



Bethany - Branford - East Haven - Guilford - Hamden - Madison - Meriden - Milford
New Haven - North Branford - North Haven - Orange - Wallingford - West Haven - Woodbridge

SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS

Carl Amento, Executive Director

Executive Committee
Meeting Notice and Agenda
December 8, 2010 – 11:45 A.M.

To be held immediately preceding the Holiday Luncheon

Location: The Bear & Grill Restaurant
385 Boston Post Rd
Orange, CT 06477

Full agenda materials can be found at our website – www.scrkog.org

1. Call to order
2. Adopt Minutes of November 17, 2010 Executive Committee Meeting – Pages 2-5
Anthony DaRos, *Secretary*
3. Approval of SCRCOG Legislative Agenda Page 6
4. Approval of Regional Legislative Agenda Pages 7-8
5. Approval of Support on Extending Recreational Liability Protections to Municipalities Pages 9-10
6. Other Business
7. Adjournment

Special needs: Hearing impaired closed audio loops and/or sign language interpreter and limited English proficiency translator will be provided upon two weeks notice. Agenda can be requested in a language other than English by contacting SCRCOG.



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Carl Amento, Executive Director

TO: **SCRCOG Executive Committee**
FROM: **First Selectman Anthony DaRos, SCRCOG Secretary**
DATE: **December 1, 2010**
SUBJECT: **SCRCOG Executive Committee Minutes of November 17, 2010**

Present:

Branford First Selectman Anthony DaRos – *Secretary*
Milford Mayor James Richetelli, Jr.
New Haven Mayor John DeStefano, Jr.
Orange First Selectman James Zeoli, *Chairman*
Wallingford Mayor William Dickinson, Jr.
West Haven Mayor John Picard - *Treasurer*
Woodbridge First Selectman Edward Sheehy - *Vice Chairman*
SCRCOG Staff Carl J. Amento – *Executive Director*
Brian Borgerson, CPA and Albert Ruggiero participated in the discussion of Item 6 only.

ITEM 1-Call to Order: The November 17, 2010 meeting of the Executive Committee of the South Central Regional Council of Governments was called to order at 9:30 A.M. by Chairman James Zeoli.

ITEM 2 – SCRCOG Executive Committee Minutes of September 22, 2010

The *SCRCOG Minutes* were on pages 2 -3 in the agenda packet. A motion to adopt the *SCRCOG Executive Committee Minutes of September 22, 2010* was offered by First Selectman DaRos and seconded by Mayor Picard. Upon unanimous vote, the motion passed.

ITEM 3 – Progress Report on SCRCOG FY 2010-2011 Work Program

The Progress Report on pages 4 -5 was briefly reviewed by the Committee members.

ITEM 4—Formation of Labor Relations Committee

Executive Director Amento, First Selectman Zeoli and Mayor DeStefano discussed the concept of the SCRCOG forming a Labor Relations Committee. After discussion, the consensus was that labor relations and collective bargaining issues would be discussed as an agenda item at regular SCRCOG meetings or after the conclusion of such meetings by whichever mayors and first selectmen wished to participate. Executive Director Amento was charged with determining which format would be best and was also charged with creating a database of all collective bargaining agreements in the 15 cities and towns before the January SCRCOG meeting.

ITEM 5 – SCRCOG 2011 Legislative Agenda Process

Executive Director Amento presented a draft proposal which replaced the original submission on page 6 of the agenda. The new draft incorporated legislative agenda items contained in the proposed Greater New Haven Chamber of Commerce 2011 Legislative Agenda (on page 7 of the agenda packet), the 2011 Regional Legislative Agenda recommendations (on pages 8 and 9 of the agenda packet), and the legislative agenda developed from the recent Regional Transit Forum (distributed at the meeting and attached hereto). After discussion, Executive Director Amento was instructed to distill the SCRCOG 2011 Legislative Agenda to three issues: (1) Don't transfer the state's budget deficit problem to municipal taxpayers by cutting state funding to municipalities; (2) Support of investments in transportation infrastructure in the region that will promote economic development and job growth; (3) Restore funding for state and regional tourism promotion as part of an economic development marketing strategy that pays dividends on the investment.

ITEM 6 – Review and Accept Audit Report for FY 2009-2010

Brian Borgerson, CPA of Kircaldie, Randall & McNab LLC reviewed the SCRCOG Audit Report and Financial Statements for FY 2009-2010. Mr. Borgerson reported that the audit was "clean" with no reported deficiencies. Revenue exceeded expenditures by \$8,495. Total expenditures were \$1,446,305, and the year end fund balance was \$792,204. Mayor Picard moved to accept the Audit Report, with Mayor DeStefano seconding. The motion passed unanimously.

ITEM 7 – Other Business

Executive Director Amento distributed a memo with new direct dial numbers for himself and the SCRCOG staff. The new lines have individual voicemail as well. The memo is attached hereto. Amento also reminded the Committee members of the SCRCOG Holiday Party on December 8th.

ITEM 8 - Adjournment

A motion to adjourn was offered by Mayor Picard and seconded by First Selectman DaRos. Upon unanimous vote, the meeting concluded at 10:10 A.M.

