

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

LEGISLATIVE AGENDA - 2011 SESSION

(underlined items are those endorsed by the Board in 2009 or 2010)

The Central Connecticut Region's Mayors, Council Chairman, First Selectman, Town Managers and appointed Agency Board Members are committed to working collaboratively with the Governor, the General Assembly, and civic and community leaders of the Central Connecticut Region to help build and strengthen the Region and the State. We value our partnerships with others as we work to provide cost-effective transportation facilities, public services, economic opportunity and a good quality of life for our shared constituencies.

The following legislative advocacy has been authorized by the Central Connecticut Region Planning Agency Board which intends to conduct its advocacy in concert with as many partners as possible including its seven member municipalities, the Connecticut Conference of Municipalities (CCM), and the Connecticut Organizations of Small Towns (COST).

TRANSPORTATION

Efficient and effective transportation systems are critical to the future of our Region and our State. The CCRPA urges State legislators to:

- Continue to support development of the New Britain-Hartford Rapid Transit ("Busway") Project. (02/04/10)
- Support an "Alternatives Analysis" and "NEPA Scoping" for transit services from Waterbury thru Bristol to Hartford.(02/05/09)
- Support legislation that would encourage the development or improvement of rail freight facilities. (12/03/09)
- Support the implementation of New Haven-(Berlin)-Hartford-Springfield commuter rail services.
- Support initiation of a land use and transportation corridor study for Route 229 from I-84 in Southington to Riverside Ave. in Bristol.
- Support legislation that would require bicycle racks on all new public transit system buses, including commuter express buses.

LAND USE

Connecticut's fifteen regional planning agencies started forming in the mid 1960's. Their three continuing funding sources are their member municipalities, the State of Connecticut Office of Policy and Management (CT OPM), and, federal transportation planning grants thru the Connecticut Department of Transportation (CT DOT). CT OPM has funded the regions annually without a break since 1971. This support for general planning and intergovernmental coordination is vital.

- Support annual funding and budgeting for Connecticut's Regional Planning Agencies in the state budget.

Cities and towns in the Region are burdened by superfluous paperwork in relation to submitting proposed project descriptions to the Region for review and Comment "by certified mail."

- Support legislation that would allow necessary filings to be made by email. (06/03/10)

It is not always appropriate to install a sidewalk adjacent to a new development; there are times when sidewalk installation would be pre-mature and would result in creation of a fragmented and disconnected sidewalk network. State law does not allow a town to permit a developer to avoid constructing sidewalks and pay an "in lieu" fee to be used for future sidewalk construction. A recent court decision, Buttermilk Farms LLC v PZC of the Town of Plymouth, found that not only can towns not force developers to construct improvements such as sidewalks off-site, in many cases they cannot even make developers build sidewalks for a new subdivisions if they abut an existing road and no new intersection is created at that location; see http://www.murthalaw.com/files/municipal_310_web.pdf This ruling contradicts and partly invalidates some towns' subdivision ordinances.

DRAFT - 01/06/11

- Support legislation that would allow towns to establish sidewalk funds and to charge new developments a fee in lieu of sidewalk construction where conditions would not call for the immediate construction of sidewalks; and allow such funds to be used for development of sidewalks in such areas at a future time, or for the development of sidewalks in established areas lacking sidewalks.

RECREATION

Recent court actions have exposed municipalities to increased exposure to liability in relation to the use of publicly owned lands for recreational purposes.

- Support a modification of the existing Recreational Land Use Act (CGS §§ 52-557f, et seq.) to provide the liability protection to municipalities that was eroded by the State Supreme Court ruling in Conway v. Wilton. (11/04/10)

HOUSING

The State provides certain benefits to towns which provide an “adequate supply” of “affordable housing.” The State, however, only recognizes dwellings with 40 year deed restrictions as “affordable.” Towns that have actual existing truly affordable housing which is not deed restricted are not recognized by the Statutes as having an “adequate supply” and, therefore, do not enjoy these benefits.

