

**City Council Meeting as a Whole  
HVCEO/SWRPA, Transition to Western Ct. Council of Governments  
DANBURY CITY COUNCIL  
November 17, 2014**

Honorable Mayor Mark D. Boughton  
Members of the City Council

President Cavo called the Committee Meeting to order at 7:07 p.m. in the City Council Chambers.

**COUNCIL MEMBERS PRESENT:** Philip D. Curran, Michael J. Haddad Sr., Jack Knapp, Warren Levy, Gregg William Seabury, Andrew Wetmore, John Priola, Vinny DiGilio, Christopher J. Arconti, Thomas J. Saadi, Joe Cavo, Peter Nero, Fred Visconti, Benjamin Chianese, and Paul T. Rotello

**COUNCIL MEMBERS ABSENT:** Colleen A. Stanley, Irving M. Fox, and Duane E. Perkins and Elmer Palma were detained at work; Marina Loyola is recovering; Joseph Scozzafava may be arriving.

**PRESENT: 15 ABSENT: 6**

**ALSO PRESENT:** Laszlo L. Pinter and Dan Casagrande, Corporation Counsel

**HVCEO/SWRPA, Transition to Western Ct. Council of Governments-Code of Ordinance, Section 2-6 to 2-9**

Deputy Corporation Counsel Laszlo L. Pinter noted due to legislation, HVCEO needs to change in several statutory ways, and introduced Attorney Dan Casagrande to review the changes.

***A motion was made by Vinny DiGilio, and was seconded, to adopt the resolution establishing a Transitional Metropolitan Planning Organization to carry forward duties under the HVCEO transportation responsibilities as may be necessary as per the MPO designation and to recommend the repeal of the existing City Ordinance Section 2-6 to 2-9 and the approval of an amended Ordinance Section 2-6 to 2-9 creating the Western Connecticut Council of Governments replacing the Housatonic Valley Council of Elected Officials (HVCEO).***

Dan Casagrande referred to a letter from the Mayor outlining the report. Recent State legislation has reduced the number of planning regional agencies from 15 to 9. The Housatonic Valley County Elected Officials (HVCEO), along with the Southwest Regional Planning (SWRPA), agreed to consolidate and will be called the Western Connecticut planning region effective last year. The next step is to form Council of Governments and a vote is needed. 8 of the 10 HVCEO municipalities have adopted it as have 7 of the 9 SWRPA agencies have adopted

ordinances. Once 60% of the combined region's agencies approve, and it is certified that Ordinances have been adopted, the Secretary of OPM will certify the creation of the Western Connecticut Council of Governments. That has taken place. The Resolution regarding the MPO creates a transitional Metropolitan Planning Organization (unless and until the government designates a new MPO) as HVCEO has traditionally acted as the MPO for Federal Department of Transportation Funds. DOT is preparing a report to the Governor regarding redesignating the MPO, but that has not happened to date.

Thomas Saadi stated the resolution is necessary to maintain an entity to receive Federal funds while in the transitional period and the repeal of the existing HVCEO must happen as it no longer exists, and we must adopt the new Ordinance to be a member of this new regional body. Mr. Casagrande concurred that while not mandated to adopt the new Ordinance, it must be adopted if you want to be a member of the new body.

Benjamin Chianese inquired what would be the result if the Council did not join, and whether the City would lose any rights with joining and what should the City expect if it joins. He requested a copy of the statutory ordinance.

Paul Rotello commented on past practices, dilution in voting power, commonality with surrounding communities, and that the present HVCEO has worked for 25 years.

Warren Levy inquired how this will affect agreements such as solid waste and how regional issues will be affected. Dan Casagrande stated in his opinion that this will not have an effect on solid waste agreements.

Peter Nero inquired regarding leaving the group if desired in the future, including any fees. Joe Cavo noted an exact answer to the fee question will be provided.

Fred Visconti asked whether any more votes will be needed by the City after this point.

**Motion carried with Councilman Paul Rotello voting no.**

The Committee ended discussion of this item at 7:30 p.m.

**Adjourn**

**There being no further business before the committee, a motion was made by Gregg Seabury, and seconded by Mike Haddad, to adjourn. The Motion carried unanimously. The meeting ended at 7:32 p.m.**

Respectfully submitted,

Lori Goor  
Recording Secretary



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A.D. 2014

**RESOLVED** BY THE CITY COUNCIL OF THE CITY OF DANBURY

**RESOLUTION REGARDING ESTABLISHMENT OF  
TRANSITIONAL METROPOLITAN PLANNING ORGANIZATION  
FOR HVCEO MUNICIPALITIES**

**WHEREAS**, the Housatonic Valley of Elected Officials ("HVCEO") has been designated since 1981 pursuant to federal and state law as the Metropolitan Planning Organization ("MPO") for the municipalities comprising HVCEO; and

**WHEREAS**, on or about June 19, 2014, HVCEO created a transitional MPO board ("Transitional MPO Board") to temporarily succeed to the rights and responsibilities of HVCEO as an interim MPO beginning on January 1, 2015 and continuing until the Governor designates a new MPO for either the former Housatonic Valley Planning Region or the newly established Western Connecticut Planning Region pursuant to 23 U.S.C. § 134; and

