

**APPENDIX E
PUBLIC HEARING TRANSCRIPT**

WATERBURY-OXFORD AIRPORT (OXC)
DRAFT RELOCATION PLAN & DRAFT
ENVIRONMENTAL ASSESSMENT
PUBLIC HEARING
JULY 13, 2009

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Public Hearing held pursuant to Notice, at the Southbury Crowne Plaza Hotel, 1284 Strongtown Road, Southbury, Connecticut, on July 13, 2009 at 7:00 p.m.

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MS. BARRETT: Good evening. My name is Jill Barrett with Fitzgerald & Halliday. And I will serve as the moderator for tonight's public hearing.

The purpose -- I think I am dead up here.

MR. HEAD: If you could bear with us. We certainly want everybody to hear us. Apparently the CTN mix is interfering with the hotel's mikes, but in a couple of minutes we will move on. Sorry about that.

MS. BARRETT: Hello. I am Jill Barrett with Fitzgerald & Halliday. I will serve as the moderator at tonight's public hearing.

The purpose of this hearing is to present the findings of the Draft Environmental Assessment and Draft Proposed Stage Relocation Plan for the voluntary residential acquisition and noise insulation program associated with the Waterbury Oxford Airport Part 150 Noise Study Recommendations.

The proposed project is intended to alleviate noise impacts and improve land use compatibility adjacent to the airport. The Waterbury-Oxford Airport is owned and operated by the State of Connecticut, Department of Transportation.

The plan includes the voluntary acquisition of up to 72 homes located within the airport noise impact area. The Environmental Assessment evaluates evaluates the social and environmental impacts of acquisition of up to 71 homes in the Triangle Hills neighborhood in Middlebury and one home in Oxford (72 homes in total). Homes that are located beyond the Airport's Runway Protection Zone may be noise insulated as an alternative to voluntary acquisition. Of the 72 affected homes, 38 are located beyond the Runway Protection Zone.

At tonight's hearing the study team will give a presentation and try to answer any questions that you may have. This hearing is being recorded and all statements and comments regarding the draft documents will become part of the official hearing transcript. All questions and comments received tonight will be addressed in the Final Environmental Assessment and Relocation Plan, which are scheduled to be released this fall.

Before we begin, I would like to introduce the following persons responsible for preparation of the draft reports and implementing the program.

With the Connecticut Department of Transportation: David Head, Project Manager for the studies. James Mason, Supervising Property Agent, Office of Rights of Way. Matt Kelly, Manager of the of the Waterbury/Oxford Airport.

From the Consultant team: Paul McDonnell with CHA. Laurel Stegina with Fitzgerald & Halliday and myself, Jill Barrett with Fitzgerald & Halliday.

Finally in the audience we also have Gail Lattrell with the Federal Aviation Administration, Derrick Ireland, from Connecticut DOT, Office of Rights of Way and Robert Bruno with Connecticut DOT, Bureau of Aviation and Ports.

The Draft Environmental Assessment and Draft Proposed Relocation Plan have been available for public review since June 12, 2009 at the Town Clerk's Office and at the Town Libraries in the towns of Middlebury, Oxford and Southbury and on the internet at www.oxcstudies.com. Also the draft documents were mailed directly to all 72 affected property owners and elected officials along with a letter inviting them to attend this Public Hearing.

Finally public participation activities in conjunction with the Airport Master Plan Update and Part 150 Noise Study included formation of several meetings with a study Advisory Committee, three Public Information Meetings, a Public Hearing held in June 2008 on the Noise study and newsletters and email announcements to those who signed up to be on the study mailing list.

It is my intent to conduct a fair and orderly hearing this evening using the following format:

Mr. McDonnell will give a presentation on the Draft Environmental Assessment and Relocation Plan. During the presentation, Derrick Ireland with the Department of Transportation will provide a brief overview of what a homeowner might expect if their property has been identified as being eligible for a voluntary acquisition program. Then Mr. McDonnell will conclude the formal presentation by discussing the next steps that follow this Public Hearing.

Collectively, the presentation should take about 45 minutes.

We will not take questions during the presentation, but ask that you hold all questions and comments until after the presentations completed and during the public comment portion of tonight's meeting.

If you wish to comment, there is a speaker sign-up sheet on the table at the entrance to the room. If you sign-up, please print your name clearly. Many of you may have already put your name on the list. When we get to the public comment portion of the hearing, we will call your name from the speaker list, ask you to come forward to the microphone, state your name and address and make your comments. We will also identify the name of the next speaker on the list to alert them that they are on deck.

We will ask for elected officials to come up and speak first.

All speakers are asked to use the microphone in the aisle. Comments from the floor will not be included in the official public hearing record. To give any opportunity to all who are attending time to speak, we will impose a three-minute time limit on all first time speakers. There will be no yielding of your unused time to any other speaker. When you are speaking, the timekeeper will use color-coded flash cards to indicate how much time you have remaining. We will flash a green card at one minute, followed by a yell card at 30 seconds and a red card when your time has expired. After all first time speakers have been able to speak at this hearing, anyone who wishes to speak again will be afforded a reasonable amount of additional time.

For those individuals who have a prepared statement, you may read it into the record if you desire. However, if your statement is lengthy, I would suggest that you offer a print copy for the record and briefly summarize its contents. These written documents carry as much weight as a verbal testimony that we hear tonight. You may place your written copies in the comment box located on the table in the back of the room or hand it to me, the meeting moderator.

After the conclusion of this public hearing, you may still make written comments on the draft studies. Written statements or exhibits may be mailed or delivered to the attention of Mr. David Head at the Connecticut Department of Transportation, 2800 Berlin Turnpike, Newington, Connecticut 06131. There are comment forms in the handouts you received tonight and extras near the comment box for your use. Any mailed-in statements should be in black ink on a sheet of 8 1/2 by 11 white paper so that it can be copied for the record.

Additionally, you may send comments on these draft documents through the comment page of the project website, www.oxcstudies.com.

All written comments are required to be post-marked by July 31, 2009. All of this information is available in the newsletter which you should have received when you entered the hall this evening.

Again all written comments and questions will be included and addressed in the final Environmental Assessment and will be considered in the same regard as verbal statements.

That takes care of the business end of this meeting. So, at this time, I'd like to turn the podium over to Mr. McDonnell who will proceed with the formal presentation.

MR. McDONNELL: Thanks Jill. Again let me know if you can't hear me. I will make sure to do something about that.

This is the biggest screen we could find. I do have a number of slides. This is a very large room. I do see plenty of seats upfront if anyone is interested in getting a better view. There is plenty of space up front.

Quickly, the public noise insulation program. We are also going to discuss the findings of our draft environmental assessment, but the main purpose listed that was comments for the public.

There are several studies that are available for review. These studies have been completed in the past in 2007 when the expansion plan for the airport was completed and in 2009 the noise study was completed and two draft studies available for review right now were prepared in June last month, both for the environmental assessment and relocation plan. All four are available on the website for review.

The recommended development plan was presented originally in the master plan back in 2007. Based on reading some of the newspaper articles I've seen this year, we wanted to make it very clear that the voluntary acquisition program had absolutely nothing to do with any expansion at the airport. There have been newspaper articles about proposed hanger projects here as has been mentioned. That is true, there is a proposed hanger project. There's also been some coverage of the taxiway projects, some of the yellow shaded areas on the slide, proposed taxiways that led to the internal operation of the airport. But the acquisition itself has no bearing on the extension of the runway or the airport in any way. And back in 2007 when the master plan was completed, it was concluded then that there was going to be no additional expansion of the runway at the Waterbury/Oxford Airport. That stands true today.

The noise abatement program was discussed at several public meetings and hearings over the last few years. I'm not going to go into too detail of it. These slides have been presented in the past. But in a nutshell, when the noise mitigation planning had started, we looked at various ways to reduce noise in the neighborhood surrounding the airport particularly what we call the Triangle Hills neighborhood. And those mitigation techniques were helpful. And we anticipate the noise to go down from what they were in 2007 through 2012. Even with those abatement procedures there were still homes that were going to experience

noise levels that were above the federal prevention levels for airports. And that is what led us to the acquisition program and the voluntary noise abatement program.

The surrounding area of the Waterbury/Oxford Airport has homes in many locations. What we are highlighting here on the slide the Triangle Hills neighborhood where the 72 subject homes exist. In the other neighborhoods of Oxford and further north in Middlebury, they certainly experience airport noise. The only difference is the significance level as dictated to us by the federal government is not above the significance level in those other noise impacted areas.

The Triangle Hills neighborhood, this slide was going to give you orientation. A lot of the slides we use is pointed straight north. The airport is on the -- too far away for this laser pointer to work. The airport is on the very bottom of the screen. North is to the top. The illustration of the neighborhood with the 72 homes. We highlighted the basic area in red to the north of the airport. Existing conditions.

The purpose in need is one of the statements we have in environmental assessment. The overall purpose we have been talking about all along has to do noise abatement and noise mitigation and encouragement of compatible land use to reduce noise impact in the area. As I stated even with those noise abatement procedures there is still significant noise anticipated in the future. And that was the need that created for the voluntary acquisition program and the insulation program.

For the environmental assessment for the environmental acquisition program we have three alternatives we are looking at. When we go through the federal environmental program you always state what your alternatives are right upfront. No action is one of the alternatives. What if things stayed the way they were. There was no voluntary acquisition program.

On the opposite end of the spectrum, there is a full acquisition program where all 72 homes in the neighborhood would be offered for voluntary acquisition over a number of years.