- Support legislation which would recognize actually existing housing - which rents at rates which meet the state standard for “affordable,” but which is not deed restricted as to affordability - as “affordable housing.”

There is a need for more affordable housing in the State of Connecticut. One way to provide additional reasonably priced housing is to permit the creation of “accessory apartments.” Under current statutes, to legally qualify as “affordable housing,” such housing must be deed restricted for at least 10 years in relation to its affordability.

- Support legislation which would reduce the deed restriction burden on affordable accessory apartments so that more property owners will be able to develop such apartments.

ECONOMY

The recent past has seen an accelerating exodus of manufacturing and technical jobs from the Region to other states and other countries of the world, especially China and India. Long-time stalwart industries which have operated successfully in the Region for decades, if not centuries, have been seen to fail.

- Support actions at the State and National level that would mitigate the severe impact that recent changes in the world’s economy have had upon the manufacturing industries of the Central Connecticut Region.

GOVERNANCE

The State’s 15 Regional Planning Organizations (RPOs) are equally divided in terms of structure among Councils of Government (COG), Councils of Elected Officials (CEOs), and Regional Planning Agencies (RPAs). Periodically legislation is introduced to fund special programs or projects which would only be available to RPOs which are structured as COGs.

- Oppose proposals that would provide funding for regional programs or projects that would only be made available to RPOs that are structured as COGs.

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

LEGISLATIVE AGENDA

2005 SESSION

The Central Connecticut Region's Mayors, Council Chairman, First Selectman, Town Managers and appointed Agency Members are committed to working collaboratively with the Governor, the General Assembly, and civic and community leaders of the Central Connecticut Region to help build and strengthen the Region and the State. We value our partnership with the State as we work to provide cost-effective transportation facilities, public services, economic opportunity and a good quality of life for our shared constituencies.

The following legislative proposals have been endorsed by the Central Connecticut Region Planning Agency Board which intends to work closely with its seven member municipalities, the Connecticut Conference of Municipalities (CCM), and the Connecticut Organizations of Small Towns (COST) to help secure their enactment.

TRANSPORTATION

Efficient and effective transportation systems are critical to the future of our Region and our State and for that reason the CCRPA urges State legislators to:

- Actively monitor and support the progress of the Route 72 project to assure that it maintains its design and construction schedule with construction to commence in 2005.
- Continue to support development of the New Britain-Hartford Rapid Transit ("Busway") Project.
- Support legislation that would require consideration of the inclusion of bicycle and/or pedestrian facilities in all new State funded road projects.
- Support legislation that would require bicycle racks to be installed on all new public transit system buses.
- Support the implementation of New Haven-(Berlin)-Hartford-Springfield commuter rail services.
- Support initiation of a land use and transportation corridor study for the Route 229 Corridor from I-84 in Southington to Riverside Avenue in Bristol.

LAND USE

Connecticut's fifteen regional planning agencies started forming in the mid 1960's. Their three continuing funding sources are their member municipalities, the State of Connecticut Office of Policy and Management (CT OPM), and, by far the largest source, federal transportation planning grants thru the Connecticut Department of Transportation (CT DOT). CT OPM has funded the regions annually without a break since 1971. In FY2002 they funded the state's planning regions with \$640,000, apportioned by formula to the 15 regional planning organizations. This support for general planning and intergovernmental coordination is vital, as most of the funding of the regions is tied just to the issue of transportation. In the last hours of the June 2001 budget debate, this long-time non-transportation CT OPM funding was transferred to CT DOT. This transfer was made to allow this cost to be paid by funds from the state surplus which had been assigned to the State's Transportation Strategy Board (TSB). Since 2001 the State budget surplus has disappeared, and funding through the TSB is no longer secure. Without such funding, the Agency would not have the ability to meet its statutory land use related requirements.

- Support annual funding and budgeting for Connecticut's Regional Planning Agencies in the state budget under a line in the budget for the Office of Policy and Management, subheading "Other Than Payments to Local Governments," line entitled "Regional Planning Agencies" (as had previously been the practice for three decades).

