captured the essence of the RPC. Chief Elected Officials (CEO's) are busy people; the RPC as a working group can streamline and make the COG more efficient. The COG uses staff to make recommendations; the RPC considers the recommendations and then passes them on to the CEO's. The RPC plays an important role as another set of eyes on the policy and a means of streamlining the referral process for CEO's.



Rick Dunne elaborated that the state legislature had the expectation that CEO's would do everything under the COG. The state association of COG's will be discussing this expectation with the Legislature's Planning and Development Committee. RPC representatives should feel free to add comments regarding how state law is structured and send those comments to Rick Dunne, who will pass them on to the legislature.

Q: What is the timeline for the RPOCD?

A: There is no penalty for not meeting a state deadline for updating the RPOCD. Most municipal POCD's will be updated by July 1, 2015. Intention is to use current RPOCD's as basis along with municipal POCD's. It is important for the RPOCD to be consistent with municipal and state POCD's.

An idea was presented: Let POCD's flow from the local upwards to the regional levels instead of top-down. Local POCD's are more detailed, regional more general and state even more general. Drafting the regional POCD will be an interactive process with the RPC providing important direction. Target for updated Regional POCD is 2016, assuming all municipal POCD's will be filed on time in 2015.

Ruth Parkins commented that the POCD is viewed as a working guide, not to be followed to the letter.

Mark Nielsen agreed that the POCD is a guide and a framework not a rigid document. The RPOCD can be adjusted and modified as needed. It should reflect the needs and goals of the region. RPC input is critical, especially since the NVCOG is comprised of three (3) regions joining as one.

Ken Long redirected the discussion to the draft Mission Statement.

Ruth Parkins asked to continue the roundtable of learning about the planning experience of other RPC members, and how they came to this table. Members took turns describing their planning experience and commenting on the draft mission statement:

- This is a great mission statement.
- Important to have civic involvement in planning.
- RPC is an avenue of input and discussion.
- RPC has a lot of discussion and sharing of info that gets brought back to towns, info that might not get to the municipal level.
- Important to work together as towns on a long term plan, not just short term.
- RPC allows for more information from the regional to the municipal levels.
- RPOCD focuses on cooperation with various towns and deals with inconsistencies; it is a forum for inconsistencies.
- Is in agreement with mission statement. A prosperous region needs alignment of towns and cities. The information exchange has helped towns and cities.

Rick Dunne described the NVCOG consolidation as a cultural merger. VCOG had written the POCD's for Ansonia, Derby and Seymour. Shelton did its own because it has a municipal planning staff. He is not sure if municipal POCD writing will be taken up by NVCOG. New services of the NVCOG are



being developed such as a COG engineer transportation project reviews and a COG planner. An opinion survey of NVCOG members and RPC representatives asking for proposals for needed services from COG is expected this summer. The LRTP will be the first planning document to be addressed as an NVCOG region.

Ken Long would like to give new towns' RPC representatives a chance to review the draft mission statement. Action may be taken at the next RPC meeting.

Motion was tabled.

4. NVCOG Draft Bylaws – Draft list of amendments to Article X of the NVCOG By-laws, as adopted by the NVCOG TEC on November 14, 2014 (Action to recommend amendments to the NVCOG Council)

Rick Dunne stated that the policy documents were under legal review to make sure none conflict with each other. The documents are also being reviewed for statutory compliance.

Joanna Rogalski described the proposed changes to Article X of the NVCOG By-laws as detailed in the memo dated 12-11-2014. There were 3 areas of Article X that needed clarification: 1) the process of appointing an RPC representative and including a land use officer instead of a chief administrative officer as a representative, 2) Adding a definition for the "Land Use Officer" in article I, and 3) including 'recommend' and the 'POCD' to Article X's Duties and Responsibilities section. She further stated that the intention was to bring the memo to the new NVCOG RPC body for edits or additions. The COGCNV RPC had made no votes about the amendments.

