

MINUTES OF THE 3/21/18 MEETING OF THE
SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS
SCCOG OFFICE, NORWICH, CT

PRESENT: Council Representatives: Todd Babbitt, Griswold; Fred Allyn, Ledyard; Tom Sparkman, Lisbon; Ron McDaniel, Montville; Michael Passero, New London; Bob Congdon, Preston; Kevin Lyden, Salem; Jeff Callahan, Borough of Stonington; Rob Simmons, Town of Stonington; Dan Steward, Waterford. Council Alternates: Jim Rivers, Windham. Military Liaison: Adam Wright, US Naval SUBASE. Staff: James Butler, Amanda Kennedy, Kate Rattan. Other: Catherine Young, CT Airport Authority; Mike Carroll, Al Fritzsche, SEAT; Jarod Pizunski, Amalgamated Transit Union; Jen Granger, UCFS; Wendy Bury, SE CT Cultural Coalition; Melinda Wilson, seCTer; Ellen Graham, Senator Blumenthal's office; Jessica Rodriguez, Hidden Heroes Cities Program; one reporter.

1. Call to Order: The Chairman called the meeting to order at 8:31 a.m.
2. Roll Call: A quorum was present.
3. Pledge of Allegiance: The Chairman led those present in the Pledge of Allegiance.
4. Act on Minutes 2/21/18:

MOTION: To approve the minutes of 2/21/18 (Lyden, Steward). So voted unanimously.

Mr. Allyn stated that while not a correction to the minutes, he did want to correct a statement under 3. Other, second paragraph, in the Executive Committee Report to the SCCOG: Ledyard has been a member of Ledge Light Health District for some time and did not recently join.

5. Treasurer's Report:

MOTION: To approve the March Treasurer's Report (Sparkman, Congdon). So voted unanimously.

6. Public Comment:

None.

7. Communications:

The Executive Director stated that he had placed at everyone's seat a copy of a letter from Groton Town Manager John Burt to CTDOT notifying CTDOT that

Groton no longer wished to pursue the Thomas Road multi-use path Enhancement Funding.

8. Guest Speaker: Jessica Rodriguez re: Hidden Heroes Cities Program

Ms. Jessica Rodriguez, who is a Connecticut Dole Caregiver Fellow, provided a presentation on the Hidden Heroes Cities Program. Ms. Rodriguez told the SCCOG members present about her experience as caregiver to her husband, a United States Navy Veteran, who suffered a debilitating brain injury from his service in Iraq. She addressed the SCCOG about what the Hidden Heroes Cities program can do to support people like her who provide care to family and loved ones who are injured military Veterans, and she requested that SCCOG municipalities adopt resolutions pledging support to their military caregivers. The Town of Montville was the first municipality in Connecticut to adopt such a resolution. She provided a tool kit which helps towns wishing to join this program and which includes a draft resolution.

9. Committee and Liaison Reports

A. Executive Committee

1. Grant Application to MARAD on Behalf of Cross Sound Ferry

The Executive Director explained he had been contacted by Stan Mickus of Cross Sound Ferry concerning a grant application that Cross Sound Ferry was making to the USDOT Maritime Administration (MARAD) under the America's Marine Highway (AMH) Program. Cross Sound was seeking \$503,250 in funds, to be matched by \$1,021,750 in their own funds, to make shoreside infrastructure improvements at their site in New London. He said Mr. Mickus had left him a message the evening before what was then thought to be a Friday, March 2nd deadline for application. The purpose of Mr. Mickus' contact to the Executive Director was to request that the SCCOG make this application using its DUNS number on behalf of Cross Sound, because they had just learned that the CT Port Authority was not able to do so at this time. The predecessor of the CT Port Authority, the CTDOT Bureau of Aviation and Ports had submitted a preliminary round application that had preceded this, but that bureau no longer exists. The Executive Director said he called Mr. Mickus the next day to explain that he had several concerns about doing this, even though he felt this was a worthy application. He said his major concern was that it has long been SCCOG policy that staff does not typically submit grant applications without SCCOG approval. Subsequently, the application deadline was extended to Monday, March 5th, which allowed this to be discussed with the Executive Committee, and for the grant application to be modified addressing the SCCOG Executive Director concerns, including the addition of the CT Port Authority to the grant application and that agency's designation as grant administrator and fiduciary. The Executive Director stated that Mr. Mickus has agreed that Cross Sound would reimburse the

SCCOG for any administration costs that are incurred should we agree to submit this application. At their meeting that Monday morning, the Executive Committee discussed the fact that they could approve of staff assisting Cross Sound Ferry before that day's deadline, then seeking SCCOG Board approval at the March 21 meeting, with the understanding that if not approved by the full Board, that the SCCOG will withdraw as applicant.

MOTION: To approve of the SCCOG's grant application on behalf of Cross Sound Ferry for \$503,250 in grant funds from the USDOT Maritime Administration (MARAD) for improvements to the shorefront of the ferry terminal in New London (Congdon, Lyden).