It is not always appropriate to install a sidewalk adjacent to a new development; there are times when sidewalk installation would be premature and would result in creation of a fragmented and disconnected sidewalk network. State law does not allow a town to permit a developer to avoid constructing sidewalks and pay an "in lieu" fee to be used for future sidewalk construction.

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Capitol Region Council of Governments 2011 Legislative Agenda

Connecticut State Issues

State-Local Partnership to Address State and Local Fiscal Challenges. CRCOG seeks to participate in a collaborative effort to resolve the pressing fiscal crisis facing our state and municipal governments. State and local governments in Connecticut are inexplicably tied to one another through our current systems of revenue generation and sharing in an effort to provide critical and required services to our citizens. Any shifts in revenues and services may have substantial and unanticipated impacts. CRCOG requests that state leadership reach out to the regions and local governments in partnership to address the pressing fiscal situation that is likely to continue for a number of years. CRCOG stands ready to participate in collaborative and thorough discussions on spending, revenues and on measures to improve the efficiency of state and local services.

More Revenue Options for Towns Acting Regionally. As part of the broader conversation on state-local revenues, spending and service efficiency, the option for municipalities acting together in a region to use alternative sources of revenues shared regionally should be considered to supplement the very narrow tax base available to towns. Measures such as hotel occupancy fees, a small sales tax supplement and auto rental fees are some examples. Local option revenues could in small part be pooled at a regional level, both to replace lost state revenue and to advance local and regional priorities such as improved service sharing efficiencies. CRCOG continues to support making the local share of the conveyance tax permanent.

Advance Key Transportation and Transit Improvements. Despite dire financial circumstances, the region needs to move forward to improve mobility of our workforce both within the region and between cities. The top two transit priorities of CRCOG for the better part of a decade have been the New Britain to Hartford bus rapid transit and enhanced rail service from Hartford to New Haven and New York City. While much more can be done to improve transit, these two projects should be advanced now as the foundation for further progress in the future. **CRCOG believes that the I-84 Viaduct project be at the same level as the busway. It is important to link the two projects.** CRCOG strongly supports moving ahead with both inter-city commuter rail and the Hartford-New Britain bus rapid transit projects as a foundation for further economic development and workforce mobility. Significant federal funding is available to advance both of these projects. Losing more than a quarter of a billion dollars in transportation funding to another part of the country should the bus rapid transit project not advance should not be an option.

State Support for Effective and Efficient Regional Planning and Service Sharing.

A good deal of state policy over the past five years – from land use to economic growth to transit and affordable housing to name a few – would benefit immensely from strong regional planning and implementation capacity as has been the case at CRCOG for the ten major service sharing projects currently underway. As more tasks will likely be asked of regions in the state going forward, appropriate state support for regional capacity is important for appropriate land use planning, support for transit oriented development and service sharing initiatives.

Municipal Solid Waste Management. CRCOG is leading an effort involving Mid Connecticut Project towns to provide for an orderly, predictable, efficient, and cost-effective integrated solid waste management system. CRCOG asks for assistance in moving forward with this agenda.

Prevailing Wage Provisions. CRCOG requests the elimination of the two-tier system that distinguishes between renovation and new construction projects, that the threshold for prevailing wage projects be increased to \$1 million, and that the project minimum threshold be indexed automatically to inflation in the construction industry.

Efficient State Services. CRCOG supports efficiency efforts in all executive agencies to streamline permitting of municipal projects and reasonable approaches to common municipal problems. The projects that are held up in the permitting process represent thousands of Connecticut jobs on hundreds of projects. Specifically, we support efforts for municipalities to use gray water from Publicly Owned Treatment Works for agricultural applications, the approval of alternative and innovative residential septic system designs and expedited approvals of local bridge and highway projects by CT Department of Transportation and CT Department of Environmental Protection.

Federal Issues

Authorization of Federal Transportation Funding. The federal transportation funding bill is due for reauthorization. CRCOG relies on planning funds from the federal bill for substantial support. CRCOG stands ready to partner with the state and other agencies in a New England wide effort to shape the terms of the bill to meet the needs of a region with aging and heavily used infrastructure.

