

Advisory Commission on Intergovernmental Relations

Friday, June 11, 2021

An audio recording is available at:

https://portal.ct.gov/-/media/ACIR/Meetings/2021/2021-06-11_ACIR_Audio.mp3

Members present: Carl Amento, Maureen Brummett, John Elsesser, John Filchak, Sam Gold, Leah Grenier (alt.), Martin Heft, Marcia Leclerc, James O’Leary, Francis Pickering, Lon Seidman, Brendan Sharkey (Chair), Bob Valentine, Lyle Wray (Vice-Chair)

Members absent: Kyle Abercrombie, James Albis, Luke Bronin, Sen. Stephen Cassano, Greg Florio, Betsy Gara, Brian Greenleaf, Rick Hart, Neil O’Leary, Scott Shanley

Other participants: Steve Mednick, Richard Porth, Margaret Wirtenberg

ACIR staff: Bruce Wittchen

1. Call to order and overview of telemeeting procedures

Commission chair Sharkey called the meeting to order at 10:34 without a quorum.

2. Agenda review and additions

There were no additions to the [agenda](#), but the group initially proceed to Sec. 4 due to the lack of a quorum and returned to Sec. when a quorum was present.

3. Approval of the minutes of the 5/7/2021 meeting.

When the group returned to Sec. 3 with a quorum present after Sec. 4, a motion was made and seconded to approve the [minutes of the May 7, 2021 meeting](#) and the motion was approved unanimously.

4. Legislative session recap

Commission chair Sharkey described the fate of [HB 6448](#), the Governor’s bill that included the ACIR’s proposed change to the [Regional Performance Incentive Program](#) (RPIP). It was not called for a vote in the senate. He noted that there was some opposition to other sections when it passed the house, but not to the ACIR’s RPIP 2.0 concept.

Commission member Heft pointed out that the bill had grown to 83 pages when passed by the house. He provided an overview of expectations for special session, including the status of public safety answering point (PSAP), broadband, and geographic information system (GIS) proposals. There was a discussion of community investment funds and of tiered payments in lieu of taxes (PILOT), which will go through the budget implementer process because the tier formula must be modified.

Commission member Amento highlighted a concern regarding [regional services grant](#) (RSG) funding, which was modified to correct a previous error. His council of governments (COG) would experience a significant reduction in funding if it reverts to the previous amount. Commission member Sharkey recommended contacting their legislators to ensure that is included in the implementer. Commission member Amento noted that some proposals not passed in the session are popular, such as outdoor dining. Commission member Heft said that is included on OPM’s list for the special session. There was a discussion of the budget implementer and special session processes and the expected schedule. A quorum now being present, the group returned to Sec. 3 of the agenda and then proceeded to Sec. 5.

5. ACIR reports

- a. review and possible approval: [Annual report + work plan](#)

Commission member Sharkey described the previous month's discussion of this report and the concern the ACIR's labor representative raised about the question of whether to reference the [report of the Commission on Fiscal Stability and Economic Growth](#) (CFSEG). Bruce Wittchen provided additional details regarding the compromise reached in that meeting, which he said is incorporated into the updated draft. He added that he has confirmed that the new language is acceptable to the labor representative. A motion was made and seconded to adopt the report and the motion passed unanimously.

- b. due 11/15/2021: Session mandates report
- c. due 1/15/2022: Mandates compendium supplement

Bruce Wittchen said he has begun the annual mandates review and pointed out when resulting reports are due. He mentioned previous interest in new approaches to the ACIR's mandate review and reporting and noted that change will be easier at the beginning of this process than at the end. Commission chair Sharkey asked Bruce to compile a list of suggested changes and Bruce said he will do that.

6. CT Local Government of the Future Initiative

- a. Home Rule, etc.

Commission chair Sharkey described the interest in defining and showing applications of Home Rule. He highlighted the subcommittee's desire to avoid relitigating the history of Home Rule and to instead summarize what it is and move on to where it might be misunderstood and where it can be clarified. Some legislative leaders would welcome this effort and it can help inform efforts for the 2022 session. He suggested looking into support from UConn's [Dept. of Public Policy](#), CCSU's [Institute for Municipal and Regional Policy](#), and outside expertise. He recommended the group consider attorney Steve Mednick, who is attending the meeting, who is willing to contribute some time to this gratis. Margaret Wirtenberg volunteered to assist too.

Commission member Filchak said he welcomes volunteers and pointed out that this issue arose during the debate of [HB 6107](#), *An act concerning the zoning enabling act, accessory apartments, training for certain land use officials, municipal affordable housing plans and a commission on Connecticut's development and future*. He said the ACIR needs to do this and it is the right approach.

Commission member Pickering pointed out that there are different approaches to this: the legal aspects of Home Rule, the political, the public policy, the question of subsidiarity. The ACIR needs to take the right bite. Commission chair Sharkey said the term has been appropriated and is being misapplied; the ACIR's role should be to re-set the use of the term. When the term is used it should be used correctly.