We did have a third option available. Several of the homes are slightly further from the runway and those homes are going to have the opportunity to select a noise insulation program. The difference there, the homes are beyond what the FAA designates as runway protection homes. Those homes are a little farther from the runway, have that alternative option as consideration.

This is an illustration, north is toward the left of this diagram, you can see the runway on the right side of the slide. The areas we have highlighted are the lot lines of the 72 homes in the impact area. Any area you see shaded is in this voluntary program. The yellow shaded areas are the ones that are closest to the runway. You can see that on the screen. Those are the homes also in the FAA protection zone. The homes beyond

that have the added option of the program of choosing noise insulation during particular phases of the program.

This is just a rendering. If everyone in the neighborhood did decide to sell their homes to the state over the next seven or so years, what would the state do? The question has come up many times. This is why we brought this illustration, is that over time if the homes were to sell, the Department of Transportation would remove the homes. They wouldn't be resold. They wouldn't be developed for airport purposes. There wouldn't be any new facilities in that neighborhood. Even the roads over time could be removed from the neighborhood area under the full acquisition program. And the area would be maintained as a field or it might go back to a wooded area. This is ten or more years down the road.

Under alternative three and we believe that based on the comments we have received today this is a more realistic scenario under alternative 3, the homes that are farther from the runway, many of them may choose not to sell. Many of them may choose insulation or not be part of the program at all. This is just a rendering now of homes closest to the airport. The pointer is not going to be effective. Closest to the runway of the homes selling and being removed by the department over time and the area staying as undeveloped state.

With the homes beyond that runway protection zone either changing hands or being noise insulated or existing residents stay or some combination thereof. But the neighborhood stays intact farther from the runway.

The recommendation in the environmental assessment is a combination of the two, option 2 and 3 where the homeowners in the outer areas would have a choice. It's not either/or for those.

The environmental assessment goes through all the required federal categories of review including construction impacts, air quality, natural resources. And in this particular case the area of concern that was most substantial was social/economic impacts. The bold and natural environmental issues that were often significant in other projects we didn't find any major concerns in our environmental review. It was just the social/economic impacts that was substantial for the Waterbury/Oxford study. We will go through some of those criteria. We have had comments on these issues already.

Under social/economic impact meaning disruption, of course, was one of the major concerns available. Placement, housing, special needs considerations and then also we are required to look at civil rights issues and tax revenue.

The recommended relocation plan is phased over time. That is primarily a function of available funding for the acquisition program. This illustration you're seeing here is our draft phase relocation plan with seven

phases of acquisition. We did a couple of evaluations during the study. We looked at buying homes purely based on acquiring homes. We looked at location whether it was in the runway protection zone or outside of the runway protection zone. And this recommended plan is a combination of the noise and RPG and geography in general.

One of the things you will notice, the phasing locations are all contiguous. We don't have people that were in the first phase that are shaded in yellow scattered about the area of acquisition. They are consolidated. And one of the reasons that was recommended is that that will reduce to some degree the amount of disruption. And those are the homes that are located in the same block that will be offered acquisition and ultimately the likelihood of the homes being demolished. It is all in a consolidated area instead of spread out throughout the neighborhood. And that would go on each year of the program until the program is terminated.

So this illustration, you can locate your home if you're one of these homeowners, you can see what phase you're currently scheduled for in the relocation plan. You don't have to take notes on the slide here because this is also the illustration that is included in the newsletter we handed out tonight. Also on the website and in the reports as well.

Available replacement housing is also a key concern under social/economic impacts. We already heard at some of the other meetings about the relatively modest size of the homes in the Triangle Hills neighborhood compared with some of the new developments throughout Middlebury and Southbury.

We did a quick review in early 2009 of available replacement housing within a radius. We looked at ten miles. There were close to 200 homes on the market that were similar to the ones in Triangle Hills. We defined that within an approximate range of \$300,000 single family detached homes for occupancy. Those were the types of homes we looked at to see if there was availability.

Any homeowner that chooses to be in the acquisition program, you are not restricted in any way of where, how or what type of replacement dwelling home that you purchase. These are what we looked at for what was available within the local area.

To get a little more specific, how about just in the towns of Middlebury, Oxford and Southbury. When we did our review there were 91 homes of similar size and nature within those three towns. Going down a step further in the school district, there were 73 homes at the time available with a similar size of that for acquisition.

Now the acquisition program being spread out over a number of years means there is only 7 or 10 homes each year that will get offered the voluntary acquisition program.

Each year of the program the state will also review again is there adequate replacement housing. Although there may be replacement housing available right now we don't know now what's going to be the situation in five years. This will constantly be reviewed as part of the program to see there is replacement housing.

I may need a couple of breaks due to my laryngitis I get from time to time.

As part of the program also we did a survey of the homeowners. All homeowners received the survey in the mail. We did get a pretty good response. As a quick overview we were very interested in what the desires of the affected homeowners were. Now this chart is broken into two phases. On the top you see just the homeowners that are located within the runway protection zone. We got a pretty consistent response that those homeowners were interested in acquisition. 11 percent decided almost 9 percent were in favor of their home being purchased. We did get a different response beyond the runway protection zone. The remainder of the homes there we got less specific answers. 56 percent got a little over half were still interested in acquisition. But almost 50 percent were interested in noise insulation or hadn't decided yet or even a few participants were saying they weren't interest in the program at all.

Now the survey we did was just that. It was a survey at this time. You are not required as a homeowner to make a decision at anytime until after you have an offer from the state. The way the process will work is during the phase of acquisition you will get a letter from the state asking what your interest in participation will be. It is at that point where you will be asked to consider your options and talk with the state and to make a decision at that time what might be best for you at the time.

The relocation phasing, unfortunately, it takes awhile. It is primarily driven by funding available. The money for this program comes from the federal government through the FAA airport improvement program. And based on what we anticipate to be a steady stream of funding, a seven-year program could be longer than that if everyone in the neighborhood was interested in the purchase. We have no exact way of knowing at this time because the money is appropriated each year from Congress. And we also have no way of knowing exactly right now which homeowners are going to participate. So with that variability will affect the number of years it takes to go through the program.

We talked about the phasing program based on noise, proximity to runway and the runway protection zone just briefly.

We have also been asked several times what if I have a unique circumstance. For example, if I am in phase five, but my company is relocating me to a different location in the state or across the country. The state doesn't automatically choose who gets what and when. We got to go on this phasing program to be fair. But

we understand there are hardships. Sometimes there are health, sometimes they are aged related, sometimes they are business related. And those hardships will be accounted for. Any one of these examples could potentially result in a hardship in which case the state would consider the specific circumstances at the time.

There is no way to give a blanket response that under this circumstance your phasing will be moved up or not. It's all going to be on a case by case basis at the time once the program is in place.

One of the considerations that is being talked about now at the state and FAA is establishing a hardship committee. A hardship committee would include representatives from the Department of Transportation, the FAA and as well as the Town of Middlebury. And that committee could be used to make recommendations back to the Office of Rights of Way. And those recommendations would only occur when the program is in place operating and there is a formal request for a hardship in place.

With that I am going to turn it over to Derrick Ireland in the Office of Rights of Way to make a statement.

DERRICK IRELAND: Good evening. My name is Derrick Ireland. I work in the Department of Transportation's Office of Rights of Way.

The function of the Office of Rights of Way is to acquire all property rights necessary for transportation projects.

I am here to give a brief and very general overview of what a homeowner might expect if their property has been identified as being eligible for a voluntary acquisition program.

If Federal funds are used in any portion of a project, the Department must adhere to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended.

Property rights will also be acquired in accordance with Connecticut General Statutes Section 13a-73, 13a-98c and 48-50 through 48-57. These statutes establish the Ombudsman for property rights. The Ombudsman is Mr. Robert Poliner and his office can provide assistance to displaced property owners and tenants.

The Final Waterbury/Oxford Airport Noise Study and Noise Compatibility Program included, among other measures, a recommendation for the voluntary acquisition of up to 72 homes in close proximity to the airport. Both residences and businesses, if any, within the designated area, would be offered voluntary acquisitions.

Property owners that choose to participate in the program will receive an individual letter explaining the acquisition procedure, the Department's property acquisition brochure and a map depicting that person's property.

Each property will be appraised. The property owner will be contacted and given the opportunity to accompany the appraiser on an inspection of the property. A value will then be established based on the appraiser's opinion of fair market value.

Once the valuation has been completed, a representative from our office will make an offer to the property owner and attempt to negotiate a settlement.

Chapter 1.35 of the General Statutes of Connecticut, as revised, provides for relocation assistance and other benefits to displaced individuals, families and businesses.

A Rights of Way representative will provide you with comprehensive relocation assistance at the time of negotiations. All relocation payment are tax free.

I would also like to stress that tenants as well as owner/occupants are entitled to relocation benefits.

I am here tonight with my colleague Mr. James Mason, who is a supervisor in our Acquisition/Relocation Division. Both Mr. Mason and I will be happy to answer any questions during and after the hearing.

MR. McDONNELL: Wrapping up the formal presentation to give you an idea as to how we move forward from here. We will be collecting all comments tonight and also through the end of the month. All comments will be reviewed and responded to in the final environmental assessment documents. After that time that is when the FAA would issue a finding on the environmental documents allowing implementation of the program to begin as early as 2010. And with that we are going to start the public comment period.

MS. BARRETT: Thank you. There have been a number of people who have joined us since we began the meeting. So before we begin, I would like to review the format briefly of the public comment part of the public hearing.

If you wish to comment there is a speaker sign in sheet. It is at the table in the back of the room if you haven't signed up already. We'll call your name from the speakers' list, ask you to come forward to the microphone, state your name and address and make your comments.