Livable Communities and Greenhouse Gas Reduction. CRCOG was successful in receiving a \$4.2 million bi-state, three-region grant for sustainability. Much more is needed to move forward on greenhouse gas reductions and improved livability in pedestrian and bicycle access and more transit related redevelopment. Federal funding is one important source for supporting these efforts.

HOUSATONIC VALLEY CHIEF ELECTED OFFICIALS
LEGISLATIVE AGENDA
2011 SESSION

A. PRIMARY HVCEO CONCERN
PREVENT CUTS TO MUNICIPAL REVENUE

Timeliness:

State budget approval timed to mesh with the municipal budget approval process is key.

Pressure on Property Tax:

Funding cutbacks to towns and cities shift the tax burden from the state level to the local level. Please don't pass legislation that forces up local property taxes. That tax has enough pressures already.

TAR, LOCIP and STEAP:

Maintain Town Aid Road (TAR), Local Capital Improvement Program (LOCIP), and Small Town Economic Assistance Program (STEAP) funding, as these are valuable resources for municipalities.

Real Estate Conveyance Tax:

The 2003 increase in this tax for municipalities from 0.11% to 0.25% was scheduled to revert back to 0.11%. But deadlines have been extended repeatedly and most recently to 6/30/2011.

The value of local real estate is maintained by the municipal services funded by this tax. We request that you make the 0.25% figure and the extension permanent.

Municipal Taxing Authority:

Connecticut law prohibits local taxes except for property and real estate conveyance. Empowering municipalities to levy some additional taxes will need to be part of the overall legislative budget package. Also consider an increase in the hotel room tax and sharing with municipalities.

Maintain Manufacturing Equipment

Property Tax Abatement Reimbursement:

The process by which municipalities are reimbursed by the State for their tax abatements on new manufacturing equipment is growing weaker. Recognize that this funding process remains a key competitive tool for Connecticut's development.

MORE Commission on Regional Efficiency:

HVCEO will work cooperatively with the House Democrat's MORE Commission (Municipal Opportunities and Regional Efficiencies), a goal of which is to redesign regionalism so it contributes more to reducing local government costs.

But be aware that HVCEO is primarily (87% of annual budget) oriented towards the areas of regional transportation and regional emergency management. While HVCEO has received an annual state grant thru CT OPM since 1971 for other topics, this resource was cut by 90%.

If we are asked to undertake creative new challenges we will need financial assistance to staff up for them.

OTHER HVCEO CONCERNS

SUPPORT POSITION OF HRRRA

Producer Responsibility for End of Life Paint Management Legislation:

This is the Housatonic Resources Recovery Authority's only legislative priority again this year.

Passage of this legislation will save the municipalities in our region approximately \$35,000 per year, money that they are now spending to dispose of oil-based paint and stain brought to the four household hazardous waste (HHW) collections held in the region each year.

Due to the cost the regional HHW collections do not accept latex paint, much to the public's dismay. It would make proper disposal of not only oil-based paint but also latex paint much more convenient for consumers.

This is win-win legislation. Municipalities will save money. More paint and stain will be disposed of in an environmentally appropriate manner. Latex paint will be recycled in Connecticut for the first time. Disposal of paint and stain will be much easier for residents. There will be no cost to the State. Paint

producers and retailers are in support.

Last session HRRRA was asked to take a lead role, on behalf of other municipalities and regions in the State, to work with the American Coatings Association (ACA), DEP, the CT Retailers Association and Representative Pat Widlitz to develop language and support for HB 5122 that would have required paint manufacturers to create and fund a paint recycling and end of life management program for all post-consumer architectural paint and stain sold in the State.

The legislation passed unanimously in the House but was held in the Senate until the final day of the session where time ran out before the bill was called.

ACA has worked with local, state and federal stake holders to develop a model program through a national dialogue called the Paint Product Stewardship Initiative (PPSI) that was organized by the Product Stewardship Institute. Connecticut state and local officials, including HRRRA, have been active participants in the PPSI.

