

Advisory Commission on Intergovernmental Relations

Friday, July 9, 2021

An audio recording is available at:

https://portal.ct.gov/-/media/ACIR/Meetings/2021/2021-07-09_ACIR_Audio.mp3

A video recording is available at:

<http://ct-n.com/ctnplayer.asp?odID=18764>

Members present: Kyle Abercrombie, Jennifer Berigan (alt.), John Elsesser, John Filchak, Betsy Gara, Leah Grenier (alt.), Marcia Leclerc, Harrison Nantz (alt.), James O’Leary, Brian O’Connor (alt.), Francis Pickering, Lon Seidman, Scott Shanley, Brendan Sharkey (Chair), Lyle Wray (Vice-Chair)

Members absent: Carl Amento, Luke Bronin, Maureen Brummett, Sen. Stephen Cassano, Greg Florio, Sam Gold, Brian Greenleaf, Martin Heft, Neil O’Leary, Bob Valentine

Other participants: Sheila McKay, Teri Merisotis, Richard Porth, Richard Roberts, Margaret Wirtenberg

ACIR staff: Bruce Wittchen

1. Call to order and overview of telemeeting procedures

Commission chair Sharkey said he called in to the meeting by phone due to a power outage and did not have access to an agenda, so Commission vice-chair Wray called the meeting to order at 10:33 and read the agenda. No changes were requested.

2. Approval of the minutes of the 6/11/2021 meeting.

A motion was made and seconded to approve the [minutes of the June 11, 2021](#) meeting and the motion was approved unanimously.

3. Legislative session recap

Commission chair Sharkey summarized the history of the ACIR’s proposed change to the [Regional Performance Incentive Program](#) (RPIP), which was passed in [June Special Session PA 21-2](#) after the senate did not vote on [HB 6448](#) in the regular session. He also pointed out that Sec. 154 of the public act requires the ACIR to study and report on remote meetings by 2/1/2022.

Commission member Elsesser said he had just left a meeting of the [Enhanced 9-1-1 \(E9-1-1\) Commission](#), which discussed [Special Act 21-16](#), *An Act Studying The Consolidation Of Public Safety Answering Points* (PSAPs). That act also requires a report by 2/1/2022 and he noted that it includes no members of the E9-1-1 Commission on the task force assigned to study and report on PSAPs.

Commission member Gara said the ACIR study is to be done in consultation with the [CT Assoc. of Municipal Attorneys](#) (CAMA) and [Freedom of Information Commission](#) (FOIC). She said her organization, the [CT Council of Small Towns](#) (COST), is working on a webinar with interested municipal attorneys and anticipates that the FOIC will provide information. She mentioned that JSS PA 21-1, also, in Sec. 78, creates a GIS office at OPM.

There was a discussion of expectations for another special session to be scheduled in September to address [American Rescue Plan Act](#) (ARPA) funds. Commission chair Sharkey noted his role in the nonprofit sector and said funding will be available for things that were not previously fundable and mentioned the new GIS office.

4. ACIR reports

- a. Session mandate report (11/15/2021) & Mandate compendium supplement (1/15/2022)

Bruce Wittchen said the two mandate reports are not due for several months but are listed on the agenda as a reminder. He added that the agenda lists two options ACIR members have previously discussed for changing or adding to the ACIR's work with mandates, but noted that there might not be enough time for such change due to the other work the ACIR has taken on or been assigned. Commission vice-chair Wray said the ACIR has a full plate already.

- b. 2/1/2022: Report required by Sec. 154 of JSS PA 21-2 (begin w/ 2020 "Best of" report)

Commission vice-chair Wray noted the earlier mention of the report required by Sec. 154 of JSS PA 21-2 and Commission member Gara's comments regarding COST's similar effort. Commission chair Sharkey said the ACIR has to decide how to organize its work and added that he would prefer to keep it separate from the subcommittee's meetings. He will reach out to CAMA and the FOIC. Margaret Wirtenberg noted that she is not a WPCAG member but offered to help with this work.

5. CT Local Government of the Future Initiative

- a. Home Rule review and report

Commission chair Sharkey provided an overview of the discussion of this topic at the [6/22 subcommittee meeting](#). He explained that the subcommittee recommends that the report summarize the meaning of Home Rule and apply it to specific subject areas. He added that municipal attorney Steve Mednick has volunteered to prepare a summary and noted the heat generated by the use of the term Home Rule in the ongoing zoning controversy.

Commission chair Sharkey said the subject areas recommended by the subcommittee are zoning, shared services, town ordinances, education, and finance. He will reach out to ACIR members who are experts in one of those areas. Commission vice-chair Wray added there should be a separate task force of people from in and out of the ACIR, including municipal attorneys and people from universities. He added that subgroups can be spun off to focus on specific areas and there was a discussion of the proposal.

Commission vice-chair Wray said the ACIR should develop an outline and then email invitations to join. Commission member Shanley said this work on Home Rule is important because people tend to think of themselves foremost as residents of their town, not residents of the state.

Commission member Filchak asked if there will be a separate group for each of the five subject areas and Commission vice-chair Wray recommended beginning with the single task force and seeing what is needed. Following up on the point raised by Commission member Shanley, Commission member Filchak said people often are even more aligned with the name of their local post office or village. He said his office is in the town of Killingly, but it is in the village of Dayville and none of the town's post offices are named "Killingly".

There was further discussion of this initiative and Margaret Wirtenberg noted that the enemy of the good is the better. Commission vice-chair Wray said we have to sort out what makes sense and at what level, noting that the state doesn't have a unifying central city or sports team. Commission member Seidman volunteered to help with the education subject area.

