

Advisory Commission on Intergovernmental Relations

Friday, November 5, 2021

An audio recording is available at:

https://portal.ct.gov/-/media/ACIR/Meetings/2021/2021-11-05_ACIR_Audio.mp3

Members present: Kyle Abercrombie, Carl Amento, Sen. Stephen Cassano, John Elsesser, John Filchak, Betsy Gara, Rick Hart, Martin Heft, Marcia Leclerc, Harrison Nantz, James O'Leary, Francis Pickering, Lon Seidman, Brendan Sharkey (Chair), Ron Thomas, Lyle Wray (Vice-Chair)

Members absent: Luke Bronin, Maureen Brummett, Kathy Demsey, Greg Florio, Sam Gold, Brian Greenleaf, Neil O'Leary

Member vacancies: Municipal official: Town of <10,000 population, Municipal official: Town of 20,000 – 60,000 population

Other participants: Aamina Ahmad, Sheila McKay, Brian O'Connor, Richard Porth

OPM staff: Bruce Wittchen

1. Call to order and overview of telemeeting procedures

Commission chair Sharkey called the meeting to order at 10:37, noting that a quorum was present, and provided an overview of meeting procedures.

Commission chair Sharkey noted that this is Commission member Leclerc's final meeting as a member of the ACIR and thanked her for bringing her perspective to the group. She said the ACIR benefits from all the different perspectives members bring to the group for the purpose of improving government. She thanked them for what they do and members thanked her.

2. Approval of the minutes of the 10/1/2021 meeting.

A motion was made and seconded to approve the draft [minutes of the October 1, 2021 meeting](#). The motion passed unanimously.

Commission chair Sharkey pointed out that the September minutes could not be approved at the October meeting due to the lack of a quorum and invited a motion to add the approval of those minutes to this agenda. A motion was made and seconded to add that item to the agenda and the motion passed unanimously. A motion was made and seconded to approve the draft [minutes of the September 10, 2021 meeting](#). And the motion passed unanimously.

3. ACIR regular reports

a. Session mandate report (due 11/15/2021)

Commission chair Sharkey invited a motion to approve the session mandate report and a motion was made and seconded. He asked Bruce Wittchen to provide an overview and Bruce described the report, which the ACIR issues annually. He highlighted that he had expanded the letter at the beginning of the report from 2 pages to 3½ to incorporate issues ACIR members have raised in various meetings. There was a consensus that the wording of the letter is acceptable.

Bruce Wittchen noted that, in addition to Commission member Leclerc leaving the ACIR following this meeting, Scott Shanley and Bob Valentine also left the ACIR recently and asked if they should

all be included in the report's list of ACIR members. There was a consensus to do so and Martin Heft recommended that the list include when their terms ended. The motion to approve the report passed unanimously.

Commission member Cassano asked about the vacancies and Commission member Thomas said the [CT Conference of Municipalities](#) (CCM) expects to provide nominations for its positions to the governor next week. There was a discussion of the process for naming members and Commission member Gara said COST is discussing this with a potential member.

b. Future reports

- Mandate compendium supplement (due 1/15/2022)
- ACIR Annual Report and 2022 work plan (no due date, but aim for early 2022)

There was a brief update on these reports.

4. Study of remote meeting access/voting required by Sec. 154 of [JSS PA 21-2](#) (due 2/1/2022)

a) Report on 9/3/2021 organizational meeting and next steps

Commission chair Sharkey described a recent discussion with legislative committee leaders, Governor's staff, and OPM regarding the intent of the legislation and the direction the ACIR should go with it. They decided to conduct a survey asking people involved with public meetings what the important issues are and what they think are solutions. He described the survey that is currently underway and Bruce Wittchen provided an overview of initial results, noting the large number of responses and that a large majority of respondents reported being municipal officials or employees and that many have chaired electronic or hybrid meetings.

Commission chair Sharkey recommended that members think about how to review and sort out the responses. He recommended a small group be tasked with culling through them. Commission member Pickering asked if responses represent different forms of government and mentioned the need for this work to consider disability issues.

Aamina Ahmad said she works for the Town of Greenwich, which has a 230-member representative town meeting (RTM) and provided an overview of the town's approach. She mentioned an email that the RTM moderator sent Bruce Wittchen regarding Greenwich's experiences and said she would like to assist with the ACIR's study. Commission chair Sharkey thanked Ms. Ahmad and said the work can be broken down to categories and highlighted issues regarding voting and the significant differences between fully remote and hybrid meetings. He added that the [Planning & Development Committee](#) co-chairs do not want to revert back to old ways of doing things; there are new opportunities. He also cautioned that we should be careful to avoid codifying practices that restrict small groups.

Commission member Cassano noted the dramatic change in the level of the ACIR's work. Commission member O'Leary warned against getting locked into a one-size-fits-all approach and noted this is an area that is likely to evolve rapidly in the next few years. Commission member Gara recommended reviewing the [Freedom of Information Commission's](#) own [remote meeting guidelines](#).