We will ask for elected officials to come up first to speak. And all speakers are asked to use the microphone in the aisle. Comments from the floor will not be included in the official public hearing record and to give an opportunity for all who are attending time to speak, we will impose a 3 minute time limit on all first time speakers.

There will be no yielding of your unused time to any other speaker. And when you're speaking the timekeeper will use color-coded flash cards to indicate how much time you have remaining.

We will flash a green card for one minute followed by a yellow card at 30 seconds and a red card when your time is expired. After all first time speakers have had a turn to speak, anyone who wishes to speak again will be afforded a reasonable amount of time.

For those individuals who have a prepared statement you may read it into the record if you desire or simply give it to the moderator, that is me, or place your written copies in the comment box located on the table in the back of the room. These written documents carry as much weight as verbal testimony that we will hear tonight.

So let's begin with testimony from public officials. I believe we have First Selectman Tom Gormley who wants to read a letter from Congressmen Chris Murphy. Am I correct?

Let's hear from Senator Kane.

SENATOR KANE: Thank you. I appreciate Tom Gormley, our First Selectman for giving me the opportunity. I truly did not anticipate speaking tonight. I really came for listening. I like to get input, obviously, from my constituents here in the room as well as the state officials.

I do believe that this is something myself and Tom will reiterate. We have been working closely with his office as well as Representative Murphy's office. I think in your statement, we have already began the process of obtaining some monies from the federal government. I think the process is underway. This came to my attention by the First Selectman when I first got elected. I met a number of you in the Triangle Hills neighborhood and been through your neighborhoods. I hope we come to a speedy conclusion. If there is anything I can say to the state officials sitting here, I know how government works, being part of it, but it's not that easy when you're sitting on this side of the room. So whatever we can do to expedite the process for these people, for everyone involved it is truly important because it is truly an emotional issue. Something that probably the biggest thing in your life. It's probably close to my three minutes. Thank you very much. I will be, obviously listening to the entire presentation.

MS. BARRETT: Could you give your full name and title for the stenographer for the record, please.

SENATOR KANE: My name is Rob Kane. I am the State Senator from the 32nd District.

MS. BARRETT: Thank you very much. First Selectman Gormley.

MR. GORMLEY: Thank you Senator.

First of all, Congressman Murphy could not be here and he asked me to read a statement from him. As soon as I finish, I have a couple of comments myself. We will read one page. It is addressed to Mr. David Head dated July 13th.

"Dear Mr. Head: Thank you for holding this meeting to solicit public comment on the Waterbury/Oxford Airport Draft Environmental Assessment and Draft Relocation Plan. First, I would like to applaud the residents of Triangle Hills and the community activists and elected officials who have endeavored so diligently to ensure a fair and expeditious resolution to this process. The situation which residents of Triangle Hills find themselves in is unacceptable and it's been my honor to work closely with them to achieve real solutions to this problem.

As you know, I've been working with the Connecticut Department of Transportation and the Federal Aviation Administration for several months to provide relief for residents affected by the growing air traffic routed in and out of Waterbury/Oxford Airport. With the Environmental Assessment and Relocation Plan nearing completion, we're closer than ever to being able to bring relief to homeowners and it is imperative that we keep this process moving quickly.

In anticipation of these plans being finalized, I have already been able to secure federal funding to make sure that once these programs are approved, we will be able to implement them rapidly and ensure that participants in the voluntary relocation plan receive a fair value for their homes. The funding already secured, nearly \$1.2 million dollars in Federal Aviation Administration funds, will go directly to residents for the implementation of the noise mitigation efforts.

With this funding in place, we must move quickly. It is not acceptable for residents of the Triangle Hills neighborhood to have to wait one day more than necessary to get relief from this current situation. I call on the Connecticut Department of Transportation to complete this process as soon as possible so that we can once and for all bring relief to the residents who have waited too long.

Finally, just last month I authored and got passed an important amendment that will ensure fairness for residents whose homes may be voluntarily purchased as part of the noise mitigation efforts. As I listened to residents, I heard that they feared their homes' values had been negatively affected by the state and federal government's efforts to mitigate the noise and safety issues around the airport. Knowing that this is a real concern, the amendment that I introduced and passed, will ensure that residents are paid the fair market value of their homes without the negative affects of the federal and state involvement being taken into account. It's a standard that guarantees basic fairness and equity for homeowners who've seen their home values adversely impacted by the prospect of federal assistance.

I will continue to demand that all involved move expeditiously and will continue to secure the funds necessary to implement the final, agreed up plan. Triangle Hills' residents have a right to feel safe and secure, and they deserve a resolution to their situation that is both fair and equitable. Christopher Murphy".

That is just Mr. Murphy's time.

MS. BARRETT: For the record, that is a letter read into the record from Congressman Christopher Murphy. First, would you state your name and title for the Court Reporter.

MR. GORMLEY: Thomas B. Gormley, First Selectman for the Town of Middlebury.

MS. BARRETT: Thank you.

MR. GORMLEY: There is a couple of things when the Department of Transportation was good enough to come in December, I believe. Town council and myself happened to be in another meeting and Mr. Head said can we come and give you a brief assessment of the noise study. I had no idea what it was. When they laid out the plans and I saw this wiggly line, I said to Dave what does that represent. He said that is the safety zone. I said what are these dots. He said those are homes. I remember saying to Dave, Dave it's not a noise issue, it is a safety issue. That is the real issue. That is my concern. We keep on talking here about noise. I understand because I have been doing this gig for about two years now, things take time, but hello, it's not only noise it's safety.

And I have two concerns not one. I want to make sure that is emphatically understood.

A couple of the other things that, frankly, bug me immensely. The time table is 7 to 10 years as Mr. Murphy explained in his letter and Senator Kane and Representative DiMilio have been good enough to back us. It's way too much time. You can't have people 54th on the list. They are waiting five years waiting for their neighborhood be torn apart. It's not right.

The newsletter speaks of 191 compatible homes. I disagreed with that assessment. They say 73 homes within reach of the 50 schools. As far as I am concerned it is 73 not 191. That 10 mile radius doesn't just cover Middlebury and Southbury. If those 73 homes are removed, these folks get decent value for their homes, I don't think this board has taken into account we are going to have a loss of 72 homes on our tax base. Nobody is taking that into account. We should talk about that.

I think that is it. I am concerned about not only noise, I am concerned about safety. I am concerned about time. I am concerned about people getting a fair market value. Now is the time to act. Let's move on this.

MS. BARRETT: Thank you. (Applause)

MS. BARRETT: I am now going to call the names of the people from the speaker's list in the order which they signed up. Thank you very much. The first person is -- forgive me if I don't pronounce names correctly. I am guaranteed not to. Ray Pietrorazio, followed by Steve did he sole.

MS. BARRETT: We are going to ask you to spell your last name for the benefit of the stenographer please. And give your address that would be leap full as well.

MR. PIETRORAZIO: P-i-e-t-r-o-r-a-z-i-o. Raymond. 40 Whittemore Road, Middlebury, Connecticut.

MS. BARRETT: Thank you very much.

MR. PIETRORAZIO: I plan to file a comment a written comment, but I would like to expound just a little bit on what our First Selectman Tom Gormley mentioned with regard to safety in the RPZ. I found a very interesting article that I would like to read. It isn't very long. I better to get to it. My time is going.

Entitled Runway Protection Zones. This is incidentally on the Iowa land use guidebook. It is a quotation mostly from the the FAA Aviation Circular 5300-13, I believe, it is.

"Runway protection zones, RPZ, formally known as clear zones were originally established to define land areas below aircraft approach paths in order to prevent the creation of airport hazards or development of incompatible land use. First recommended in a 1952 report by the President's Airport Commission entitled The Airport and its Neighbors. The establishment of clear areas beyond runway ends was deemed worthy of federal management. These clear areas were intended to precluded the construction of obstructions potentially hazardous to aircraft and to control building construction for the protection of people on the ground. That is underscored.

The U.S. Department of Commerce concurred with the recommendation on the basis that this area was primarily for the purpose of safety of -- for people on the ground. The FAA adopted clear zones with dimensional standards to implement the Commission's recommendations.

So, what that essentially is saying that everyone knew what a runway protection zone was. Everyone had a responsibility to make sure that the development did not take place. And I guess there are some organizations, maybe our DOT that is responsible for not seeing to it that some of those developments did not take place. -- pardon me.

I will expound more in the written comment. Thank you very much.

(Applause)

MS. BARRETT: Thank you. Steve Desouch. Okay. We will move on. The next two people. The first one is Michael Giovanni followed by -- Paul Green of 75 Triangle Boulevard. Michael Giovanni. She is passing. The next is a person, resident of 75 Triangle Boulevard. You are going to pass. Is Clare and Phil France of 301 Triangle Boulevard followed by Diane Ploch.

MS. BARRETT: State your name and spell it.

MR. FRANCE: Phil France. I want to say the proposed time line for this is ridiculous. We have had hanging over our heads for 4 or 5 years, now it is going to be ten more. If the state wants to buy a home, let the state come up with the money. Let them pay it later. That is all I have so say.

(Applause)

MS. BARRETT: Diane followed by a resident of 65 Kissing Way Road.

MS. PLOCH: My name is Diane Ploch. I am a resident of Oxford at 16 Hurley Road. I co-own a home and property on the hill parallel to the airport. And my biggest concern is what about the Oxford neighborhoods. Noise and environmental impact doesn't just go north and south it goes east and west. I know of no noise studies done in our neighborhood. We are very close to the airport and our family was displaced once when the airport first came in by eminent domain. We had no choice. My parents had to sell their property and their house and move into the area where we are now only because my grandfather had more property there. So economically it was the smart thing to do at the time. If you're thinking why did you stay near the airport. Today noise levels especially the larger engine aircraft and medium range commercial aircraft are in the area. When they takeoff and land it often prohibits normal conversation in our house. If someone want to give me a phone number I can call you the next time there was a 4:30 a.m. takeoff and you can listen what it

sound like in our house. I want to know why there wasn't a study done for the Oxford neighborhood and if there was why the residents weren't notified of that.