Because the ACA lacks the resources to work in multiple states at the same time, states that participated in the PPSI, financially supported the paint dialogue, and signed the PPSI Memorandum of Understanding (MOU) are first in line to receive ACA support and assistance to pass paint legislation. Connecticut is one of the nine MOU states and is next in line for the roll out. Minnesota was first; Oregon second, and California third. Connecticut is the ONLY state ACA has committed to work with in 2011 for passage of paint product stewardship legislation. Many other states are vying for a place in line. If Connecticut is not successful in passing the legislation in 2011, ACA resources will shift to another state. All the household hazardous waste and resources recovery regions in the State, many individual municipalities, CCM, COST, the CT Recyclers Coalition, DEP, the CT Product Stewardship Council, the Product Stewardship Institute, the Sierra Club, and small retailers such as Ace and TruValue Hardware stores all supported the legislation last year.

Representative Widlitz intends to introduce the bill again this year and press for its adoption earlier in the session than last year. The DEP intends to include the bill in the Department's legislative package for 2011.

MAKE PUBLIC UTILITIES COOPERATE WITH PUBLIC WORKS DEPARTMENTS

In October of 2010 HVCEO received correspondence from Antonio Iadarola, P. E., the Danbury Public Works Director and also Chairman of the Association of Public Works Professionals for the Housatonic Valley Region.

His message below overviews the costly difficulties that most of the area's public works professionals are having with almost all of the public utility companies that currently own or operate within their municipal area.

He notes these include CL&P, AT&T, Yankee Gas, Comcast, Charter Communications, Lighttower, FiberTech, Rural Water, SNET, Topstone Water, and United Water.

HVCEO recommends that solutions to the problems below be sought through DPUC authority. The municipal public works director's joint view:

Some of the delays caused from these utility companies inability to effectively dedicate staff, equipment and other resources to relocate utilities during the construction of public improvement projects have been considerable, in addition to contractor claims for damages, disruption of services and other costly overruns.

Although we have been struggling with this issue for the last several years, collectively, members of the Association feel that it has reached a point where immediate legislative action needs to be taken to correct these utility companies irresponsible neglect of public improvement projects and the statutory requirement that they relocate their utilities within our right-of-way during public improvement projects. To add further insult, several of these utility companies are requesting payments for overtime as a way to expedite relocation of their utilities. We all feel that this is some form of extortion but have made payments since there has been no other remedy or option available to us.

Making payments to them is unfortunately cheaper than to pay delay claims and defend law suits coming out of their inability to relocate their utilities in a timely fashion.

The Association would also like to have some legislative action taken regarding the Housatonic Railroad and Metro North's lack of responsiveness pertaining to maintenance of their tracks at railroad crossings in addition to maintenance of their rights-of-way which has resulted in numerous resident complaints. In addition, the process of doing any work within their right-of-ways or having any dealings with them pertaining to their right-of-ways has been practically impossible.

Some of the fees that the railroad companies have charged municipalities are absolutely unreasonable and nonnegotiable. There appears to be no regulatory agency at a state level that has any impact on them.

These very important issues are costing taxpayers significant monies. Kindly convey these concerns to the area's legislative delegation at your upcoming annual meeting with them.

DESIGNATE REGIONAL TRAINING FACILITY FOR FIRE PREPAREDNESS

There are nine designated "State Regional Fire School" training facilities in Connecticut, but none near our area. We must travel to Torrington, Waterbury or Fairfield. The City of Danbury is seeking such a designation for its Plumtrees Road training facility. Last year's bill did not pass.

Surrounding municipalities are already using the Danbury training facility. There is an obvious mutual advantage for Danbury and area fire departments to work together.

Danbury's policy is to expand such regional cooperation after the state designation of a regional training facility is obtained. Cooperation will save each department time and money. HVCEO members are in unanimous support of the proposed designation.

Further practical advantages of the designation are that state grants for capital improvements and training programs may be received, and state training teams are more available for visits to our region.

