

MINUTES OF THE NHCOG MEETING OF MAY 12, 2016

Members or Representatives in Attendance:

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| Barkhamsted, Donald Stein  | Canaan (Falls Village), Patricia Allyn Mechare |
| Colebrook, Tom McKeon      | Cornwall, Gordon Ridgway                       |
| Goshen, Robert Valentine   | Hartland, Wade Cole                            |
| Harwinton, Michael Criss   | Kent, Bruce Adams                              |
| Litchfield, Leo Paul, Jr.  | Morris, Tom Weik                               |
| Norfolk, Sue Dyer          | North Canaan, Doug Humes                       |
| Roxbury, Barbara Henry     | Sharon, Brent Colley                           |
| Torrington, Elinor Carbone | Washington, Mark Lyon                          |

Others in Attendance:

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| Joanna Wozniak-Brown, NHCOG Staff            | Noreen Laurinaitis, USDA RD                          |
| Jocelyn Ayer, NHCOG Staff                    | Steve Silver, Eversource                             |
| Sara Radasci, ConnDOT                        | Bernie Harrington, LWV                               |
| Richard Lynn, NHCOG Staff                    | Gertrude O'Sullivan, Foundation for Community Health |
| Media Representatives                        | Kim Maxwell, NWCONNect                               |
| Jessica Fowler, NWCONNect                    | John Brett, NWCONNect                                |
| Ruth Fitzgerald, Fitzgerald & Halliday (FHI) | Carol Gould, FHI                                     |
| Mike Cicchetti, Frontier Communications      | Other members of public                              |

Call to Order and Opportunity for Public Comment, Don Stein, Chairman.

The meeting held at the NHCOG office was called to order at 10:07 a.m. Bryan Savin from Cornwall expressed his concerns about NWCONNect. He asked for a postponement on the decision for a website until the role of the COG is further determined. He noted that the NHCOG had already endorsed a Regional Performance Incentive grant for a broadband feasibility study which would be a significant investment for a study. He described concerns about a lack of formal communications and transparency with the NWCONNect group. He suggested that the NHCOG consult with attorneys about the involvement of NHCOG staff in meetings and conversations with Frontier. He says he supports broadband but that the operations of NWCONNect need to be reviewed.

Noreen Laurinaitis, a Loan Specialist with the United States Department of Agriculture (USDA) Rural Development, introduced herself and offered information about loan and grant programs offered by the USDA.

Town by Town Issues and Updates by COG Members. Mark Lyon reported that they have their final budget meeting tonight. He is concerned about the upcoming changes in Hartford. Bruce Adams reported that they are also finishing the budget process with a vote on May 20<sup>th</sup>. He thanked Rick for arranging the "Coffee at the COG", an informal networking meeting for municipal leaders and encouraged others to attend next time. Leo Paul reported that Litchfield passed their budget last night. Wade Cole said they have their budget vote next week. Elinor Carbone reported that their sidewalk project will be finishing soon and invited everyone to come and check out Torrington's new Main Street. Doug Humes reported that they finished their budget process. After conversation with the town attorney, they will continue to use the town hall for voting and employees may continue to work; however, the town offices will not be open to the public. Pat Mechare reports that they are still working on their budget and waiting for final budget numbers from the state. Curtis Rand reported that Salisbury passed their budget last night and thanked the COG members for