Commission vice-chair Wray said the subcommittee's recommendation was to summarize what Home Rule is and then apply it in some Local Government of the Future initiative (LGF) contexts. If looking at shared services, what does it mean? Commission member Filchak agreed with keeping it within the context of the LGF and highlighted that the ACIR is not re-doing the 1987 report. He also said he does not believe most people misuse the term intentionally.

Commission member Pickering said it is a worthwhile endeavor, but reasonable people disagree and the ACIR should distinguish between Home Rule and Local Control. Rick Porth said it will be important to frame this in the right way and mentioned metropolitan areas in other states being held back by the state.

Commission member Elsesser said there is an educational aspect to this and referred to [CGS 7-148cc](#), which authorizes municipalities to do collectively anything they can do individually. That should be explained in the report. He added the report should suggest other changes in state law and noted that towns should be able to recoup costs for local services. Commission chair Sharkey agreed and referred to past comments by Commission member Seidman regarding cooperative efforts by boards of education.

Commission member James O'Leary pointed out that the passage of CGS 7-148cc, referenced by Commission member Elsesser, had been an ACIR initiative. Commission member Elsesser said state police have said two towns cannot share police. He noted that Coventry can provide coverage to neighboring towns for 70% of what those towns are paying for resident state trooper coverage.

Commission vice-chair Wray noted that other states allow full recovery of local costs for services. He added that the proposed report should be limited to a manageable number of examples. Commission chair Sharkey said the subcommittee can take this up 6/22 and everyone is welcome.

- b. Improving the state-local relationship: UConn Institute of Public Service (IPS), [MA Dept. of Revenue's Division of Local Services](#) (DLS), etc.

Commission vice-chair Wray noted that UConn will have a new president but the ACIR can encourage UConn to revive the IPS. Commission member Filchak said it would be a longshot for UConn to reconstitute the IPS but pointed out that some university cooperative extensions do community research. He said the cooperative extension service is in place and funded and offered to contact them.

There was further discussion of the IPS and of the federal charge to land grant universities to serve such a role and that some state have a strong system. Commission vice-chair Wray mentioned CCSU's [Institute for Municipal and Regional Policy](#) (IMRP) and there was a discussion of making connections. Margaret Wirtenberg mentioned Rick Porth speaking to the ACIR about this years ago.

7. Other Old Business

- a. Update: UConn & UGA policy studies

Commission vice-chair Wray said a decision must be made regarding the topic for the next webinar and Commission member Elsesser recommended checking if the revenue diversification presentation can be ready. Commission vice-chair Wray said accelerated e-government and shared services are the other options and there was a discussion of the availability of report authors and of coordinating with CCM's work.

Rick Porth mentioned CCM's work with UMass-Boston's [Collins Center](#) regarding shared services and with Georgia State University regarding revenue diversification. He added that much of that work can be framed as e-government and Commission vice-chair Wray recommended seeing what CCM has and how the ACIR's work fits in. Rick Porth said topics such as public safety answering points, public works, and multi-town contracting will continue to be an area of focus and he added that municipal e-government solutions are timely given the state's focus on the same for its services.

8. New business

a. 2022 Legislative session planning

Commission chair Sharkey said this was addressed already in the LGF and policy studies discussions.

9. Other municipal, regional, or state matters for ACIR consideration (if any)

John Elsesser mentioned that Bill Youell has retired and explained that he was involved in the Statewide Radio System and was involved in a presentation to the ACIR earlier this year. He added that this is the start of a wave.

10. Additional Public Comments

There were no additional public comments.

11. Future Discussion Topics

Commission member Valentine said he would be interested in the ACIR taking up the subject of hybrid meetings and asked Commission chair Sharkey if anyone has reached out to him about this. Commission chair Sharkey said no one has but noted that it was a key part of HB 6448. He agreed it might be a subject for study. Commission member Valentine said it is better for participation and said Goshen has held four hybrid town meetings. He said he is willing to help with this.

Commission chair Sharkey noted the concern with this being an unfunded state mandate and said the ACIR can help. Commission member Elsesser said in-person meetings are subject to fewer FOIA requirements and highlighted the issues of providing remote access. He noted that Coventry can have four simultaneous meetings. There was a discussion of the possible need for compromise. Commission member Valentine said his focus is on town meetings because the alternative is to return to an 18th Century meeting form.

Commission chair Sharkey said he will suggest this to legislative leaders as implementer bill language. The ACIR can help facilitate the solution. Margaret Wirtenberg suggested limiting recording to meetings of elected commissions and making it voluntary. Commission member Filchak pointed out that the ACIR was discussed in the general Assembly debate and there was discussion of options for the 2022 session.

12. Next meeting

Commission chair Sharkey said the Subcommittee will meet June 22, 2021 and the full ACIR will meet July 9, 2021.

13. Adjournment

A motion was made and seconded to adjourn the meeting and it was approved unanimously. The meeting was adjourned at 11:58.

Minutes prepared by Bruce Wittchen, OPM