PUT SOMEONE AT HELM ON TICK CONTROL

The HVCEO Tick Borne Illness Prevention Task Force meets monthly on third Wednesdays. The group is composed of municipal advocates for tick illness prevention and health department staff.

We endorse its request for the State of Connecticut to develop a long term coordinated plan to reduce devastating tick induced illnesses.

A coordinated effort would have the CT Department of Public Health (DPH), the CT Department of Environmental Protection (DEP) and the Connecticut Agricultural Experiment Station (CAES) work together on tick illness issues as they do now with West Nile Virus and Eastern Equine Encephalitis.

It is obvious to health officials in our area that the human impact of tick borne diseases far outweighs that of West Nile Virus and Eastern Equine Encephalitis - build on these cooperative precedents.

A single lead state coordination office needs to be designated by the Governor.

As part of the new plan we request that the CT Department of Public Health increase its development and distribution materials like the BLAST Tick Borne Disease Prevention Program and that the CT Department of Education raise the visibility of successful school curriculums like Time for Lyme.

Municipalities also need the option of allowing deer hunting on Sundays.

We also request that DEP provide advice to towns that ask for help in improving local deer control efforts. And that it assist in monitoring the progress of such efforts by coordinating data associated with deer/car accidents and determining deer population correlations with disease infection rates.

Finally we recommend that the CAES take on the role of monitoring tick abundance and tick infection rates of all tick borne illnesses in communities that are making the effort to lower their infection rates. We suggest all three agencies take advantage of Center for Disease Control programs, studies and grants available to address this subject.

Tick borne illnesses hit Connecticut hard and deserve coordinated state attention. A DPH/DEP/CAES

coordinated approach to prevention would go a long way towards improving public health in Connecticut.

To become familiar with what tick illness prevention groups and resources are located in your legislative district, see this listing maintained by the Task Force.

NO BOUNDARY CHANGE FOR HVCEO

HVCEO will cooperate with CT OPM as it conducts a statewide study of the HVCEO and other regional council boundaries as required by State Statute 16a-4c.

However HVCEO members notified state officials in June of 2010 that they are reluctant to consider deconstruction. Long experience with the current boundary indicates that it serves municipal and regional needs well.

The people of Greater Danbury have been secure in their regional identity for some time. This area was a distinct region of Connecticut before the current regional planning organizations and their boundaries were created.

The HVCEO boundary is identical to the service area of the Greater Danbury Chamber of Commerce. What happens to the region's economic appeal if either one or more Danbury suburbs, or indeed the entire region itself, is redrawn as a subunit of an adjacent competing area?

The geographic scope of Greater Danbury and HVCEO as presently defined by the State
And do we leave the related Housatonic Resources Recovery Authority and the Housatonic Area Regional Transit District regional boundaries as is, or are they to be reorganized to follow the new divisions? Who pays for all this?

Please assume that municipal leaders are in a good position to recognize to what region their municipality is primarily oriented.

For background information see the 2010 report by the Connecticut Association of Regional Planning Organizations entitled The Geographic Scope of Connecticut's Regional Planning.

MAINTAIN PUBLIC TRANSIT SERVICES

Our view is that the presence of a HART public bus route is an economic development asset. From this perspective we suggest that, when funds permit, Waterbury to Danbury service be upgraded.

As for rail passenger service, CT DOT has initiated Phase II of a study of passenger service potential on the Danbury Branch Rail Line from Norwalk through Danbury to New Milford. This Conn DOT effort has its own rail study web site.

It will be important for elected leaders to show interest in this planning process and its results if we are to increase service.

The goal is low cost, incremental, staged service expansions, when affordable, as proposed in the HVCEO Rail Plan.

PRESERVE VAUGHN'S NECK IN CANDLEWOOD LAKE

This 710 acre parcel in New Fairfield and New Milford is the largest contiguous tract of Northeast Utilities property on Candlewood Lake.

If it were to be developed the recreational and aesthetic quality of Candlewood Lake would be greatly reduced, affecting property values as well as the enjoyment of thousands throughout the Region and beyond.