the card for his daughter. Brent Colley reported they have their budget vote tomorrow night and expressed support for the rural broadband initiative. Gordon Ridgway reported they set their budget meeting for May 20<sup>th</sup>. He expressed appreciation for the bipartisan coordination within the COG. Sue Dyer reported that they had the largest education cost-sharing (ECS) cut in the region and are still working on the municipal budget. Tom McKeon reported they passed their budget with only three people at the public hearing. Colebrook is working on the road improvement project through STEAP. Tom Weik reported that Morris is having a Board of Finance meeting tonight and will need to account for the reduction in ECS from the state. Bob Valentine reported that Goshen held their public hearing last night and the town has a 2% decrease in the budget to address due to the decrease in state grants including ECS, Pilot, and MIRSA. He appreciates the diligence of the town commissions and departments. Barbara Henry said that Roxbury will have their public hearing on May 17. Roxbury had a decrease in the school budget and a reduction in the mill rate. Don Stein reported they had an increase in the budget due to an increase in school enrollment. Attendees of their public hearing were concerned with the increasing local expense of the resident trooper program. Mike Criss reported that Harwinton will have the budget vote on Tuesday. They will have a 5/10s mill increase to the budget. They are undergoing union negotiations, finalizing a bridge design, and have several paving projects underway.

NWCONNect Update on Plans for Providing Improved Broadband and Cellular Service in the Northwest Hills and Request for Funding Support to Launch an Informational Website. Jessica Fowler and NWCONNect.

Jessica Fowler explained that she volunteers on this project along with Kim Maxwell of Norfolk and Jon Brett from Sharon who were there with her. She presented slides that showed the increasing demand for high speed data access across the whole region (especially data over mobile phones and devices) but limited existing infrastructure to meet that need. She explained three options for the northwest corner to build the needed infrastructure (fiber): public/private partnership with incumbent carrier; public/private partnership with a new utility entrant, or create a new regional utility to own and operate a new network. She noted that NWCONNect has filed for a certificate of incorporation and invited the COG to designate a representative to NWCONNect to be the NHCOC point person.

Mike Cicchetti from Frontier Communications reported on Frontier's current proposal to build out the fiber network and provide 1 gig internet service to every household in any town that is interested. Frontier has about 3,000 employees in Connecticut and is looking to expand their business in the state. They started their work in Connecticut at around the same time as the CTGIG project started. Frontier has developed their own proposal for a fiber to home network. He said it is a true partnership with the towns with mutual investments and benefits that would address a number of education, economic, and safety concerns. Every household would have access to 1 gigabyte of data with the potential for unlimited access. Frontier is not a mobile carrier and would not build towers or antennas but they do service the mobile infrastructure. He stated that their service for TV, phone, and internet would be competitive. The base fiber optic service to every household at no additional cost would be a speed of 18mbps, with the option to upgrade. Since Frontier would own the network, he said the cost is lower than town-created or external provided networks. They propose that the municipality would pay \$20/month per household unit for 5 years, then \$10/month per household for years 6 to 15 for the 18mbps service. There are upgrade options for residents that would be direct billed to the resident and they could add on telephone and cable television. Barbara Henry asked why Frontier cannot direct bill from the beginning. He answered that in order to cover the costs and investment risk of installing the fiber and providing the service they would need to be guaranteed that they were going to receive \$20/mo per household for 5 years and then \$10/mo per household for another 10 years from every household in town. If they direct bill to the resident there may be residents who don't pay. Jessica Fowler asked if the \$20/mo/household covers all of the cost of the buildout. Cicchetti said no and noted that Frontier would be taking on the remaining buildout costs. Don