Under discussion, Mr. Congdon asked if New London supported the proposed project, and Mr. Passero responded that the City wholeheartedly supports the project.

Mr. Simmons asked questions about SCCOG's responsibility for Cross Sound Ferry's compliance with grant conditions and requirements, and what would happen should Cross Sound Ferry be sold to another entity while the grant funded project were still ongoing. The Executive Director said he believed that the application makes clear that Cross Sound is the party responsible for grant compliance along with the CT Port Authority, and that if Cross Sound were to be sold, responsibility for compliance would transfer to the new owner with the grant funds. The Executive Director stated that Mr. Mickus had agreed to sign a letter stating that Cross Sound would reimburse the SCCOG for any costs incurred as grant applicant; members present stated the Executive Director should prepare such a letter.

The motion was then voted upon and unanimously approved.

2. Update on Amicus Curiae Brief re: Eastern Long Island Sound Disposal Site

The Executive Director stated that after the SCCOG voted last month to file an Amicus brief in this matter, he had contacted Attorney Mike Carey of Suisman Shapiro, who has done legal work for the SCCOG previously and who has worked for SCCOG municipalities. He said he and Attorney Carey met with Electric Boat's General Counsel and Manager of Environmental Resources to discuss EB joining with us in filing an Amicus brief. At that meeting it was realized that Suisman Shapiro could not take on EB as a client due to the fact that they had a conflict of interest in that their firm represents shipyard workers who have claims against EB. The EB General Counsel said he would reach out to Attorney John Casey at Robinson and Cole, who does other legal work for EB and who was preparing an Amicus brief in this matter for the CT Port Authority. The Executive Director informed Attorney Carey that it was important to the SCCOG to have EB join us as a party to the brief, so the SCCOG would not be able to retain his firm. He said he has since

entered into an Engagement Letter with Robinson and Cole, for an amount not to exceed \$15,000, which was the maximum placed by the SCCOG on what should be spent for this purpose. However, he said the cost will be less than that because it will be split evenly between other parties to the brief which currently includes the SCCOG, EB, Cross Sound Ferry, the CT Port Authority, the CT Marine Trades Association, the CT River Valley COG, and the Southwestern CT COG. The South Central CT COG will be voting March 28th on whether they wish to become party to this brief. Attorney Casey will file a notice to the Court that we will be filing the Amicus Curiae brief prior to the April 2nd deadline, then will submit his final brief one week after USEPA and CT DEEP responds to the State of New York appeal, as he believes this is the most effective time to file legal strategy-wise.

B. Legislative Committee/Legislative Update

The Executive Director stated he had received a call from a local legislator who had suggestions concerning the next SCCOG meeting with the southeastern legislative delegation.

Mr. Passero commented on the recently released Report of the Connecticut Commission on Fiscal Stability and Economic Growth. Mr. Congdon suggested that this report be placed on the agenda of a future COG meeting, and that staff request a speaker from the Commission address the COG on this issue.

C. Tribal Liaison Representatives – no report.

D. Military Command Representative

Mr. Wright thanked Ms. Rodriguez for her service; stated that on April 11th the SUBASE will be celebrating its 150th anniversary.

E. Congressional Office Report

Ms. Graham from Senator Blumenthal's office reported that Congress was facing another government shutdown budget deadline on Friday.

Mr. Passero stated that Senator Murphy would be hosting a transportation forum in New London.

F. seCTer

Ms. Wilson reported on implementation of recommendations in the CEDS.

G. Eastern CT Tourism District – no report.

H. SEAT

Mr. Carroll reported on a recent Board work session to discuss the State's proposed 15%, \$670,000 reduction in funding to SEAT and resultant service cuts. He said the SEAT Board would meet right after the SCCOG meeting to finalize which cuts will be brought to public hearing in April.

I. Regional Water Committee

The Executive Director stated that the Eastern CT WUCC would be opening the required public comment period on the Preliminary Coordinated Water System Plan later this month, and he urged all SCCOG CEOs to review this document.

J. Regional Emergency Planning Team

Mr. Sparkman, who chairs the REPT, urged those still needing to provide FY 2017 MOAs, to get them in to SCCOG staff.

K. Regional Human Services Coordinating Council

Ms. Granger reported on the Human Service agency Shared Services Study.

L. SE CT Cultural Coalition

Ms. Bury reported on the work of the Cultural Coalition and its impact on the region.

10. Executive Director's Report

The Executive Director stated that he and Kate Rattan had sent an email yesterday to all SCCOG CEOs soliciting applications for the Municipal Grant Program which funds elderly and disabled transportation. He said that applications are due to the SCCOG May 18.

The Executive Director reminded that MOAs approving the Regional Hazard Mitigation Plan are also due to the SCCOG, and are required by FEMA before their final approval of the plan.

11. Old Business

None.

12. New Business

None.

13. Next Meeting: The next meeting is scheduled for April 18.

14. Adjournment:

MOTION: To adjourn the meeting at 9:45 a.m. (Sparkman, Congdon). So voted unanimously.

Respectfully Submitted,

Mark Nickerson, Secretary