Respectfully submitted,
Anthony DaRos
SCRCOG Secretary



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SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS

Carl J. Amento, Executive Director

November 17, 2010

The SCRCOG staff now has individual direct telephone lines equipped with individual voicemails. We hope that this will continue to improve our service to you.

Carl Amento, Executive Director	203-466-8625
Al Ruggiero, Business Manager	203-466-8622
Steve Dudley, Transportation Planner	203-466-8624
Jim Rode, Transportation Planner	203-466-8623
Eugene Livshits, Regional Land Use Planner	203-466-8626

As always, you may use our main telephone number, 203-234-7555, to reach any of us. Mona Beavis will be answering the main number during business hours. There will be a general voicemail mailbox on this line for after hour calls.

Draft SCRCOG Legislative Agenda

- Provide “seed” funding for Regional Planning Organizations to create regional service and resource sharing projects
- Restore funding for the mandated regional land use planning activities of Regional Planning Organizations
- Restore funding for state and regional tourism promotion as an investment that pays dividends.
- Restore municipal immunity for recreational liability (the same immunity that the state and private parties enjoy)
- Enact a moratorium on new unfunded municipal mandates and eliminate as many existing mandates as possible
- Fund and support an electric streetcar system in New Haven eventually to be extended into suburban areas. This will serve as a catalyst for Transit-Oriented Development along the routes.
- Invest in Union Station and proposed TOD projects adjacent to it to create a major transportation hub with enhanced rail service to New York, Stamford, Hartford, Springfield and Boston.
- Invest in state-of-the-art technology for fare collection and information displays to maximize customer convenience and promote CTTRANSIT bus ridership. This includes the ability of customers to access information about bus locations using the internet or a smartphone device.
- Incentives for methods that will reduce employees commuting to work alone in private automobiles, reducing potential commercial real estate from being dedicated to parking cars by encouraging transit use, ridesharing and telecommuting.
- Create express bus services providing premium commuter service to downtown New Haven and to major employment centers from conveniently located park-and-ride lots in suburban areas.
- Provide incentives to towns throughout the region to embrace a policy to make bus stops more attractive portals to the local bus system, including the regular cleaning and maintenance of such shelters. There is a need for expanded bus service including: attractive bus facilities, improved service frequency, and integration of bus rapid transit. The connectivity between rail and bus is critical to improving transit options in Connecticut.
- Support for a new rail freight connection across the Hudson River, and limited rail freight operations through Penn Station. Connecticut is heavily dependent on trucks for the movement of freight, causing traffic congestion in particular in the I-95 corridor between New York City and New Haven. Because of their importance to interstate commerce, increased use of rail and waterborne modes will require closer interaction with adjoining states. Creating a container barge feeder service from Port Elizabeth to a Connecticut port or ports should be supported.
- Encourage Smart Growth and transit-oriented development and the development of affordable housing in proximity to places of employment.

SCRCOG 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.

Regional Partners: Chamber of Commerce, Workforce Alliance, Rex Development, Arts Council, South Central Regional COG, and New Haven Manufacturers Association.

2011 Regional Legislative Agenda

Connecticut continues to face enormous challenges in reviving our economy. Because jobs are critical to our economic recovery, the legislature must do all it can to help employers succeed and grow. The 2011 Regional Legislative Agenda, a statement approved by six regional agencies in Greater New Haven, calls for steps to create a healthy business environment.

To make legislative action as effective as possible, the 2011 Regional Agenda is limited to six topics that are keys to maintaining economic opportunity and growth.

► Economic Development/ Cities & Towns:

- Encourage Smart Growth to reduce sprawl and encourage development of affordable housing near places of employment.
- Avoid transferring the state's budget deficit problem to local taxpayers by not cutting state funding to cities and towns.
- Implement recommendations of the Connecticut Regional Institute for the 21st Century.
- Establish a 3-year moratorium on unfunded mandates, without requiring a 2/3 vote of each House. Work to eliminate as many existing mandates as possible.

► Arts/Entertainment/Tourism

- Preserve state arts funding to ensure matching federal funds. Maintaining state investment in the arts and culture industry, which generates \$3.8 billion in Gross State Product annually, is critical to the vitality of our communities.
- Reallocate 3% of the current 12% hotel tax as follows: 1/3 to host towns of hotels; 1/3 to tourism marketing in each host region via the Regional Planning Organization (RPO) or Council of Governments (COG); and 1/3 dedicated to launching regionalism initiatives through the RPO or COG.

► Energy/Technology

- Allow electric distribution companies the ability to own, operate and develop renewable energy systems.
- Foster greater investment by the communications industry by eliminating outdated and needless regulation and ensuring that competing services are subject to like rules.

► Transportation

- Support and invest in transportation infrastructure in the region by continuing operating and capital support for Tweed-New Haven Airport as the regional airport destination.
- Invest in Union Station and proposed Transportation Oriented Development projects near it to create a major transportation hub with enhanced rail service.

► **Workforce/Manufacturing**

- Refocus and reinvigorate the school curriculum at all educational levels to prepare people for the workforce and remain competitive in the national and global economy.
- Enhance the State's manufacturing incentives to make Connecticut a business-friendly state and retain manufacturing jobs.

