

Local Government of the Future Subcommittee Advisory Commission on Intergovernmental Relations

Tuesday, November 23, 2021

Note: This document is ACIR staff notes written during this subcommittee meeting. It is a public document and has been provided to meeting participants for their review and revised in accordance with any comments received but is not approved minutes of the meeting.

The agenda is available at:

<https://egov.ct.gov/PMC/Agenda/Download/10386>

The audio recording is available at:

https://portal.ct.gov/-/media/ACIR/Meetings/2021/2021-11-23_ACIR_LGF_Audio.mp3

ACIR Members present: John Elsesser, John Filchak, Betsy Gara, Martin Heft, Troy Raccuia, Brendan Sharkey (Chair), Lyle Wray (Vice-Chair)

Other participants: Aamina Ahmed, Jennifer Berigan, Doug Casey, Amy LiVolsi, Sheila McKay, Dan Medress, Brian O'Connor, Paula Pearlman, Rick Porth, Rich Roberts, Margaret Wirtenberg

ACIR staff: Bruce Wittchen

1. Call to order

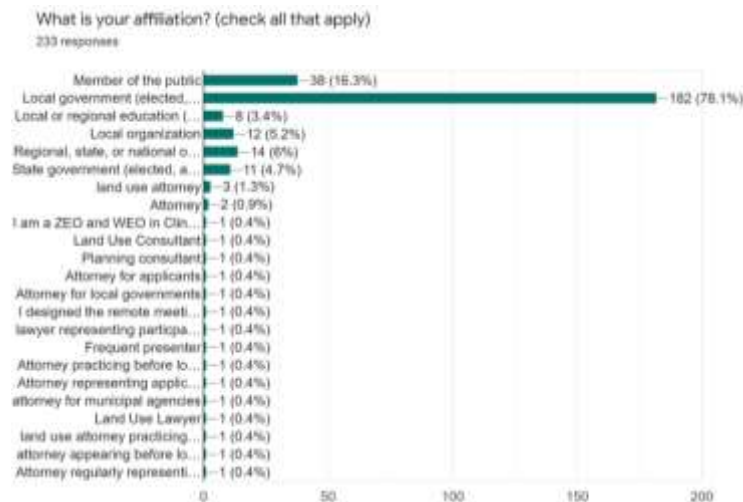
Commission chair Sharkey called the meeting to order at 10:31 and explained that the purpose is to discuss the ACIR's assignment in Sec. 154 of [June Special Session Public Act 21-2](#) (JSS PA 21-2). He also described the protocols for this remote meeting protocols and provided an overview of Sections 149 and 154 of JSS PA 21-2.

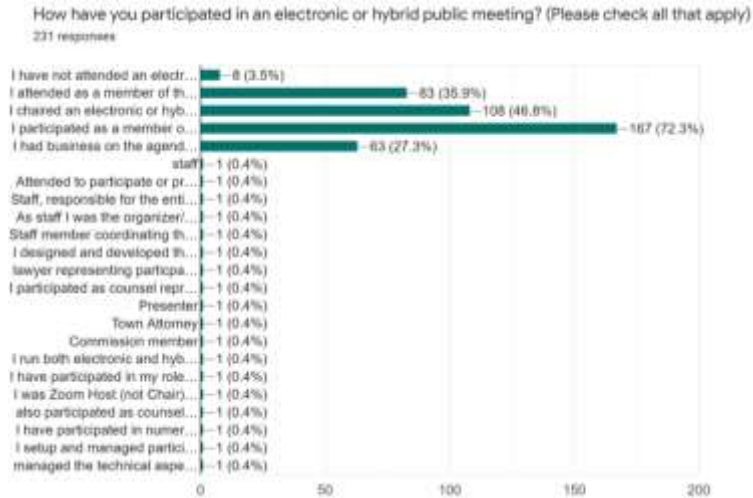
2. Review of [10/26/2021 meeting notes](#)

There were no comments.

3. Study of remote meeting access/voting required by Sec. 154 of [JSS PA 21-2](#)

Commission chair Sharkey said he was pleased with the [responses to the ACIR's recent survey](#) and mentioned the value of the charts illustrating the affiliation and meeting roles of respondents.





Bruce Wittchen noted that Google Forms simplified the process of providing the responses and it also generated those charts. He noted that many of the respondents highlighted the challenges of learning and using electronic meeting procedures.

Commission chair Sharkey said he had reviewed all the responses and he wanted to provide his observations. He said he was struck by the overwhelming support, possibly 90:10, that he saw for continuing to provide the option for remote or hybrid meetings. He noted that a number of respondents said attending in-person is better, but they still favored providing the option.

Commission chair Sharkey said people who described concerns primarily focused on technological issues, such as people's inexperience with it or inadequate broadband or Wi-Fi, but described it as getting better. He noted that there are technological issues without obvious solutions, such as enabling voting of a large group, such as a representative town meeting (RTM). Is there an available technology? He added that people reported that it helped to have IT support for meetings and certain software and hardware. He asked what is the cost to towns?