So I would just like that you consider a study done in the area of the Oxford neighborhoods and give some consideration to the noise impact there especially for noise insulation and for health and safety standards to the neighborhoods in the Oxford area right around the airport. Thank you.

MR. McDONNELL: I will respond to that as it was a direct question. Some of the answers aren't in the reports we have out there. Technically and officially the noise study included all of the areas not just Triangle Hills, but all the areas surrounding the airport not only Oxford, but Middlebury. And the report is three inches thick. You have to look in some the noise analysis that was done throughout the community. Now that noise analysis was not measured in the program in each of these neighborhood. It's done as required by the FAA through a model system that is used throughout the country. We did identify the noise levels throughout the areas and throughout those towns and the report is very specifically including that area. Yes, there is certainly aircraft noise and noise levels that disturb residents throughout the area not just Triangle Hills.

The recommended noise study does do a few thing that will help with the noise situation. A few of them modifying the flight traffic and standardize the flight tracks better so there is less variability in the take-offs and landings. One of the model inputs is age of the aircraft and types of the aircraft. This is not a program issue. Those loud jets still flying, we have been measuring their output they have been going down over time. That's not a legal requirement, but those planes making the most noise are replaced with modern aircraft. Our model shows over time even without additional activities on the state's part the noise levels will go down to some degree.

Now unfortunately a question has come up many times what about noise insulation for homes far beyond the Triangle Hills neighborhood. We addressed those with the FAA and based on federal guidelines and the law in the land at the time, right now is that FAA and state does not have a program or mechanism to do any noise insulation for areas that are below an average noise level of 65. We know for an fact that homes experience peak noise levels well above that 65. We don't have a mechanism to do noise insulation in those areas.

I see there is some people that want to speak. You have plenty of time to. We have to do it formally because of the stenographer. If you are not already on the list please sign up. We definitely want to hear from everybody.

MS. BARRETT: The next speaker -- we have a comment from the airport manager, I think, in response to the noise levels.

MR. KELLY: If there is a noise complaint you can dial 203-264-8010. If we are not there, there is a voice recorder on that line.

MS. BARRETT: Can you repeat that.

MR. KELLY: 203-264-8010. Again there is an answering machine if you want to leave a message if we are not there.

MS. BARRETT: Yes. Ms. Fisk.

MS FISK: Tammie Fisk, Kissewag Road. I want to comment what the gentlemen said about the people just beyond the 65 to 70 decibels. I am very disappointed. I have been coming to these meetings hoping somebody would care about the people just beyond that. And I am very disappointed to hear there is nothing in place for anybody else. I am very disappointed to hear how long it is going to take for all these homes to be acquired. It is going to impact us dramatically. Even the people left, we are going to pick up that tax burden. The economic climate right now, it will affect everybody's home values. The longer it goes on the more negative publicity we are all suffering, not just the 72 homes. Plus who is to say the plane is just going to crash in the crash zone. I am a mile from the runway, direct flight path. Who is going to say the plane doesn't fall out of the sky where I live. I am very worried every time the planes are coming in low, it's scary. Nobody seems to address that issue.

I find it hard to believe that those first group of homes are in the danger zone. I think a lot of people are in the danger zone. I am hoping the First Selectman is going to get on the bandwagon. Our values in Middlebury are going to be affected even worse than they are now if it keeps going on and on. I know that because I am real estate appraiser and assessor and I know about values. That is all I want to say.

MS. BARRETT: Thank you very much. I would like to hear from Kyle Liptak followed by Paul Lavallee.

MR. LIPTAK: I am Kyle Liptak. 79 Hill Parkway. I had a question regarding the availability of funding as it stands. I understand it can take 7 to 10 years to acquire our neighborhood. The only question I don't know who to address it to, do you need to approach Congress every year for money needed for that year, which could delay this 12 or years. Or do you get the approval in 2010 and the money gets dispersed every year for seven years?

MR. McDONNELL: The way the federal program works is that Congress appropriates money each year in the annual budget through the FAA and for improvement. Congress has a 3 or 4-year program. Each year

they do have to do the appropriations. So the money does not come automatically for any project. Every year the Department of Transportation will request funding for the program through the application process. During the studies we work with the FAA it's even reasonable for this project without the implementation of this time period, it's reasonable to believe the 7 to 10 years is going to be an adequate amount of time, but we didn't push it further than that because we did not know that there would be any special assessments or special distributions of funding related to Oxford Airport. Without the homeowners and local elected officials doing anything, we still believe it is a 7 to 10-year program. With pressure put on your representatives both Congressmen and senators there is the possibility additional findings can be found, but the Department of Transportation and FAA don't have direct control over that. We will be applying for funding every year.

MR. HEAD: The FAA knows what coming. It's not like each year we are given a new sheet. They know what is coming. They told us this is what they feel is going to be available for those times. If we talk to the FAA they are available and there is more discretionary fund available, we are going to put in for more, try to get as much as we can upfront. I don't want you to think we are going to the FAA each year without them knowing what our five-year plan is. It is a rolling five-year plan. It kind of rolls out. Okay?

MS. BARRETT: Paul Lavallee followed by James Kelly.

MR. LAVALLEE: Paul Lavallee.

MS. BARRETT: Can you spell it?

MR. LAVALLEE: My name is Paul Lavallee, L-A-V-A-L-L-E-E. I live at 253 Triangle Boulevard.

A couple of things. I had some questions. You talked about X number of homes that were available in different regions in a ten mile radius, Oxford, Middlebury, Southbury. Those homes size-wise, the cost square footage exactly the same or hey listen it's an acre four-bedroom house. Our concerns. For us to get the same type of home we are living in now are we going to have to pay more, take a smaller home on less property or a smaller house to get there? I would like that clarified.

People have mentioned, the biggest concern I have is timing. You're looking at a period of about 4 to 5 years that we have been in this process. You're looking at a minimum of about a seven-year possible time period out from that. That is too long. We are being held hostage in our homes by you. We are being affected on an economic and physical basis and daily basis. You are asking us to stay in our homes without any self-provided relief until you finally get around to buying our houses in up to seven more year. If we compensate ourselves by either putting up sound insulation or moving out, we have to take the economic impact. We do that on our own nickle and not being compensated unless we stay without insulation in our own homes until

you finally get to us. That is not fair. There's been two homes that's been foreclosed on, people have moved out during this process. They have lost income and value that they can't get back. How many more homes are going to be like that until you finally get around to us?

On your study on-line, the full document I read through it. It talks about there is a maximum of \$22,000, I believe, if not, correct me, that you can get compensation for. If you have the same home on other side of town, it is more money it can only be maxed out at \$22,000 more. That also includes any type of interest compensation. If we have a variable interest at the time you go to buy us out, the interest rates are much higher that money comes off that \$22,000. So that same house you want to buy, if we stay in the same type of situation we are in now, that is where you're at.

I got a couple of suggestions in reference to doing that, you increase the time, cut it down to two years, the state buys the money, you get paid back by the federal money over that time period. I suggest compensating the people who are being forced to sell or leave prior to the buyout so they don't lose out economically. And to rebate people who have on their own gone on and insulated their own houses. You realize you have to do it, we did that beforehand.

The last thing I like to do, when you usually buy out people because you want to put a road through or widen the road, you're already affecting us. You are not looking to expand into our area, you're already affecting us and we should be compensated for that. Thank you.

(Applause)

MS. BARRETT: The final name, final person we have who has signed up to speak --

MR. McDONNELL: I will respond to the questions. I'm not going to respond to your valid points on your comments. James, if you want to do some of it, that is fine.

Looking at comparables or comparable houses on the market earlier this year. What we did is restricted it to single family detached homes and homes similar size average 1500, 2000 square feet. We also restricted it to homes average of \$300,000 asking price.

Now the way the appraisal process works, the state is going to make efforts so the negative effects of the project are not taking down off the value of your homes. Do you want to speak more on that issue?

So that if your home was normally worth, let's say, \$300,000 and the airport had no effect on it, your home value would be appraised at that \$300,000. The negative effects of the airport would have to be taken off. That is part of the Federally Uniform Relocation Act. The additional funds available for the relocation and

other financial portions of the program are capped at that 22.5. That is not related to the assessment that is above and beyond the fair market assessment of the home.

MR. MASON: I do want to make that clear that the cap represented 22,000 it's actually 22.5 that is specific to owner-occupants that have been in place at least 180 days prior to the initiation of negotiation. That means prior to us making a fair market value offer to you.

But one of the things I want to say with respect to the limits, that \$22,500 limit is just that, a limit, but that doesn't mean that there aren't circumstances that would be created such that we have to exceed that level. So, in those instances that present themselves where we indicate that 22.5 is the limit as based on the Uniform Relocation Act, we have what we call a last resort housing criteria. That, basically, is a criteria that is established to recognize instances where the replacement housing payment exceeds 22.5 depending on whatever number of circumstances that may present themselves. So I just want people to recognize that, yes, 22.5 is the limit, but there is still criteria called last resort housing.

Now as to whether or not we are going to fall into that, that is a case-by-case situation. It depends on so many different variables. To start getting into that now, I don't think is even realistic. It depends on each individual with respect to the value, with respect to their loan circumstances, with respect to the closing on costs, a host of different things. It will be one of those things that will simply be flushed out once we start implementing the location plan.