Stein noted that at that cost, Barkhamsted would have to pay \$400,000 which is equal to one mil. He explained that Barkhamsted struggled to cover the cost of a state trooper this year and that such a cost would be hard to justify to his residents. Kim Maxwell noted that the effort is not dependent on participation from all towns. He also noted that the cost to build out this infrastructure any other way (other than through Frontier) would be significantly more expensive. Pat Mechare asked how the additional services like TV and telephone would be billed. Mr. Cicchetti said those would be direct-billed to the consumer. Bruce Adams noted that his residents already complain about Frontier service and asked whether they had the capacity to take on this new service in addition to their existing services. Mr. Cicchetti noted that they provide service to 800,000 people and that service is not perfect but service is improving. He admitted there were challenges during the transition from AT&T to Frontier. This would be a brand new network and is within their capacity. Mr. Cicchetti offered his contact information to address any concerns. Don Stein asked Jessica Fowler why NHCOC would need to be involved with NWCONNECT if the initiative is town-by-town. She explained that they are looking to NHCOC to assist with funding to create a website to educate the NHCOC's residents on this issue and how it can be addressed. Kim Maxwell said that no municipality in the State (including New Haven and Bridgeport which have been trying to address this) has the capacity and/or technology and legal expertise to study and deal with this issue. He said it would be chaos for each town to have to deal with these issues individually. He said that the COG has the purview to deal with the issues. Barbara Henry asked what the next steps would be. Jessica Fowler said they filed for a certificate of incorporation for a non-profit and will develop by-laws. They are looking for attorneys experienced in utility law. Don Cuneo, a retired attorney, is helping to vet the process. Kim Maxwell reported that they are a week away from an attorney and believe they will have a pro forma contract by the end of the summer. NWCONNECT will help each town consider this issue in any way they can.

NWCONNECT requests \$10,000 to launch an informational website on the Fiber initiative for the region and to do the outreach necessary to make residents aware of the website including media and social media outreach, link sharing, and public meetings.

Leo Paul said he supports the NWCONNECT initiative but cannot support the cost of the website. Don Stein called attention to the "Act concerning revenue and other items to implement the budget for biennium ending June 30, 2017" which would cut NHCOC funding by 35%. Several COG members said this act was "awful". Jessica Fowler noted that any contribution towards a website would be beneficial. Don Stein said he is reluctant to endorse any financial contribution at this point not knowing whether this large cut in funding might occur. Kim Maxwell explained that, at this point, an endorsement from the COG for the project would be sufficient.

On a motion by Gordon Ridgway, seconded by Brent Colley, the NHCOC unanimously endorsed the NWCONNECT's efforts on this project. Gordon Ridgway appreciated the regional action on this topic and observed similar work in Kentucky focused on bringing new jobs into the region. Mark Lyon asked how this service would address cell concerns. Mr. Cicchetti explained that Frontier would build the fiber out to the utility pole and then Kim Maxwell described the technologies that could be used to provide better mobile coverage from the pole such as a distributed antenna system. He said these technologies are improving every day but you can't make use of them unless you have fiber to the pole ready and that's what the Frontier proposal would do.

Don Stein appointed Brent Colley to serve as the NHCOC's liaison on NWCONNECT.

#### Administrative Items

- a. Approval of Minutes for April 14, 2016 meeting. On a motion duly made by Mike Criss and seconded by Wade Cole, the minutes were unanimously approved.

b. Approval of Financial Statement for March 2016. Rick Lynn offered a revised financial statement with a correction to the farm viability grant line item. On a motion duly made by Mike Criss and seconded by Doug Humes, the amended financial statement was unanimously approved.

c. Nominating Committee Recommendations for NHCOC Officers and Executive Committee for FY 2016-2017. The Nominating Committee proposes the following slate of NHCOC officers for FY 2016-2017: Chairman, Mark Lyon; Vice Chairman, Bruce Adams; Secretary, Leo Paul; Treasurer, Bob Valentine with the following two at-large members: Don Stein and Craig Nelson. Following a request for any other nominations, Barbara Henry moved that the nominations be closed. Tom Weik seconded the motion and all voted in favor. The election of officers will occur at the June meeting.

d. Request for Approval of NHCOC Budget for FY 2016-2017. Rick Lynn distributed and reviewed the proposed budget for next year. He stated that there is already a 12% reduction in State Grant in Aid to COGs, and the proposed Implementer Bill would be a significant blow to the budget, further reducing State Aid by 35%. Rick noted a consultant contingency line item, which allows for projects that evolve over the year, could buffer some of the impact of the cut. Bruce Adams asked for clarification of the proposed implementer bill. Numerous COG members expressed significant concern about the bill, its lack of public disclosure, and financial disruption.