Commission chair Sharkey mentioned that people who responded, especially attorneys, raised issues regarding [Freedom of Information Act](#) (FOIA) compliance. We need more clarity regarding this. He also mentioned other issues raised about meeting protocols and etiquette. He said he envisions the report considering five factors:

- Technology issues
- Costs
- FOI issues
- Access
- Mandates

Commission chair Sharkey noted that the alternatives range from holding hybrid meetings to holding meetings that are fully remote or full in-person. He asked how the state can support municipalities and pointed out that the state can mandate specific actions or provide municipalities with options.

Brian O'Connor said a key issue to address is how to verify votes when there are many voters, such as at an RTM or a town meeting. He also said there are questions about technology and space requirements and local capacity. Commission member Gara agreed regarding the challenge of authenticating voters for town meetings and also noted the challenge when a town is conducting a number of meetings at the same time. She added that there had been an interest in limiting electronic meeting requirements to bigger meetings, such as the Board of Selectmen, Board of Education, and Board of Finance, but the public act applies to all. She also noted that many meetings are after regular work hours.

Commission chair Sharkey asked about differentiation, requiring more for larger meetings and making that optional for others. Commission member Gara said she does not favor a mandate for town meetings but added that there is support for doing more for such meetings. She noted that this as an opportunity to see how this can work and towns can choose to expand their coverage to more of their meetings. Margaret Wirtenberg pointed out that more people participate now than had prior to the availability of remote meetings.

Commission member Elsesser said his town can have four meetings at the same time and said board of selectmen, board of education, and commissions holding hearings should be the priorities. Towns lack the capacity to do more and a broader mandate could encourage illegal meetings. Commission chair Sharkey asked if a mandate is appropriate for board of selectmen and board of education meetings and Commission member Elsesser said he does not favor mandates; the state could strongly encourage electronic meetings for those groups for two years and then review towns' experiences.

Commission member Filchak said we need a better understanding of the technology and described what he had purchased for his organization. He said it would be premature to discuss a mandate and added that the ACIR could recommend a grant program. There was a discussion of a simple meeting control system costing \$1700 and Commission member Elsesser said technology is racing forward. He said a grant to municipalities of \$2500 – \$5000 would be beneficial. Commission member Filchak noted the economy of scale available if the state sought pricing to provide technology to all municipalities and Commission chair Sharkey said this is mentioned in survey responses. He added that the state could support it with [American Rescue Plan Act](#) (ARPA) funds.

Doug Casey said he is the executive director of the [CT Commission for Educational Technology](#) (CET) and provided an overview of its roles. He said he wants to share two studies that might help in the ACIR's work, the May, 2020 [School Technology: Current and Planned Investments to Support Remote Learning](#) and the Sept., 2021 [2021 K – 12 Technology Staffing Results from Statewide Survey of K – 12 Technology Leaders](#). He noted that the same people often handle IT needs for town government and schools and highlighted that IT staffing has not increased with the demands placed on them. The state should keep that in mind when considering mandates.

Aamina Ahmed said she is Assistant Town Attorney in Greenwich and noted that some people in town government had participated in the ACIR survey. She said the town now has experience with electronic meetings and voting by public agencies range from a small Board of Ethics to the 230-person RTM. She asked that the ACIR recommend flexibility. She suggested that boards of selectmen and of education might meet in person, with the public able to join remotely. She recommended that each town be able to choose how other boards meet. She said attendance has increased with electronic meetings, but the ACIR should recommend flexibility.

Commission chair Sharkey asked Ms Ahmed if municipalities should be allowed to return to fully in-person meetings with any provision for remote participation. Ms Ahmed acknowledged that a lot of people favor a hybrid approach but said Greenwich's 230-member RTM meetings are challenging electronically. Commission chair Sharkey said very few people who responded to the ACIR's survey said to return to the old way of holding meetings. The initial consensus is to have some variation of electronic or hybrid meetings. Ms Ahmed said it would be difficult to go back and even the state Judicial Branch is finding that.

Commission member Gara said she agrees with Commission member Elsesser's earlier recommendation to not mandate how municipalities hold meetings but allow electronic approaches and see how it works. She mentioned concerns that have been raised, for instance, would it invalidate a commission's decision if a speaker was not identified during a hearing. Margaret Wirtenberg pointed out the benefits of electronic meetings for people facing transportation challenges. Commission chair Sharkey recommended breaking this down to topics. He would suggest drafting language that addressed issues raised in survey responses and in comments here. He offered to begin that for review

by the group. Commission chair Sharkey said he also recommends the ACIR hold its next meeting as a hybrid meeting.

On a different topic, Commission chair Sharkey recommended that ACIR members consider providing input to the Governor regarding property tax reform. He said he has spoken with the Governor and has also reached out to Dept. of Revenue Services Commissioner Boughton and Office of Policy & Management Secretary McCaw. He said the ACIR can help with this and said this should be included on the ACIR's December agenda.

Commission chair Sharkey said he will begin his work on the electronic meeting study and provide something in the coming weeks.

4. Adjourn

The meeting was adjourned at 11:25.

Notes prepared by Bruce Wittchen, OPM