MS. BARRETT: James Kelly.

MR. KELLY: James Kelly. K-E-L-L-Y, 42 Independence Circle, Middlebury, Connecticut.

Early today, I had a number of comments I sent to you. I wanted to touch on a couple of them. One of the first comments I had was kind of falls in the line with what Ms. Fisk said, the main issue being as Tom Gormley said, the main issue being it is a safety issue. But all along this process we have been involved and I would really try to hold your feet to the fire here with respect to total noise that is outside of everything that is impacting all of Middlebury and other areas as well. But we were kind of -- I was kind of surprised that wasn't addressed. Since the last meeting there was a couple of tables in there that indicated that all these things were going to happen. I could read the whole list here. I haven't heard of status on those. I don't know what meetings were held. The follow-up seems to be very poor on all these. I know you guys are busy working this main issue which is the most important. But a lot of these decisions are being made on the noise areas as well could also impact the Triangle Hills people's decision on staying relief.

Now, I really think that should have gone in here. You can probably tell me a little bit more about later on where those things are going to be addressed, but there were things like there was going to be a website developed, on your table 510 or ES-4. Develop a website for public outreach, establish a noise abatement committee, and on and on. All these things with respect to create noise abatement procedures, runway 18 preferential. I haven't heard anything. I reread a lot of your final draft. That was one of my major issues. I would like to hear some response on that.

I am not going to comment on all the things, but the big ones.

With respect to Section 515 I think it is important to bring up, the whole section substantiated by any text. I mean there is reference in there that, basically, says abundant literature on such is clear. A significant loss of revenue to the town is not anticipated. Section 10 makes no basis for this conclusion. I request due diligence be performed to include facts, literature, assumptions and how that compares to Middlebury's tight knit town for many state residents for generations.

You know, what were the assumptions you guys had in those papers. I am not an expert, but I thought that was a big issue.

I just have -- there is a few others, but I am noticing a lot more helicopters like late at night. There were some things in there. There have been numerous comments before that were made, they were kind of brushed aside. I know you guys implemented 3,000 flights for the S76s that go by. I am not sure that is a good way to estimate what is occurring in your noise model. Maybe there is some factual information that can do that.

MS. BARRETT: Excuse me. We have run out of time. I am wondering if you want to respond up here on the table to some of your comments. You had several questions.

MR. McDONNELL: During the noise study what Jim Kelly brings up we also looked at noise abatement procedures. We did recommend noise abatement procedures. Some of those were overlay procedures which are designed to streamline the flight tracks in and out of the airport. Reduce the variability of the flight tracks. Also send more of the traffic to the south away from Triangle Circle and Triangle Hills neighborhood. Areas that had less density of homes located further from the neighborhood.

In working with the FAA in all those abatement procedures, they asked us to include them in what is called a Category Exclusion Form. They felt all those were reasonable. The comments were -- the few we did get were all positive and the FAA does intend to approve those procedures and implement them at the same

time with the rest of the recommendations. I do agree we could probably add to the EA to explain that better, that way residents would still know those would be implemented at the same time period.

We did make a decision the department is going to keep the same website indefinitely throughout the program. That is the current website where you can comment on draft studies and will become the website for the implementation of the program and continue to release recommendations.

I have your comment. You mentioned 5-15. That is reference to the environmental assessment, looking all the loss of tax revenue.

We have been asked by a couple of individuals to look into that further. That can be done as part of the final assessment conference. In terms of helicopters --

MR. KELLY: For the helicopters we are now tracking over flights at the airport. We didn't do that before. And there is some increase -- the safest place to cross an airport is dead center over top. We got aircraft on both ends. The majority of them are coming from Enfield, Bradley, going down to New York.

MS. BARRETT: We have another speaker John Defelice. Good evening.

MR. DEFELICE: John DeFelice. I live at 412 Luther Drive in Southbury. I got a few comments that I would like to present to the people here with regard to the noise study.

I read the noise study. It was an awful lot of information. I am sure everyone understood it completely. I had to read it a few times.

The day-night criteria that you talk about in your report, what exactly are the timeframes that you're looking at? I didn't see that in the report. And the other thing is going along with that, why aren't there limitations on morning and nighttime flights such as are implemented in the New York airports and the Washington, D.C. airports, where your morning flight has to go up 6:59 and the last flight would go up at 9:59 p.m. It seems like it would be a simple thing to implement here in Oxford. It would eliminate that 4:15 flight that that woman who spoke earlier.

The other thing is I read your little summary in the paper today. It was just a meeting notice, but it talked to a few things I would like to look at. First of all, it said that the funding levels for this particular effort were going to be between 18 and 25 million dollars. If I look at the \$350,000 for 71 homes, it's 25 million dollars. I'm not sure where the 18 comes from. Maybe it's just a delta, one house versus another. I don't know. This is my first meeting.

Second of all, it is said or spoke to major funding coming from the FAA. I would assume that 25 would be a pretty high percentage coming from the FAA. My concern is what percentage is coming from the State of Connecticut?

And seeing that the State of Connecticut is not in the greatest shape, I was wondering if, in fact, there is going to be any tax increases or any increases that the people should know about? I certainly would.

With regard to sound insulation of homes, I for one cannot rationalize too well with that. I worked in acoustics for 25 years at Sikorsky. We insulated helicopters such that when you have a transmission sitting six inches over your head, let me tell you if it was noisy inside, President Obama would be the first one to complain. And that was the helicopter that I worked on.

So, just a few things for you to talk about, but I am certainly interested in that funding profile.

MR. McDONNELL: I will try to go down the list and answer those individual questions.

The day night noise level or DNL you see in the report, that is the noise metric that every airport in the country uses to evaluate noise levels. It is an average noise level you can directly compare 25 in any location. The disadvantage of it, it's also an average noise level. A plane goes off at 4:30 in the morning, that is averaged in when there is no noise from the airport. It's the only method the FAA allows us to use whether it is significant or not. The FAA determines that at 65 decibels the average goes up. A little more detail on that is that due to the added annoyance of nighttime activity, the metric assigns a penalty or waiting to nighttime flights. Any flights that occur between 10 p.m. and 7 a.m., is assigned a ten decibel penalty and that is a ten fold in terms of the numbers of flights.

MR. DEFELICE: Is that the nighttime average?

MR. McDONNELL: Ten to seven is how nighttime is assigned for noise analysis. That is a summary of the DNL.

We do have summary in the report presented throughout the level you can see where some of the peak noise at your homes as well.

The limitation on flights is very interesting position. It is true that airports in Washington where your Congressman lives do have these caps on them. Every other airport in the country is prohibited by Congress to have caps and curfews on 25 nighttime flights, including Waterbury/Oxford Airport. It's similar to

regulations applies on interstate highways. The state and feds cannot shut down 84 at three in the morning. They also can't shut down the airport. If that wasn't the law of the land we have go into that more significantly.

In the meantime, the airport does work with the operators and tenants to do everything they can to reduce the nighttime activity particularly of those big noise offending aircraft?

MR. DEFELICE: That would be pretty good for all these people if you could limit early morning flights to 7 a.m.

It's not a big thing. I am sure that Mr. Executive wouldn't like it if we flew over his house at 4 o'clock in the morning. But these people are just as important as he is.

It's not a big deal. I can't see why it can't be implemented very quickly. Maybe we need to write to our Congressmen and senators. It seems like it's so easy and would alleviate so many of your problems. Anyway, maybe we can get down to the funding profile. I really would like to know about that.

MR. McDONNELL: That is a simple one. Program is 95 percent funded by FAA, by the federal government. Five percent is funded by the state.

It is possible that could change over time. Some years it was 90 percent and 10 percent share. Right now it is 95, 5. We have reason to believe from Congress that will continue into the future.

You had a question on the sound insulation? You had a valid point in that sound insulation only has a limited benefit to homeowners. You can't sound insulate all the noise. You can make it somewhat better 5 or 15 decibels, something in that range. Certainly that only does benefit for indoors, doesn't do anything for your property outside.

MR. DEFELICE: An air conditioning system would certainly alleviate the problem. Certainly inside the house.

MR. McDONNELL: It is part of a noise insulation program. The first thing that is done after homeowner requests home insulation, the home is tested, can at least a five-decibel be accomplished in that home. If the home is already close to the airport, already has excellent windows doors and weather stripping, an air conditioning system, it may not be possible to reduce it significantly. If those things aren't the case, a significant reduction indoors can possibly be made to that home. If it is such that is the case, that homeowner could continue on and get that program installed.

The last question on your list was a 18 to 25 million dollar program. 25 million dollars if everyone's in the neighborhood were to request full acquisition, we believe that won't be the case over time.

MR. DEFELICE: Thanks very much.

MS. BARRETT: We have two more people who signed up to speak. Alicia Brandeis followed by RON Brandeis.

MRS. BRANDEIS: Alicia Brandeis. 129 Boulevard.

Looking at your beautiful map here. You are going to excuse me, but I don't want to be rude with anybody with this. It is very hard and this has been very emotional since day-one. My house is one of the yellow ones, if I understand this clearly it would be in the phase one and what you are saying in that documents, I am supposed to be the nine number house to be bought. Of course, if I say yes. If I say no, what is going to happen with my house. If I stay there for the rest of my life who else is going to come buy my house knowing we have a huge airport in the back. So I don't have any choice. And my house cannot be insulated either because, I guess, if I understand this clear. Then my neighbors, people that I really like I am going to be gone first. She lives next to my house and she is going to be in phase seven. How in the world I am going to say, boy, to her I am free you're stuck here? It's not right. So I should be happy. I am one of the first ones, but I am not happy about it. I don't want to be the number seven either. I don't know if you understand what I am saying. It is very hard to go and leave them behind in the home.