Undeveloped Vaughn's Neck, the central feature of Candlewood Lake, located in New Fairfield and New Milford.

Through a voluntary agreement NU will provide public agencies and land trusts with the right of first refusal if this key property is ever put on the market.

DEP open space funding for a conservation restriction will need to be a regional priority by all legislators at that time.

I-84 TOLL PROPOSALS MUST ADDRESS IMPACTS

A rallying point for tolling interests, a major statewide tolling study was completed for Connecticut in 2009.

Should the future of I-84 in Greater Danbury include a retrofit to enable one or more toll booths to fund roadway capacity improvements? This fundamental question may be coming into focus for us in the not too distant future.

HVCEO has prepared a fact finding report documenting the impacts of tolling I-84 thru our area.

IMPROVE 8-30G FOR AFFORDABLE HOUSING

Modifications to State Statute 8-30g are needed to more realistically and effectively address the issue of affordable housing in the Region. Make it fairer to the municipalities:

- Reduce massive density increase.
- Better mixing of moderate cost and market rate units.
- Improve the accuracy of the statistical formula by including privately owned affordable units.
- Stimulate accessory apartment development.

Details on these policies start on page 65 of HVCEO's 2009 Greater Danbury Housing Market Assessment.

RECREATIONAL LIABILITY PROTECTION

With passage of the Connecticut Land Use Recreation Act in 1971 (C.G.S. § 52-557f), the General Assembly recognized the importance of encouraging landowners to open their lands to the public by protecting them from personal injury lawsuits.

For 25 years after the passage of the Act municipalities were considered to be included under the Act as landowners.

But ever since a 1996 3-2 Supreme Court decision in Conway v. Wilton overturned previous holdings of the court, municipalities have not been considered as "owners" for this purpose and therefore are not covered under the traditional Statute.

Potential exposure to costly personal injury lawsuits has made municipalities skittish on accepting potential new recreational liability.

Our position is that municipalities should not have liability for recreational accidents as long as they do not charge and negligence is not involved.

The statute still provides strong protection for private, corporate, and utility landowners who host recreational activities on their lands without charging a fee. Similar liability protection is available to the state when an incident related to recreational use occurs on state owned land (C.G.S. § 4-160).

Given the existing protections for private, corporate, utility owners and the state, omitting municipalities from protection does not make sense.

Please restore to municipalities liability protection via a modification of the Recreational Land Use Act, CGS §§ 52-557f.

SOUTHCENTRAL REGIONAL COUNCIL OF GOVERNMENTS
Legislative Agenda- 12/1/10

Avoid transferring the state's budget deficit problem to local property taxpayers by not cutting state funding to cities and towns.

Support and invest in transportation infrastructure in the region that will promote economic development and job growth such as: Union Station as a rail hub and commuter rail stations throughout the region; Tweed-New Haven Airport; express bus service to downtown New Haven and to major employment centers from park-and-ride lots in suburban areas; attractive bus facilities, improved service frequency and connectivity, and integration of bus rapid transit in order to increase bus ridership; and waterborne and rail modes to transport freight to our region reducing the heavy dependence on trucks for movement of freight in the I-95 corridor from New York.

Restore funding for state and regional tourism promotion as part of an economic development marketing strategy that pays dividends on the investment.

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS
LEGISLATIVE AGENDA FOR THE 2011 SESSION OF THE GENERAL ASSEMBLY
ADOPTED BY SCCOG : 10/20/10

The Southeastern Connecticut Council of Governments, comprised of the chief elected officials and chief executives of twenty member municipalities, annually adopts a legislative agenda concerning issues important to municipalities in southeastern Connecticut. More than ever, with Connecticut facing a budget deficit of over \$3.5 billion, municipalities and the state must work together to enact solutions that will help increase the efficiencies and allow towns and cities to enact the changes they feel are necessary to move us forward.