**WHEREAS**, the City desires to have the Mayor serve as a member of such Transitional MPO Board.

**NOW THEREFORE, IT IS HEREBY RESOLVED THAT** the Mayor or his designee, shall serve as a member of the Transitional MPO Board, with all the rights, duties and responsibilities conferred by federal or state law upon such members. The Transitional MPO Board shall continue in existence for such time period as determined by its members.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT CITY COUNCIL

A.D. 2014

Be it ordained by the City Council of the City of Danbury:

That the Code of ordinances of Danbury, Connecticut is hereby amended by the addition of (NEW) Sections 2-6, 2-7, 2-8 and 2-9 as follow:

### **Sec. 2-6. Statement of Purpose.**

The City has heretofore been a designated member municipality of the Housatonic Valley Planning Region, and is a member of the Housatonic Valley Council of Elected Officials ("HVCEO"), a regional council of elected officials and regional planning agency serving the Housatonic Valley Planning Region. Pursuant to C.G.S. § 16a-4c(b) (as amended by Public Act 13-247, § 249), the member municipalities of HVCEO and of the South Western Regional Planning Agency ("SWRPA") have agreed to consolidate the Housatonic Valley Planning Region and the South Western Planning Region into a single planning region. On or about December 6, 2013, the Office of Policy and Management of the State of Connecticut ("OPM") redesignated the Housatonic Valley Planning Region and the South Western Planning Region as the Western Connecticut Planning Region. Pursuant to Public Act 13-247, § 250 each regional planning agency and regional council of elected officials within a planning region must restructure as a single regional council of governments on or before January 1, 2015. HVCEO and SWRPA have determined to restructure themselves as the Western Connecticut Council of Governments. The City desires to join the Western Connecticut Council of Governments by and through approval of this ordinance.

### **Sec. 2-7. Creation of Western Connecticut Council of Governments.**

(a) The City hereby joins with other adopting municipalities of the Western Connecticut Planning Region to create a regional council of governments to be known as the Western Connecticut Council of Governments, by adopting the provisions of C.G.S. §§4-124i - 4-124p, as amended by Public Act 13-247, and further amended by Public Act 14-217, §§ 228 and 256.

(b) Certification by the Secretary of OPM; Transitional Executive Committee and Transitional Period.

(1) Upon certification by the Secretary of OPM that at least sixty percent of the municipalities in the Western Connecticut Planning Region have adopted ordinances creating a regional council of governments, as required by the Connecticut General Statutes, the Western Connecticut Council of Governments shall be established.

(2) Upon such certification, a transitional period (hereafter the "Transitional Period") shall commence, and shall conclude no later than January 1, 2015. During such period the Mayor shall participate as a member of the Transitional Executive Committee, as defined and for the purposes set forth in Section 4-124i(b) of the Connecticut General Statutes, as amended by Public Act 14-217, §§ 228 and 256. The City Council may appoint, in the manner provided by

ordinance, an elected official to serve as an alternate member of the Transitional Executive Committee in the absence of the Mayor. The Mayor also may send a representative in his or her stead; however, such representative shall not be a member of the Transitional Executive Committee.

(3) Except as provided in Section 2-8 below, at the conclusion of the Transitional Period, the Transitional Executive Committee shall cease to exist, and the Western Connecticut Council of Governments shall succeed to and be responsible for all of the rights, privileges and obligations of HVCEO and SWRPA, whether statutory or contractual, relating to such active programs as may be recommended by the Transitional Executive Committee and adopted by the Western Connecticut Council of Governments following appropriate due diligence and good faith negotiations during the Transitional Period.

(4) Membership in the Western Connecticut Council of Governments. At the conclusion of the Transitional Period, the City shall be a member of the Western Connecticut Council of Governments.

(5) Powers and Duties of the Western Connecticut Council of Governments. Except as provided in Section 2-8 below, the Western Connecticut Council of Governments shall have such powers, purposes, rights, duties and responsibilities of regional councils of governments as are set forth in the Connecticut General Statutes, currently and as amended.

(6) Representative to the Western Connecticut Council of Governments. The Mayor shall be the representative of the City to the Western Connecticut Council of Governments, and shall have all the powers and authority and be subject to all obligations and restrictions as are set forth in the Connecticut General Statutes, currently and as amended, regarding regional councils of governments. The Mayor may appoint, subject to the approval of the City Council, an elected official for the City to serve as an alternate representative in the absence of the Mayor. The Mayor may send the alternate to meetings in his or her stead; and the alternate in that instance shall be entitled to the same rights and privileges as the Mayor. The City shall notify the Western Connecticut Council of Governments in writing of the appointment of an alternate under this section. The City shall be entitled to one vote in the affairs of the Western Connecticut Council of Governments.

**Sec. 2-8 HVCEO's Continued Existence During Transitional Period.**

The City shall remain a member of HVCEO as it continues to operate and wind down as a regional council of elected officials and regional planning agency until the end of the Transitional Period. After the Transitional Period ends, the City also may create, together with the other former HVCEO member municipalities, an unincorporated association to assume and administer all rights, privileges and obligations of HVCEO that the Transitional Executive Committee, in its sole discretion, deems unacceptable for assumption by the Western Connecticut Council of Governments. The Mayor shall be the City's representative to such association.

**Sec. 2-9. Withdrawal from HVCEO.** Pursuant to § 8-36a of the Connecticut General Statutes, the City hereby withdraws as a member of HVCEO, effective as of the expiration of the Transitional Period.