The next thing I have to say, I have two beautiful children that I have been excellent in everything you can imagine in this Town of Middlebury. Sports, Boy Scouts, friends at school. How am I going to tell to my son I don't know if we are going to have enough money to stay in Middlebury. Maybe we need to go back to Waterbury. I'm not going to Waterbury. I am going to stay either in Middlebury or Southbury. So somehow you are going to find the money because I am not going to have a problem with my husband or my children.

My house and our family has been very stable for 17 years. And we move in that house 12 years ago without knowing that you were going to enlarge and this was going to come in the future, otherwise we would never have bought the house. And I know I have one minute. So what else can I say to make you understand how hard this is?

And it is not the packing that frightens me the most. Where am I going to put my two great children so they will continue doing great in this school system I have. With beautiful house that I have, beautiful playground with your airport going back and forth. I'm not going to go up to Brookside where I am going to be close to somebody else. We choose that place.

Somehow in a good way you guys are going to accommodate us otherwise I don't know. I don't know what's going to happen. So thank you.

MR. BRANDEIS: I am the other half, Ron Brandeis. Technicalities, in 2010 when exactly does it start. We are number nine. Is there a pecking order? You have nine people, ten people working at the same time. I am starting to get ready for this. I would like to know when next year that starts to take place. Is it actually allocated? You may have said that. Is this actually going to take place next year? I think you may have answered that.

The other thing, just to go back to what she said, if a person decides not to take your offer say in phase one, are they allowed to take the offer in phase 3 or 4? Is it a one time offer? That is it. I am not sure how that works. That is my question.

MR. McDONNELL: I will start with the question on the funding. As you heard from Congressman Murphy's statement, there is over \$1 million currently allocated for the program through 2009. The program once it is approved this fall, you start gearing up for the acquisition and letters can go out for those homeowners in phase one to see which want to participate in the program.

For 2010 there is not enough funding allocated in 2009 to purchase ten homes. The department's request is already in with the FAA and already programmed with the FAA, but Congress, not just for airports, Congress has not appropriated the budget for 2010 yet. We are eager to see that happening in Washington so the FAA can start distributing the money they are programming for fiscal year 2010.

With regard to one time offer, if you're in any phase you decide not to participate, the plan the department has to continue the program make offers to the other persons in the program. But before the program would be closed out, they would make a second offer and keep in touch with the own homeowners to see if they had a change of position or selling or insulation. But the plan is to go through all the other homes, give them an opportunity before returning to homeowners that said they weren't interested in participating initially.

If you're in phase one, the exact timing exact month, we cannot unfortunately tell you when that would be at this point. We are hoping by the end of this fiscal year which is in September 30th, the program for 2010 will be allocated, we will be able to tell you more specifically about the acquisition offers.

MS. BARRETT: I would like to ask Elridge Arco to come to the microphone.

MS. BARRETT: Elridge Arco, 112 Triangle Boulevard.

Does anybody else have a comment or question? Okay. The man in the yellow shirt, could you come to the center aisle, let us know who you are and where you live.

MR. SCHOL: Kirk Schol, 56 Barkley. A couple of comments.

First comment is every time this airport has applied for federal funds, which they needed to do for the last 35 or 40 years, the Federal Aviation Administration has had to okay these plans. And every time they looked at a map or took a flight over the area, they seen this resident neighborhood at the end of the runway. I would like to make it very clear we were there first. This airport came in after this neighborhood was established. And, I believe, not only do we believe deserve fair compensation to allow us to stay within the area, we also deserve some kind of compensation that the airport was allowed to do everything they wanted to do without asking the Town of Middlebury or the people in this neighborhood whether or not they could do it. This is an extremely important point.

I think everybody in here shares that same sentiment. I don't hear any apologies from the DOT or anybody. They never mentioned it until I brought it up in 2003. They never said a word about it. This is a safety issue this is not a noise issue. You have 32 homes in a federally mandated crash zone. Noise is one thing. This airport should have never been allowed to expand where it is today. Thank you. (Applause)

MS. BARRETT: Anybody else wish to speak?

VOICE FROM THE AUDIENCE: Response to that?

MR. McDONNELL: All those comments will be collected and responded to. Most were comment not questions. They were all valid comment. The study does not concern any decision-making process whether the airport was there first or homeowners were there first. We won't respond to that in the report. It is not based on the decision process. The situation is unfortunate and we are going to use all the powers that are available to rectify the program with the available funding.

MS. BARRETT: Up in the back row. Please come forward.

MS. NELSON: Christine Nelson, 1418 Christian Road, Middlebury.

You said we were all going to get appraised individually, correct? So we are getting appraised. You want us to keep up our houses that are going to get torn down. Some far I fixed my foundation three times. It got

cracked again. Is this all included? They appraised my house now it is a cracked foundation. I fixed it three times. I am done fixing it. It is a question.

MR. MASON: Well, the approach the state takes, we have fee appraisers and staff appraisers. They are all certified licensed appraisers in the State of Connecticut. They will approach the value of your property in the manner consistent with use pattern regulations. If I understand correctly, you are asking if you are going to be compensated for the costs that you incurred in having to patch your foundation several times. Is that going to be considered in the valuation, if I understand you correctly.

MS. NELSON: That money that I paid for three times for people coming to get dug out around my house to fix everything could have went to additions and other areas, but it was fixing a house that kept on getting ruined by all this noise and the shaking at four o'clock in the money.

MR. MASON: The valuation process involves value as of a specific date. So the appraiser will look at your property, inspect the property with you. That is part of our procedure. We offer the property owner an opportunity to join the appraiser in the inspection. If you got any issues or concerns you want to point out to them, by all means you're more than welcome to do so. The value of the property is established as of a specific date. I don't believe that would take into consideration the repairs you had to make years back and what have you. As Paul said this is definitely an unfortunate situation, but you have to establish some parameters which to begin your valuation. And the valuation will be based on a specific date and that is typically about the date of the inspection.

MS. NELSON: As Mayor Gormley said all our taxes that are lost on these 72 homes that were kicked out, I think the airport should put up some money for that. That should all go to Oxford people. Maybe they should consider that. (Applause)

MS. BARRETT: Does anyone else have a comment or a question? The gentlemen in the second row. You don't have to spell your name again.

MR. PIETRORAZIO: Ray Pietrorazio. In the Draft Environmental Assessment page 14.3.1 .2 reads: "The acquisition would not enable further airport development or expansion". And I would like to suggest the possibility of rewording that statement to read something to the effect this airport will not be further developed or expanded. I would like you to consider that. Thank you.

MS. BARRETT: Thank you. Yes, Mr. Lavallee.

MR. LAVALLEE: Just a question. -- for the record. Paul Lavallee, Triangle Boulevard.

More or less a clarification. A lot of our homes are in the 5, 6, 7 years. A lot of questions have come around talking between neighbors should I put on that deck. Should I repair my roof. Other questions as far as investing money into our homes. I personally over the years have soundproofed my home, replaced all my windows, put a new roof on, insulated, I won't be compensated for that under your type of plan as you presented now. What improvements can you do to our house or should we do to our house if we are that 5, 7 years out? Address some of the issues what we should or shouldn't do. There is a lot of questions between the neighbors on that. Thank you.

MR. MASON: I can't tell you specifically what you should or shouldn't do. The fact of the matter is that because the program is extended out to seven years, potentially beyond that really has to be a determination you make. You have to enjoy your home. But one of the things you have to recognize with anything, any investment you make with your home is just that an investment. So those are the types of things you want to bring to the appraiser's attention. My home isn't just like every other home. It's got this amenity or this amenity or that improvement or that improvement and that could play into your appraisal. So, if that offers you any kind of solace, if you will.

Personally speaking, the way I look at it you have to enjoy your home. You have to live there. If you're concerned about the period of time it is going to take to get to you, you need to make the improvements that would allow you to live there in a peaceful fashion. So, that is a decision you have to make. We can't tell you definitively what you should or shouldn't do. I would suggest if you do, in fact, make these improvements bring it to the attention of the appraiser so he can recognize that and consider it accordingly.

MR. LAVALLEE: Usually when you make improvement, the impact is not 100 percent. If we put in \$30,000 to improve all our windows because our old windows are leaking or cracked, whatever, like you said we have to maintain our homes. That is money we are probably not going to get back. For us to get the best economic value, we have to sit there with the uninsulated stuff, the air conditioner is broken. For us to get the money back on that, what you're telling us is sit as you are, wait until we get to you.

MR. MASON: I am not telling you anything.

MR. LAVALLEE: To get full value.

MR. MASON: With any investment you recoup that investment over period of time. If I understand you correctly, you don't have the opportunity to recoup that investment because of the program. I go back to the point I made before, you have to make a decision between whether you want to do that to better you are living situation, enjoy your home that much more or you don't. It is a reality of the program and what we are

dealing with here. There are limitations as to how quickly we can move forward. And during that period of time, it is going to be up to the homeowner to make that decision.

MS. BARRETT: Excuse me, if you want to make a comment please come up to the microphone so we can record it.

MR. CRAMER: Mike Cramer, 16 Hurley Road in Oxford. We are talking about a condemned piece of property, basically. You are talking about him making an improvement and getting his money back? How is that going to be rated? When somebody comes to appraise his property that has no value, how is he getting his money back? I want to hear that.

MR. MASON: I don't know where you're referencing the property having no value. All I am saying it is going to be up to the individual property owner to make that decision.