With the coming crisis that we must all face together, the SCCOG would like to work very closely with our elected state leaders in crafting solutions that will help us all make it through the next few years. We firmly believe that laws enacted by the state have a deep impact on local communities and we will do whatever we can to work with state officials and we ask them to include us in the decision making process. We respectfully request that this year the State complete its budget making process, including making known the amounts of State aid to be provided to municipalities, in time for cities and towns to finalize their budgets by May 1st.

We believe this level of cooperation is needed and that the times we are in require a renewed relationship between local government and our State Government in Hartford. Toward that end, we respectfully request that the southeastern Connecticut legislative delegation focus on four major issues of importance to cities and towns this session. These are:

Preservation of Aid to Municipalities. Over the years the State has significantly reduced or held flat aid to cities and towns as our costs for provision of services goes up. We are aware that in these tough economic times the State will look to all entities receiving State aid to accept cuts in order to assist the State in balancing its own budget. For too long, municipalities have suffered such aid reductions and we no longer can afford it. Last year, we asked that aid be restored to past levels or levels agreed upon when programs such as TAR and PILOT were enacted. This year we merely ask that no cuts be made in aid to municipalities. A survey of our region for the last ten years shows that total revenue received from the State as a percentage of municipal budgets in the southeastern region on average has decreased 2.58% for schools, decreased 6.12% for other programs, while municipal property taxes have increased 11.24%.

If aid is cut to municipalities, we currently have only two options to deal with the reduced revenue. We can either reduce services and eliminate staff or raise taxes which many residents are unwilling to do. As shown with the survey, State aid is critical to our operations and we request that at a minimum, our current levels be maintained.

Education. Education is a constitutional right in Connecticut. The State Constitution obligates state government to fund education. How education is funded and at what level needs to be reformed to comply with this constitutional mandate.

Mandate Relief. A dollar not spent on a state mandate is just as good as a dollar given in the form of state aid. While we do not dispute the good intentions of many of the mandates enacted by the General Assembly, we implore the state to not impose any more as it will only increase costs at the local level.

Furthermore, we request that several mandates be repealed by the state in order to give towns and schools more flexibility and efficiency in their operations. We specifically request the following mandates be repealed:

1. Prevailing Wage
2. Requiring in-school suspension
3. Requiring towns to store evicted tenants property
4. Minimum Budget Requirement
5. Requiring notices be published in newspapers
6. Requiring local school districts to pay for the costs of special education to any Charter School that is attended by student who resides in the district

Meaningful State Support and Funding of Regionalism. First of all it is noted that our cities and towns, especially those in southeastern Connecticut, have long held the concept that municipalities are all better off working together. The potential for coordination and cooperation between municipalities was the basis for organizing our Council of Governments. We applaud the State for recently recognizing the importance of regionalism, but are concerned that State government is not "putting its money where its mouth is". Last year the State significantly reduced funding to our state's fifteen regional planning organizations from \$1 Million statewide to \$200,000, and this year it has been announced that it will be further reduced to \$90,000. The result is that more and more of our COG's regional planning and coordination with state agencies will have to be funded by municipal dues, which are local tax dollars. Finally, state statutes should be reviewed and amended as needed to expressly permit all forms of inter-municipal and regional ventures where two or more municipalities separately or through their regional planning organization choose to join together to provide a service to their residents and taxpayers.

SCCOG Legislative Agenda Checklist

- Preserve Aid to Municipalities
- Full State funding for education as required by the State Constitution
- Repeal or Revise Prevailing Wage
- Repeal In-school Suspension Requirement
- Repeal Requirement for towns to store evicted tenants property
- Repeal Minimum Budget Requirement
- Repeal Requirement for Notices to be Published in Newspapers
- Repeal Requirement for Local School Districts to Pay for the Costs of Special Education to any Charter School that is Attended by a Student who Resides in the District
- Make the Conveyance Tax Permanent
- Enable Regional Policing
- Establish Regional State Permitting Teams
- State Contracting with Municipalities for the Plowing of State-owned, Local Roads
- Restore State funding to Regional Planning Organizations
- Adopt the State budget in a timely fashion so that municipalities can know the amount of State aid is forthcoming before finalizing their own budgets