Barbara Henry suggested that COG respond to this Act, and Bob Valentine proposed sending a letter to the legislature to condemn this Act. Mike Criss passionately explained that the legislature is making these decisions without concern for the municipalities and region as a whole. There was consensus to draft a letter expressing these concerns.

Rick Lynn recommended moving forward with the budget as proposed even in light of possible additional funding cuts due to the fact that the COG's rainy day fund could be tapped into if needed. On a motion by Barbara Henry, seconded by Curtis Rand, the budget was approved unanimously.

#### NHCOC Action on Accessible Van Applications Submitted Under Conn DOT's 5310 Program.

Rick Lynn explained that ConnDOT makes funds available each year for the purchase of wheelchair accessible vans. Six applications were received this year from the region and these were reviewed by staff based on ConnDOT's selection criteria. All applications are considered important to meet regional transportation needs. On a motion by Mike Criss, seconded by Tom Weik, the NHCOC unanimously endorsed all the applications with equal priority.

#### Committee Updates

##### a. Legislative Committee.

1. Update on Legislative Session. Leo Paul and Barbara Henry, committee co-chairs, felt this issue had been adequately discussed previously in the meeting.

2. Summary of April 20, 2016 Meeting in Hartford with NECCOG. Don Stein reported that the meeting was productive and both COGs agreed to try and coordinate their legislative priorities during future legislative sessions.

Gordon Ridgway encouraged the COG to invite the Governor to attend a COG meeting

b. Recycling and MSW Advisory Committee. Sue Dyer reminded COG members of the upcoming June 4<sup>th</sup> HHW Day in Falls Village. She reported that they need volunteers for the upcoming HHW day. She thanked Pat Mechare and Bruce Adams for routinely volunteering each year.

c. DEHMS Region 5. Mark Lyon reported that the Senior Officials Workshop on Emergency Hazards training by TEEEX is scheduled for Wednesday May 17th . Pre-registration is required. On June 1, there will be training provided by Lt. Barone of the Torrington Police Department and Lt. Baldwin from Troop B. This training for the CEOs will cover hostile intruders in public buildings.

Review of Draft Regional Transportation Plan Recommendations and Discussion. Rick Lynn introduced Ruth Fitzgerald of Fitzgerald and Halliday, Inc (FHI). FHI has prepared a draft of the recommendations for the Regional Transportation Plan and Ruth reviewed the draft regional recommendations and the key regional priorities. She also distributed a list of local transportation priority projects as provided by local officials and others for consideration by COG members. After an opportunity for further input from COG members, the draft recommendations will be revised as appropriate and distributed to various transportation stakeholders for review and comment. This will be followed by an informational meeting and a draft of the final plan will then be prepared. FHI identified the following major themes during their research and outreach: asset management, more focus on non-auto mobility, enhance livability, improve connections, and maximize resources and economic opportunity. The draft regional recommendations presented by FHI are by transportation mode and include: roadway/bridge, transit, rail, bicycle, and pedestrian network..

Commenting on one of the recommendations, Brent Colley said a proposed bill to enable photo-enforcement of speeding in small towns did not move through the legislature this year.

There was some discussion about the Kennedy Center Grant for a mobility ombudsman in our region and upcoming grant opportunities for regional transportation efforts.

Ruth Fitzgerald asked for feedback from COG members on the proposed recommendations and local projects. She also asked for comments on the regional priorities and key findings. She commented that there was considerable consistency in the comments on regional needs, concerns, and priorities based upon their outreach efforts. Barbara Henry noted increasing support for rails to trails programs. Carol Gould stated that identifying priority local and regional projects through the RTP can be very helpful in securing funding for the projects.

Ruth Fitzgerald requested COG member input on the draft local and regional priorities by May 26<sup>th</sup>.

Other Business as Raised by Members. This agenda item was tabled.

#### Adjournment

On a motion duly made and seconded, the meeting was adjourned at 12:09 pm.