MR. CRAMER: When the property is evaluated it has no value because it is not going to be turned into new property, it is going to be taken, it has no value.

MR. MASON: The value of the property is going to be determined by an appraiser.

MR. CRAMER: You say it is going to be rated, what is it going to be rated against? It doesn't have any value.

MR. MASON: Are you talking about comparables? What are we going to compare the property to?

MR. CRAMER: Exactly.

MR. MASON: Well, we have appraisers that going to have to determine what properties are out there that --

MR. CRAMER: What kind of a property is that worth when we are appraising a property that can't be sold to a property that can be sold?

MR. MASON: I don't know what you're saying --

MR. CRAMER: It cannot be sold. You're saying the property was cannot addressed?

MS. BARRETT: I think that was addressed earlier in the meeting by Paul McDonnell.

MR. MASON: I want to make one statement. The appraiser will have to in developing his appraisal he will have to establish comparable sales. He will have to go out and identify properties sold comparable to the subject.

I understand what you are saying, Triangle Hills is specific and unique, but any property can be appraised. There are a number of different tools, if you will, an appraiser uses, adjustments, a host of different things. I wouldn't be concerned because it's in the Triangle Hills area it's so very unique it can't be appraised. It will be appraised. The appraiser will establish that based on comparable sales.

MS. BARRETT: Anybody else who hasn't spoken?

MR. HUSTE: Tom Huste, Triangle Boulevard. You folks seem to be in love with this term of fair market value. Nobody mentions the fact the market requires a willing buyer and a willing seller. We don't have this here. You, basically, have stolen our property. We can sell it to you or go pound sand. The best we've gotten out of you is that is unfortunate. We are taxpayers of the State of Connecticut. And taxpayers of the United States and federal employees and state employees. The best they can come up with that is unfortunate. It is unfortunate this is the level of the town we have working for us. (Applause)

MS. BARRETT: Yes.

MR. BANZIRUK: My name is Harry Banziruk. I live at 31 High Lane Road, Oxford. A gentlemen previous to me asked the question about airport curfews. You made the statement you're prohibited by law. Is that a factual statement? Because in a previous public hearing that I was reading, it says "flight restrictions, curfews need an FAR Part 61 study. What is the deal? Could that study be done? Is there a reason why it wasn't been done or some is there some misinformation going on here?

MR. McDONNELL: That's correct. Right now curfews now in place. There is a potential method that you mentioned that some airports have tried to go through to try to get a curfew in place. To date in the United States none have been successful in getting that established yet. It is conceivably possible that process can be attempted in going through the federal program to see if it is established. There is no such program in place in Oxford or anywhere in the United States.

MR. BANZIRUK: Why hasn't somebody done the study yet?

MR. McDONNELL: The way the regulations work, the only onus on the airport sponsor to get such a curfew approved. That is why it's not. It would take a long time to go into the regulations, but we can respond in more detail in the final environmental assessment.

MR. BANZIRUK: In my second question is in the current study Section 2.2 states Appendix A uses ground-based noise metrics to compare the IMA data.

I am kind of confused does that relate to the noise contours that you have drawn on the map which says this location is only a 50 rating yet we had a location where we did some actual measurements, so how do you relate the actual measurements to your computer model and where are they? I couldn't find them in the study.

MR. McDONNELL: The study you're referring to is Department 50 noise study not the draft we are referring to most of this evening. What was done specifically was the model, computer model was used to evaluate noise levels, contours and point sources throughout the community. That was done based on the model. Then there was a small noise monitoring program to supplement that. That monitoring program was only in a handful of locations including Triangle Hills, including places in Oxford and Southbury. That noise monitoring program was just a snapshot of the noise level occurred from the airport at the time of the monitor. It was significantly limited to the amount and time period involved in the monitoring itself.

During those recordings, actual recordings at that location, we were curious to find out if there was any case where the noise level that was monitored exceeded what was modeled by the computer program. The actual noise level was higher than what was being produced by the model. The model has the advantage of looking at all activity throughout the entire year not just what happened to take off and landings at the time of the monitoring.

And based on the monitoring and model we were able to conclude there were no circumstances that the noise level that was recorded exceeded that generated by the model estimate.

Now in order to do a comprehensive monitoring program, that requires multi million dollars of effort with monitors throughout the community that are kept there 24-7, 365 days. There are some large airports that do that effort. The noise study certainly identified the real noise levels throughout the Town of Southbury, Oxford and Middlebury. There was never any conclusion it was not that loud. There was no detailed comprehensive monitoring program necessary.

MR. BANZIRUK: If one of your recommendations is to direct traffic south of Oxford, what kind of controls are you going to put in place to make sure you don't shift more of the noise and we are going to wind up with more areas south in Oxford maybe other areas as of concern in the noise zone. If you don't want to do any monitoring, I don't understand why we have all these hearings then.

MR. McDONNELL: The hearing is not related to noise monitoring. The noise model itself is perfectly capable of evaluating the effects of sending noise further to the south or north. That was used throughout the program to make those assessments or valuations.

MS. BARRETT: We have a gentlemen in the back row. Please come forward.

MR. SCHMADEL: My name is Jay Schmadel, 68 Hill Parkway, Middlebury.

My question is when people voluntarily "give up their house" how soon does the demolition takes place, what safeguards are put into place for the people in phases 2,3,4,5? When these house are taken down, are driveways left, foundations left. We are going to put up to this destruction as opposed to construction the whole seven years?

MS. BARRETT: Response?

MR. McDONNELL: The specific details of that haven't been worked out, but in general when the acquisition occurs in phases, all the homes that happen to be purchased in that phase would then after the homeowners, of course, have been relocated the state would come in with a program to demolish those homes, remove the driveways and foundation in a consolidated period over several months in that same specific block to reduce the impacts throughout the community. So it would be done in groups of homes to the best extent possible.

In the interim, the homes would be locked. They would not be boarded up or shuttered up. They would be standing there. Law enforcement would patrol like they do now to limit any damages or vandalism. When the homes are demolished, they are removed in their entirety. The home removed, some parts may be recycled, foundation would be removed. The area is reclaimed. The grass is planted, returned to an undeveloped state.

MS. BARRETT: The gentleman behind the yellow shirt and somebody on the aisle after that.

MR. ECSEDY: Greg Ecsedy, 254 Triangle Boulevard.

MS. BARRETT: Thank you.

MR. ECSEDY: Have you determined a price for demolition? The reason why we are asking, you're allotting per fiscal year, you're allotting 2 1/2 to 3 1/2 million dollars for ten homes, that works out to be \$350,000 per house, let's say. What is the estimated cost for demolition and removal?

Number two, I want you to restate again what happens if we defer, we choose to defer. If you could repeat that answer again. And the last thing.

Some of the funding you have here for relocation is similar. Does that apply if you want -- you have to ability to buy up or upscale, what happens with that?

MR. McDONNELL: We can address those comments. The amount we programmed in the study each year, each phase cannot be used to determine what you are going to get as a purchase offer. You cannot do any backing into it. I have to check, but, I believe, it's estimated about \$30,000 for each demolition and reclaiming the site. You cannot read into that based on what you are going to be offered from the state at the time. The best way to assess that if you know there are similar homes in other parts of the town or in Southbury or Oxford, there is other, say, three bedroom home, single family detached 1700 square feet home, similar age and condition. What are the values for homes just like that selling for, compare it to your home. That would be the value you would be offered, similar home in a different location nearby.

Now if you opt out the first time, sometimes what we call offered acquisition from the state and you say we are not interested at this time, the plan of the program is to go through the rest of the acquisition program, give all the other homeowners the opportunity to take a purchase. At the end of the program after everyone has had the opportunity, the state does plan to go back to homeowners that have opted out originally whether it is for the buyout or for insulation, if they are eligible give them another opportunity before the program is terminated.

MR. MASON: I am going to address the question with respect to upgrading your home or buying up, if you will.

Ultimately the decision as to where you relocate, what home you purchase is yours. The state will not dictate what or where or how you should buy. That is really up to you. What the department will do, however, is negotiate in good faith with respect to the value of your home and then also afford you relocation assistance. In that relocation assistance there is monies available you can use to potentially upgrade with respect to a new home. So that is understood that in any situation where there is displacement, that property owners may want to take advantage of the opportunity to move up.

There are monies within the relocation program you can use to do that. Replacement housing specifically. That opportunity will present itself depending on your circumstances as to what extent you may want to move up or you can move up.

One of the things I really want to impress on you, this isn't based on a question, when the state approaches you with an offer it is just that, it's an offer. That is an offer based on an appraisal. If you feel that there are items or criteria that we did not consider in our appraisal report and you have evidence to support that in the way of market data or another appraisal, we will by all means take a look at that and critique it against our appraisal and make you another offer if we feel it's justified. The process is not etched in stone with respect to the state makes an offer and this is all you get. The process involves negotiation and good faith negotiation. I really want everyone to be aware of that.

MS. BARRETT: Somebody over on this side. Yes. The woman in the black. You're a first time speaker.

MRS. HAYDEN: My name is Hillary Hayden. 221 Hill Boulevard. My question is, my husband and I, we are in phase 6. By the time that comes around to us we will be almost 80 years old. How do we go about trying to go into an earlier list rather than having to go to a nursing home?

MR. McDONNELL: One of the common categories for a hardship case is age. Health, financial situation, employment all of those are potential hardship cases. For persons who are in latter phases that have a particular hardship there will be a program in place for you to make that known to the department so that it can be considered for changing the phase for that particular circumstances. The details of that have not been worked out yet and the decision would be on a case-by-case basis. We can't give you any blanket statements whether that will be acceptable or not.