- b. Improving the state-local relationship: Supporting local/regional services: Cooperative Extension, CT Institute for Municipal and Regional Policy, MA Dept. of Revenue's Division of Local Services (DLS), etc.

Commission vice-chair Wray said the [CT Institute for Municipal and Regional Policy](#) (IMRP) is moving from CCSU to UConn and Commission member Filchak said he expects to talk with people in the Cooperative Extension at UConn in the coming weeks. Commission vice-chair Wray said the IMRP will be within UConn's [Dept. of Public Policy](#) and Commission member Filchak said the move to UConn might provide an opportunity for research discussed by the ACIR.

Commission vice-chair Wray asked Bruce Wittchen to set up a Zoom call between him, Commission chair Sharkey, and UConn Prof. Alkadry to discuss that move. He noted the importance of maintaining sufficient independence. Commission chair Sharkey said he will bring this up with House Speaker Ritter.

Commission member Filchak said OPM should develop capacity like the [MA Dept. of Revenue's Division of Local Services](#) (DLS), which he considers a good model. Commission vice-chair Wray said that was a recommendation of the Lamont Transition Team's [Recommendations on Shared and Regional Services](#), and Commission member Filchak pointed out that DLS can analyze whether a shared municipal service is feasible and provide the funding to start it.

Richard Porth confirmed that this had been a regular topic during the transition and said MA's DLS is an interesting model. He noted that he used to work with [NJ's Dept. of Community Affairs](#) and said there are various models, with NJ's perhaps being too intrusive.

c. [Governor's recommendations](#) regarding [American Rescue Plan Act](#) (ARPA) funding

Commission vice-chair Wray mentioned that the legislature is expected to act on this in September and added that CCM has an ARPA committee. Commission alternate O'Connor provided some background regarding CCM's advisory committee. Commission vice-chair Wray said regional Councils of Governments (COGs) have suggested that funding to small towns could be administered at a regional level, as in MA, and also that 2% of the "county" funding being distributed to towns be set aside for regional efforts. He noted the magnitude of broadband needs.

Commission member Elsesser cautioned everyone to be cautious about broadband, explaining that US Treasury regulations are very limiting regarding the use of ARPA funds. He said firms responsible for town audits will have oversight for municipalities that are not [Community Development Block Grant entitlement communities](#). How will they approach this?

Commission vice-chair provided an overview of the effort to make federal dollars going to counties elsewhere to municipalities here. There was further discussion of limitations on the distribution, use, and sharing of ARPA funds. John Elsesser highlighted that the costs of his town's air handling system needs exceeds the amount of ARPA funding his town is receiving. A decision to share funds regionally will be up to local taxpayers.

Commission member Filchak said towns in his area have requested COG assistance in administering ARPA funds; he recommends being careful and waiting for action by the governor and legislature. He also suggested being careful with the spending. This is a once in a lifetime event.

6. Other Old Business

a. Update: UConn & UGA policy studies

Commission vice-chair Wray said he and Commission alternate Porth have discussed the coordination of the ACIR's policy studies with CCM's recent work. He noted the advantages of coordinating the policy study webinars with CCM reporting and Commission alternate Porth said

CCM will coordinate as possible, noting the expectation for one of CCM's reports to be released early in the fall.

b. 2022 Legislative session planning

Commission member Seidman mentioned that a 2019 public act had required the state Dept of Education (SDE) to perform a study of expanding the definition of local education agencies and asked if that was done (*see Sec. 6 of PA 19-91*):

Sec. 6. (Effective from passage) Not later than January 1, 2020, the Department of Education shall conduct a study concerning the authorization of towns and cooperative arrangements pursuant to section 10-158a of the general statutes to be considered a local education agency for purposes of regional cooperation and in order to maximize efficiencies and cost-savings without establishing a regional school district. The department shall submit a report on its findings and any recommendations for legislation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11- 4a of the general statutes.

Commission alternate Grenier said she had lost power and could not look into it now but will provide that information.

7. New business

Commission member Gara said the Public Utility Regulatory Authority (PURA) has re-opened the docket regarding the attachment of fiber to utility poles and will share that notice. Commission vice-chair Wray asked to see COST's and CCM's comments and Commission member Seidman said this is very important for schools and is an economic issue. Commission alternate Berigan said the one-touch-make-ready approach is a labor issue and would like the ACIR to discuss this further if the ACIR intends to submit comments. Commission vice-chair Wray said he does not think the ACIR will submit comments and Commission chair Sharkey said he agrees.

Commission chair Sharkey said an additional item for consideration is for the ACIR to get on the agendas of upcoming meetings of the [Regional Educational Service Center \(RESC\) Alliance](#) and its COG equivalent to discuss RPIP opportunities resulting from the previously discussed legislative change. Commission vice-chair Wray suggested holding a 3-way meeting of RESCs, COGs, and the ACIR to discuss RPIP options after initial outreach by Commission chair Sharkey. Commission member Filchak mentioned a similar meeting organized by Scott Jackson when he was at OPM and there was a discussion of COG and state roles regarding federal economic recovery funding.

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

There were no additional matters for ACIR consideration.

9. Additional Public Comments

There were no additional public comments.

10. Next meeting

Commission vice-chair Wray read the dates of upcoming meetings – the subcommittee meeting July 27 and the full ACIR meeting Aug. 6 – and Commission chair Sharkey asked Bruce Wittchen to confirm the availability of a quorum prior to the meeting of the full group, due to vacation schedules.

11. Adjournment

Scott Shanley said this is his final ACIR meeting because he is retiring and members thanked him for his many years of service to the ACIR.

A motion was made and seconded to adjourn the meeting and it was approved unanimously. The meeting was adjourned at 11:40.

Minutes prepared by Bruce Wittchen, OPM

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