Rick Dunne stated that the amendment recommendations do not need to be a voted on by the RPC. The amendments can be recommended by either consensus or majority. Staff is still working on a final draft to the Board. Bones of the By-laws were outlined by the CEO's. CEO's preferred to appoint people to the RPC who were from local commissions, or people who were municipal professionals in planning, land use or zoning. It is up to the CEO's to delegate additional duties to the RPC. In general, any suggested amendments to the by-laws will be adopted by the Council. He advises the RPC to not recommend anything that is limiting. Rick Dunne has directed NVCOG to send every major document through the RPC.

Q: What is Rick Dunne's recommendation about the By-law proposed amendments memo?

A: RPC endorsement of memo is not needed but the RPC is welcome to endorse it. Current memo has been reviewed by COG staff, past and present Executive Directors of COGCNV, VCOG and NVCOG, and the COGCNV RPC.

Ken Long stated that he would like to give former VCOG towns a chance to review and comment on the memo. Bob Clarke suggested that further discussion about the memo be held off until the next RPC meeting. Ken Long stated that the by-laws can be further modified at a later date. The proposed by-law amendments are only cleaning up language and processes. Rick Dunne stated that there is only a regular notice for by-law amendments and no special public hearing is needed. The vote does not require a supermajority of all members, just a regular vote of a quorum. If elected



officials are happy with the by-law amendments, that is most important since they are the ones who appoint us. Any actions of the COG get filed with Town Clerks and are given online distribution.

Ken Long stated that the proposed Article X by-laws as presented in the memo should be left in the hands of the NVCOG Executive Director for further action.

5. Schedule for meetings (Action)

Discussion about the meeting schedule followed. All but one of the former VCOG RPC representatives is an incumbent to the NVCOG RPC. There is generally no opposition to the former COGCVN RPC meeting schedule. The larger size of the NVCOG region necessitates a later meeting time like 7 PM. Meetings would occur every other month.

Q: Has a change of meeting location been considered?

A: The COG may be meeting in different locations month to month and the RPC could follow that trend. Waterbury is central to the region – switching to different locations may result in some meetings not being attended by a quorum of representatives.

The option to call into meeting will remain as long as there is a speaker phone available at the meeting location. Waterbury NVCOG offices as a meeting location is convenient and has amenities like a projector for presentations and a copy machine. A suggestion was made that RPC meetings be held at Waterbury for the first year to see how that works out for representatives. Meeting schedule location and times may be re-examined next year. It is generally important that the meetings be in a centralized location.

The consensus is to keep the meetings at Waterbury and continue as per the COGCVN RPC meeting schedule.

Rick Dunne commented that how staff handles referrals may affect the meeting frequency.

NVCOG RPC Meetings will be held on the first Tuesday of the month, 7 PM, at the NVCOG Offices, 49 Leavenworth St. Suite 303, Waterbury, CT 06702, every other month.

Motion made by Bob Clarke, seconded by Cathe Sherman.

Discussion of the motion followed. Joanna Rogalski asked that there be an NVCOG RPC meeting held in February to go over NVCOG RPC manual and background information. Discussion continued as to the meeting being a special meeting or a regular meeting. Mark Nielsen noted that NVCOG RPC officers still needed to be elected, and that that could occur during the February meeting if it was a regular meeting date instead of a special meeting.

Rick Dunne suggested that the previous motion be amended to specify regular meeting months. Thus an amendment was proposed for motion:

Amendment: 2015 NVCOG RPC regular meetings are scheduled for the following months: January, February, March, May, August, October, and December.



Motion made by Bob Flanagan, seconded by Cathe Sherman.

VOTE: Unanimous.

Rick Dunne also suggested a vote to approve the amended motion be made. Thus a motion was made:

To approve amended motion

Motion made by Bill Paecht, seconded by Bob Flanagan.

A question was posed before the vote.

Q: Is a full membership of the NVCOG RPC anticipated for the February meeting?

A: Rick Dunne stated that it depends upon each municipality's ability to complete the appointment process. NVCOG staff hopes there will be full RPC membership present at the February 2015 meeting. Appointment letters are being sent and tracked by Joanna Rogalski.