Commission chair Sharkey recommended that the ACIR and its Local Government of the Future subcommittee not take up another project until this work is completed. He also suggested that the ACIR hold a hybrid meeting of its own, noting that the PD Committee informational meeting on home rule had been a hybrid meeting. He asked if anyone is opposed and commission members Filchak and Seidman said they support doing that. Bruce Wittchen said his understanding is that the PD Committee forum was in the only legislative hearing room having the technology to provide

a full hybrid meeting experience. The ACIR can meet in there to see how well it can work or in one of the other rooms to learn the challenges for those without that technology. Commission chair Sharkey recommended considering this after the next full meeting.

5. CT Local Government of the Future Initiative

a. Report on Home Rule (see [draft home rule definition](#))

Commission chair Sharkey noted that, due to the ACIR's other obligations, there will be no discussion of 5b (Future work for subcommittee) at today's meeting because the group will not be considering a new project for the Local Government of the Future (LGF) subcommittee at this time.

Commission chair Sharkey said land use attorney Tim Hollister spoke at the most recent LGF meeting and it was a very insightful conversation. Commission member Filchak referred to an article mentioned in that meeting that Tim Hollister had published in the CT Law Journal article, *The Myth and Reality of Home Rule Powers in Connecticut* (59 Conn. B.J. 389) and said it is very valuable. He added that he will be drafting the ACIR's report in the coming weeks.

Commission chair Sharkey noted that ACIR member Cassano had recommended the previously mentioned DP committee meeting and he is hopeful that this report will be helpful. Commission member Cassano said it will be and it will go beyond just that committee. Commission member O'Leary said the mention of local differences was very important and Commission chair Sharkey said that when the state steps in, it should do so carefully, not with a one-size-fits-all approach.

Commission vice-chair Wray highlighted that the state's historical deference to municipalities does not create a constitutional right; it does not mean the state does not have the power to do something else. He agreed the state has to be careful. Commission member Filchak said there was confusion about that following the presentation to PD Committee members and the report must clarify that. He added that we should look at home rule to stimulate regional approaches.

6. Other Old Business

a. UConn & UGA studies and Institute for Municipal & Regional Policy move to UConn

Commission vice chair Wray said Prof. Alkadry of [UConn's Dept. of Public Policy](#) has been named a [fellow](#) of the [National Academy of Public Administration](#). He also noted that there will be another webinar on [youth auto theft in CT](#) and mentioned additional webinars relevant to the work of the ACIR, including one regarding a recent rail study and others expected regarding an upcoming CCM report. Commission member Thomas said the report is coming soon and Commission vice chair Wray said there can be a discussion of webinars for a broader audience when it is ready. Commission member Cassano asked about the [Pioneer Valley Planning Commission's](#) involvement with the rail study and Commission vice-chair Wray said they are and described some issues addressed.

b. Federal infrastructure funding and [Governor's recommendations](#) re. ARPA funding

Commission chair Sharkey said he and Commission vice chair Wray are preparing letters on behalf of the ACIR to be sent to the Governor requesting his support to provide ARPA funds for UConn Institute of Municipal & Regional Policy staffing and to increase OPM capacity for ACIR work. He said the first is the more immediate need and noted that Bruce Wittchen cannot be involved in the latter.

c. Plans for 2022 Legislative session

Commission chair Sharkey said increased staffing is needed at OPM to provide municipal services and added bandwidth for the ACIR. He noted that the need to rely on ACIR members to do so much of the ACIR's work limits what the ACIR can do. He said this will be a topic to pursue and he added that ACIR members should be available to comment on hybrid meeting legislation in the 2022 session.

Commission member Cassano said there is a desire among legislators to do something when they return; the lack of personal contact has made a difference. Commission member Sharkey asked members to bring suggestions. Commission member Filchak recommended having an ACIR briefing for the PD Committee either prior to or early in the session so committee members know what the ACIR is doing. Commission member Cassano agreed.

Commission member Pickering asked what the ACIR can recommend from the report it prepared on behalf of the [Task Force to Promote Municipal Shared Services](#), which was submitted to the legislature immediately before COVID and not acted on. There was a discussion of revisiting the priorities identified in that report. Commission member O'Leary said another intergovernmental issue to consider is that Governor Malloy's Executive Order (EO) [34](#) had required the state to use the National Incident Management System (NIMS) but state agencies are not doing so for COVID, which has led to confusion at the municipal level. Commission chair Sharkey said that should be included on a list with other member suggestions.

Commission member Filchak mentioned the ACIR's briefing to legislators just before COVID regarding the task force report. Commission vice chair Wray recommended recirculating that and Commission member Pickering said it is an excellent starting point.

7. New business

There was no new business.

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

There were no other matters for consideration.

9. Additional Public Comments

There were no additional comments.

10. Next meeting

Commission chair Sharkey said people will be notified of any additional meetings regarding tasks the group is working on. He read the dates of upcoming regular meetings and noted that the November subcommittee meeting will be reserved for the electronic/hybrid meeting study group:

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| • To be determined | Study group on municipal meeting formats |
| • Tuesday, Oct. 26, 2021, 10:30 am | Subcommittee: |
| • Friday, Nov. 5, 2021, 10:30 am | Full ACIR |

11. Adjournment

The meeting was adjourned at 11:56.