MS. BARRETT: Okay the woman in white.

MS. FISK: Diane Fisk again. I am wondering if there is any recourse for the homes in Southbury, Middlebury or Oxford in that area that you say the sound level isn't loud enough to be compensated with noise insulation? Is there any recourse or appeal process people can take?

MR. McDONNELL: Unfortunately, again there is no appeal process or opportunity to get sound insulation or a buyout if you're beyond the 65 DNL contour. That is a restriction established by federal law.

The other portions of the program will have a minor effect, but a beneficial effect such as the abatement program that is being implemented and phase out of larger older aircraft will also benefit everybody.

MS. FISK: And how will the people affected by that be notified? As someone said earlier, there wasn't as much communication about that. Can people sign up to be notified so you know what is going on?

MR. McDONNELL: The best way would be through the website. As the final report is prepared and environmental program is completed and we move into implementation, we will do updates on the website. And the commentability to the website is always there. You can make suggestions or recommendations, comments and questions right through the website. We have been pretty good in updating when we get comments.

MS. BARRETT: I see another speaker in the back.

MS. GABELMAN: Nicole Gabelman.

MS. BARRETT: Thank you very much.

MS. GABELMAN: I was wondering every year you have to reapply to buy the houses, what happens one year IF you don't get the money for it?

MR. McDONNELL: If there is one year you don't get the money because the federal funding is not appropriated, we apply again the next year or the very next opportunity. The program has been a stable program over time and there are many programs similar to this that houses acquisition is funded each year and the programs continue to be implemented.

We are pretty confident the program will have funding over time. The problem is to guarantee any levels, total amount of time it is going to take. The department is committed to the program. We will apply for funding at every available opportunity.

MS. BARRETT: I think First Selectman Gormley wanted to make a final comment. Do we have one more in between?

MR. LAVALLEE: I don't want to go into specifics. My wife does own a business in our home. I was curious, I read through the draft report and they talked about basic compensation to reestablish the business out of the home. Is that the only compensation available or how would I address that or get those answers later on? I want to know how we go about that.

MR. MASON: There are two different criteria that most likely would be involved. There is a host -- a number of different scenarios involved in relocation. In the event, you do have an in-home business that business in and of itself would be eligible for relocation separate from the dwelling aspect from the property. You could, in fact, receive assistance for the business, separate assistance for your home or living arrangement. That includes moving expenses. That includes reestablishment expenses. There is a whole different set of criteria

used to discern what you may be eligible for in the way of business relocation, but definitely there is assistance to and for your business.

I will give you another quick example, you got computer hookups, telephone hookups, things like that those things could be paid for under the relocation program.

MS. BARRETT: There was a young woman in the back row.

MS. NELSON: I am Donna Nelson, Christian Road. My question is you said if we reapply for the loans, we don't get the funds for money. If we don't want to wait more time, we want to move real soon, we can't, we are stuck in our house.

MR. McDONNELL: If the question was the department applying for federal funding, the funding doesn't come through as quickly or enough resources, the funding -- the department will just take every step they can to get the funding necessary. I am not sure if I understood the question fully.

MS. BARRETT: I think the question was what if you don't get the funding this year or any particular year, does that mean the people on the LIST in that phase have to wait to the subsequent year.

MR. McDONNELL: Unfortunately, that is correct. The phase would be delayed under that circumstance.

MS. BARRETT: Yes, here in the middle.

MS. FISK: Tammie Fisk, 65 Kissewaug Road. For the record, two questions. Given the current economic climate where there are people who own a house and they owe more money than the house is worth, what are you going to do with those people? Obviously, if their mortgage is more than their house is worth, how are they going to get a house somewhere else? People have a mortgage right now, say they have 5 and a half interest and two years from now it's seven percent is the state or federal government going to guarantee these people the interest rate they have currently on their homes. It's not like you are going to switch them and every little bit is going to be taken care of. I don't think it is that easily transferable.

MR. MASON: To answer your first question is I believe negative equity.

MS. FISK: Upside down mortgage.

MR. MASON: That is a reality that a lot of people are finding themselves in that situation. The department has looked at that as part of it's negotiation. In other words, we have considered that. We clearly do not want

to create any additional hardship. That is a factor we definitely take into consideration. When we negotiate as to exactly we are going to give you as much money as you mortgage out on your property, I can't tell you that definitively. It could be a host of different circumstances. It could be mortgaged out what the real value is, reasonable value. To get to my point, we recognize that is a very good possibility out there. We will definitely consider that as part of our negotiation when we make an offer and negotiate with you.

MS. FISK: What about the people if they lived in a different part of town, they can do short term sales? That's not available to the people. They are really stuck. Because what is available to regular people who own houses without the airport dilemma. That includes people whose houses are not going to be acquired, people in the surrounding neighborhoods because of all the publicity affects everybody's value, what happens to all of us and these people have no recourse. If you live in Southbury you are not right on top of the airport, you owe a lot of money on you house, you can do a short term sale. These people can't sell their home. Who's going to buy a house they know it is going to be condemned? I know you're trying to say we are going to give you this and this. It's so far in the future, people have lost their job offers, people can die waiting for you guys to move along. Not to be blunt about it, people want to move on. They want to retire whatever. They have kids in the school. No amount of money even if you said here's a million dollars, the animosity, constant worrying about it, is ever going to pay these people back or people around them. You're ruining a community.

The last comment I want to make. We hear all the noise. Middlebury gets nothing for it. We pay top dollar taxes. I am in the flight path. At least in Oxford they get some money from surrounding businesses around the airport, the restaurants, we are getting nothing. As a town we are paying exorbitant taxes to listen to these planes. Night after night, morning after morning. I hear from people all over the place that tell me the planes are going over all hours of the day. It is not right, in Middlebury, Southbury, Oxford, Seymour everywhere. What are you going to do for the rest of the people?

MR. MASON: You had a lot of questions and a lot of comments. I honestly can't tell you I kept track of all of them. One of the things I want to talk about are interest rates.

You bought your home how ever many years ago. Got one interest rate. Unfortunately it's not available. That is component of our replacement housing payment. Mortgage differential. that accounts for interest rate you originally purchased your home with. What is out there. That is definitely something out there that we can remedy, if you will, through the relocation program.

With respect to all the other issues and concerns, I will have to defer.

MR. McDONNELL: I'm not going to have a great answer for a lot of those things. As you know a lot of those things is just a situation of living next to or in the vicinity of the airport. You're correct that the Town of Middlebury doesn't get tax revenue or ratable from the airport. There is some misinformation that Oxford does get a lot, they don't get much either. The state owns the airport not the Town of Oxford. Physician.

MS. FISK: They get something.

MR. McDONNELL: There is businesses in Oxford.

MS. FISK: Very few.

MR. McDONNELL: The time factor, you're right on that. I don't have any additional information for you on that, but your points are definitely valid.

MS. FISK: After this is all over, they are going to be monitoring these flights after it's all done, who's going to be monitoring it?

MS. BARRETT: The gentlemen who hasn't spoken.

MR. OLANDER: Joe Olander. I have a question for Mr. Head.

MS. BARRETT: Mr. Olander, where do you live?

MR. OLANDER: 212 Triangle Boulevard in Middlebury. I think the main concern on the mind of these people is the time frame. The time frame mostly because the FAA doesn't have 25 million dollars to buy out the houses. I believe that one. The United States of America, Connecticut, Middlebury, Triangle Hills neighborhood. Mr. Head, where is this project on the list of priorities all the projects the FAA and the State of Connecticut is funding? How realistic is it we will see any money in 5, 7 maybe ten years?

MR. HEAD: I can't answer for the FAA, for the full state. I can answer for the department. This is part of the five-year capital improvement program which I stated earlier. As this project is moving forward we put it in there. It's got as much weight as all our other GA airports. Bradley has its own funds, enterprise funds, Bradley, it's different. All the other GA airports share in the appropriation we get from the FAA, and we put that in for this.

MS. BARRETT: Anybody else have comment? If not, we will ask Selectman Gormley to speak.

MR. GORMLEY: I want to thank that last gentlemen, I think Mr. Olander. He took some of my fire away because my question is the same as his. When we had the Mianus River tragedy, I don't think they just sat around and said we are going to take seven years to put the bridge back. They put that as priority number one. The fact that Bradley has a separate appropriation, that doesn't address the safety problems. I'm not aware Bradley has a serious safety problem. They used to because I used to live up in that area, but they corrected it. This should be priority number one. Time is of the essence guys. Don't you get it? We can't wait that long. You got to move. The same with the FAA.

If it is 95-5 -- I am sure if there was a serious situation, let's not wait for crash or tragedy, put it where it belongs on the top and get it done.

MS. BARRETT: Thank you very much. We will close tonight's hearing and we would like to remind you to submit any additional comments by the end of the month, July 31, 2009.

Thank you all for coming, and expressing your views. Have a good evening.

(At 9:25 the Public Hearing was concluded.)

STATE OF CONNECTICUT)) ss:
COUNTY OF HARTFORD)

I, Robert Miller, a Notary Public, do hereby certify that the above hearing public, was recorded stenographically pursuant to Notice by me and reduced to typewriting by me.

I FURTHER CERTIFY that the foregoing transcript of the said public hearing is a true and correct transcript of the testimony given at said hearing at the time and place specified hereinbefore.

I FURTHER CERTIFY that I am not a relative or employee or attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

IN WITNESS WHEREOF, I have hereunto set my
hand and seal of office at East Hartford, Connecticut,

this day of , 2009.

(SEAL)

Robert Miller, Notary Public

My Notary Commission Expires

April 30, 2009