VOTE: Unanimous.

6. Procedures for Referrals

Different COG's have different procedures for referrals. COGCNV handled referrals more in-house, that is by staff, than VCOG. With thirteen towns, the COGCNV RPC let staff handle all referrals.

Rick Dunne stated that staff can write responses and opinions for submitted referrals under statutory requirement. Statute now says that COG may delegate, but it is unclear if COG must endorse RPC's recommendation. NVCOG is taking the position that nothing is changing from COGCNV referral process. However the statutory vagueness needs to be clarified in the next legislative session.

Rick Dunne further stated that if the RPC decision is always have staff handle referrals, then the RPC will never have to deal with referrals at their meetings. It would be possible to have reports of referrals distributed by email. Once again the statute needs to be clarified.

Joanna Rogalski added that referrals are advisory and clearly marked as written by "Staff" to differentiate comment from the RPC. RPC members are sent copies of the referral letters; their comments and opinions are welcome. After reviewing the referral procedures at Capital Regional COG (CRCOG) she mentioned that if the RPC agrees, NVCOG could adopt CRCOG's practice of posting referral letters to the COG website – this would make the information more publicly accessible. As per the COGCNV referral process, RPC members of abutting towns, as per the 500 foot statute guideline, were copied on referrals.

A comment was made to delegate referrals to the staff. A related issue is that if the RPC reviews the referrals, the RPC will need to meet every month, with a quorum.



If the referral process is advisory then there is no real need for an appeal process. However, appeal to the COG can be made for those who would like to make their opinion public record.

Q: Is it possible for the RPC members to get a short report on the referral letters?

A: Yes, it would be possible to get such a report at RPC monthly meetings.

Rick Dunne suggested that staff post draft referral reports on the COG website as a means for the reports to be more accessible to a greater amount of people. Also staff could email drafts to RPC members. He feels strongly that the RPC needs to be aware of the referrals published by the staff.

Ken Long stated a preference for the draft referrals to go directly to the RPC members first.

There is a hope that there will never be more than 5 referrals per month.

It is important that the referral process work for the staff, making sure the process is not overwhelming to them.

Rick Dunne stated that it is important that the RPC be able to contact staff before a referral comment letter is published.

Jim Sequin stated that the deadline for referrals is in the state statute. Municipal planning commissions must notify the COG 30 days prior to a public hearing.

Joanna Rogalski stated that municipalities fulfill their statutory obligation by sending the referral notice and material to the COG. COGCNV then sent a postcard acknowledging the receipt with a message that if there was no COG response, then COG did not disagree with the changes.

Rick Dunne stated that the VCOG would send a message of the finding being of no significant regional impact if no specific opinion was made.

Q: Will statutory language be changing in the near future?

A: Rick Dunne stated that the legislature's Planning and Development Commission should be having public meetings about the referral process sometime in late January or early February to clear up the language of CGS 4-124.

Q: Will the statutory recommendations include a change to the 30 day notice period?

A: Rick Dunne stated that that was doubtful since the current 30 day period anticipates the town's 65 day public hearing period. Jim Sequin stated that extending the time period beyond 30 days would be problematic for some proposals.

Rick Dunne turned the discussion to the staff. Staff will not always be attending RPC meetings though they are encouraged to attend COG meetings. There will be additional staff from CCRPA which will add valuable institutional knowledge from the Bristol-Plymouth area and round out representation of staff from all consolidating regions.



Ken Long stated that during normal COGCNV RPC meetings there is a round table discussion of news from each municipality but that will not be done this evening.

Bob Flanagan recognized Joanna Rogalski and all the staff for their accessibility and organization in preparing materials for this meeting. Ken Long noted that there is a great relationship with Mark Nielsen.

7. Adjournment

At 8:16 p.m., on a motion by Bob Clarke, seconded by Cathe Sherman, it was unanimously

VOTED: To adjourn the meeting.

Respectfully submitted by

Joanna B. Rogalski

Regional Planner, NVCOG

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