► **Health Care**

- Increase Medicaid reimbursement to cover the cost of care to eliminate the cost shift to the private sector, and oppose measures that increase the cost of health care.

RESTORE RECREATIONAL LIABILITY PROTECTION FOR MUNICIPALITIES 9.24.2010

In Connecticut, municipalities have protected over 75,000 acres for open space/recreation, and over 1,000 miles of recreational trails wind through a mix of state, municipal, and private lands. However, due to recreational liability concerns, municipalities are considering restrictions to recreational access on their lands. Potential exposure to costly personal injury lawsuits has made municipalities skittish on recreational liability. Towns should not have liability for recreational accidents as long as they do not charge and negligence is not involved. We ask the General Assembly to fix this problem once and for all.

Recreational Liability in Connecticut

With passage of the Connecticut Land Use Recreation Act in 1971 (C.G.S. § 52-557f et seq.), the General Assembly recognized the importance of encouraging landowners to open their lands to the public by protecting landowners from personal injury lawsuits. For 25 years after the passage of the Act, towns were considered to be included under the Act as landowners.

Why doesn't the Recreational Liability Law include Municipalities?

Ever since a 3-2 Supreme Court decision in Conway v. Wilton (1996) which overturned previous holdings of the court, municipalities (including entities such as the MDC, a "nonprofit municipal corporation") are no longer considered "owners" for this purpose and therefore are not covered under the Statute. Fortunately, 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, and state landowners, omitting municipalities from protection does not make sense.

Why Must the General Assembly Fix the Recreational Liability Law for Municipalities?

- There are many recent examples where recreational liability lawsuits have had a chilling effect on municipalities providing recreational activities on municipal lands:
 - In July, 2010 the MDC revisited its recreational access policies and considered closure of its lands to the public in response to a \$2.9 million jury verdict found for a mountain biker who crashed into a gate at the West Hartford Reservoir;
 - In August, 2010, Waterbury lost an \$8 million verdict to a person who crashed into a metal bench while snow tubing at Fulton Park. In response, Middlebury is considering the closure of its most popular sledding area near Town Hall;
 - The town of Litchfield is opposing the opening of the Litchfield Greenway bicycle trail until issues of liability can be clarified; and
 - The town of Sharon is concerned about its exposure to liability as it considers a canoe/kayak access point along the Housatonic River.
- Under existing statutory and common law protections against liability, municipalities are still forced to incur expenses associated with settling or defending personal injury lawsuits. Irrespective of whether these lawsuits have merit, the expenses are paid for by ALL OF US.
- It would be poor public policy for the state to encourage municipalities to conserve land, provide bonding/funding for that purpose, and then support policies which lead to municipalities closing their lands to recreational access due to liability concerns (e.g., the State has held the policy of preserving 21% of the state's land area for over a decade).
- Therefore, the more personal injury lawsuits that are brought against municipalities, the greater the risk that the municipalities will close, restrict, or decide not to open recreational lands.

We ask the General Assembly to preserve public access to municipal lands for recreational purposes by restoring to our towns the liability protection that is available to State and private landowners!

RESTORE RECREATIONAL LIABILITY PROTECTION FOR MUNICIPALITIES

Following are the current organizations/businesses that have signed-on in support of the position paper so far (I highlighted the Regional Planning Agencies/COGs/CEOs):

- Appalachian Mountain Club - CT Chapter (AMC-CT)
- Benidorm Bikes
- Berlin Bicycle
- Biker's Edge
- BikeWalkCT
- Central Connecticut Regional Planning Agency (CCRPA)**
- Central Wheel Bike Shop
- City of Hartford
- Clarke Cycles
- Collinsville Canoe & Kayak
- Connecticut Association of Conservation and Inland Wetlands Commissioners (CACIWC)
- Connecticut Forest & Park Association (CFPA)
- Connecticut Land Conservation Council (CLCC)
- Council of Governments of the Central Naugatuck Valley**
- Eastern Mountain Sports
- Farmington Valley Trails Council
- Fleet Feet Sports
- Harvey & Lewis Opticians
- Horst Engineering & Manufacturing Company
- Housatonic Valley Association (HVA)
- Housatonic Valley Council of Elected Officials**
- International Mountain Biking Association (IMBA)
- League of American Bicyclists
- Lebanon Rails to Trails Committee
- Litchfield Hills Council of Elected Officials**
- Manchester Cycle Shop
- New England Mountain Biking Association - CT Chapter (NEMBA - CT)
- Plainville Greenway Alliance
- Preston Parks and Recreation Department
- Ragged Mountain Foundation
- REI
- Rivers Alliance of CT
- Road Runners Club of America - CT Chapter
- Sartorius Sports
- Savethemdctrails.org
- Sierra Club - CT Chapter
- Sporthouse Inc.
- Suburban Sports
- The Alliance for Biking and Walking
- The Beat Bike Blog
- The Bike Shop
- Thread Rolling Company
- Tolland Bicycle
- Yankee Pedalers Bicycle Club