

Advisory Commission on Intergovernmental Relations

Friday, December 3, 2021

A video recording is available at: <http://ct-n.com/ctnplayer.asp?odID=19155>

Members present in-person: John Filchak, Francis Pickering, Brendan Sharkey (Chair)

Members present remotely: Carl Amento, Maureen Brummett, Sen. Stephen Cassano, Kathy Demsey, John Elsesser, Betsy Gara, James O'Leary, Troy Raccuia, Lon Seidman, Ron Thomas, Lyle Wray (Vice-Chair)

Members not present: Kyle Abercrombie, Martin Heft, Luke Bronin, Greg Florio, Sam Gold, Brian Greenleaf, Harrison Nantz, Neil O'Leary

Member vacancies: Nominated by COST: Municipal official: Town of <10,000 population, Nominated by CCM: *two* Municipal officials: Town of 20,000 – 60,000 population

Other participants present in-person: None

Other participants present remotely: Aamina Ahmed, Alisha Blake, Leah Grenier, Steve Mednick, Mike Walsh, Margaret Wirtenberg

OPM staff: Bruce Wittchen

1. Call to order and overview of telemeeting procedures

Commission chair Sharkey called the meeting to order at 10:35, noted that it was a hybrid meeting and explained meeting protocols and confirmed that a quorum of members was present.

2. Approval of the minutes of the 11/5/2021 meeting.

A motion was made and seconded to approve the draft [minutes of the November 5, 2021 meeting](#). The motion passed unanimously, with Commission member Demsey abstaining because she had not attended the meeting.

3. Membership update

Bruce Wittchen said the Governor has appointed Troy Raccuia to represent organized labor, replacing Rick Hart. Commission chair Sharkey welcomed Commission member Raccuia to the ACIR. Bruce said the process is underway to replace municipal representatives who retired or left office in recent months.

4. Approval of 2022 meeting schedules

A motion was made and seconded to adopt 2022 Meeting schedules for the [ACIR](#) and the [Subcommittee](#). The motion was adopted unanimously.

5. ACIR regular reports

- Mandate compendium supplement (due 1/15/2022)

Bruce Wittchen said he had completed a draft earlier that day would distribute it to members following this meeting and later to others who have expressed interest in the ACIR's work. Suggestions are welcome from anyone. He also explained the difference between the ACIR's mandate compendiums and session mandate reports, such as the one approved last month.

- ACIR Annual Report and 2022 work plan (no due date, but aim for early 2022)

Commission chair Sharkey invited members to send suggestions for work to himself and Bruce.

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

Commission chair Sharkey provided an overview of the study assigned to the ACIR and of initial meetings. He mentioned the ACIR's recently completed survey and described his [analysis of the responses received](#), which was shown on the screen. He noted that the open-ended nature of the questions created difficulties in tallying responses but highlighted that 90% of respondents support maintaining remote access for public meetings. He added that there also is a strong preference for a permissive approach with the state enabling municipalities to provide remote access to meetings, not mandating it.

Commission chair Sharkey said an important question is whether meetings should be remote-only or hybrid. He pointed out that people who had experienced remote meetings felt that most problems people initially had with such meetings were overcome with experience. He noted that people reported a number of technologic problems, especially poor connections and other software or hardware problems. Commission chair Sharkey added that people also identified procedural problems with meetings and said people must learn remote meeting protocols. He highlighted that 22% of respondents reported no problems.

Commission chair Sharkey referenced the bar charts on the 2nd page of his analysis document, which show the recommendations received. Key recommendations included providing a best practices guide, training in the use of technology and the need for high-quality equipment and staffing. As shown in the document's final charts, respondents most frequently recommended that the legislature consider the increase in public participation with remote meeting access and improved accessibility for those who cannot attend in person.

Commission chair Sharkey said analysis of the survey responses has been instructive and added that the work already completed addresses half of the four requirements of the ACIR study:

1. findings, including any challenges encountered,
2. recommendations concerning best practices for the implementation of said provisions,
3. an analysis of the feasibility of remote participation and voting during meetings using electronic equipment such as conference call, videoconference or other technology, and
4. the identification of funding sources for the implementation of remote participation and voting during meetings using such electronic equipment

Commission chair Sharkey pointed out that the ACIR is also required to consider remote meeting technology. He said there are a number of suppliers of such technology and suggested that the ACIR schedule a public meeting or hearing to learn about technologic solutions. He added that attorneys who responded to the survey raised a number of legal issues that must be addressed regarding remote meetings. Consequently, the ACIR should also consider scheduling a meeting for a deeper dive regarding legal issues with the assistance of the [CT Assoc. of Municipal Attorneys](#) (CAMA). He recommended that the ACIR schedule two meetings for deeper dives into technology and into legal issues before mid-January.

Commission member O'Leary cautioned that some municipalities have already made some investments in remote meeting capacity, so the state should avoid mandating they do something else. Commission vice chair Wray said technology is changing rapidly and the state should continually review new technology. Commission chair Sharkey said the ACIR should recommend such flexibility. Commission

member Pickering noted that the upfront costs of providing remote meeting access can be offset in the long term by savings on providing space and staffing for meetings onsite. He added that his council of governments also saves by not having to cater in-person meetings.

Commission member Seidman said a board of education can hold some meetings remotely, even during daytime. He noted staffing and other issues but pointed out that the remote attendance option brings in more people and increases local meeting coverage. He recommended that municipalities be allowed to find the right format for them. Commission chair Sharkey mentioned survey responses pointing out that attending a meeting remotely enabled them to see presentations, not just the back of the easel holding the presentation.

Commission member Cassano said COST's input regarding small towns' concerns will be valuable. Commission member Gara highlighted the challenges of staffing meetings in different places, especially outside of normal town staff working hours. She said people do like the option of attending remotely but noted that there is a question about the potential impact of a volunteer running a small town's meeting making a mistake and whether that can create [Freedom of Information](#) (FOI) or other issues. She said COST can survey its members and reach out to the FOI Commission.

Commission chair Sharkey mentioned the FOI Commission's role in this study and said electronic meetings might require a reimagination of administrative staff job descriptions and meeting spaces. What will the cost be? Potential guidance can be considered as part of a deep dive into technology needs. Commission member Filchak said there is also a need for guidance or clarity regarding meeting protocols, noting current conflicts over expectations regarding the wearing of masks in public meetings. Commission chair Sharkey said everyone will be informed when the upcoming meetings will be and Commission member O'Leary noted the ACIR's long-time focus on mandates and highlighted the risk of new mandates regarding meetings.

7. CT Local Government of the Future Initiative

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

Commission member Filchak said he is working on the ACIR report regarding what home rule is and is not. He said he has circled back with Steve Mednick and should have something by January.

b. Possible ACIR input regarding property tax reform

Commission chair Sharkey said the administration is considering measures for introduction in 2022. He has reached out to the Governor's Office and to the Dept. of Revenue Services about this and Commission member Heft has discussed it with OPM Sec. McCaw. He said the ACIR could vet current proposals and also consider long-term approaches. He said the low-hanging fruit includes the property tax on motor vehicles and special education funding. He said this issue raises significant questions about local control and state funding. He noted Commission member O'Leary's long-standing interest in property tax reform and invited suggestions.

Commission member Elsesser thanked Commission chair Sharkey for bringing up this long-term issue. He noted the current influx of one-time federal money to municipalities, but his town is not receiving enough to cover the HVAC system at one school. He noted that CCM's board of directors is reviewing that organization's report on this issue.

Commission chair Sharkey highlighted that it will not be easy to make a major change without well-meaning people coming together. He noted the state's lack of money, perhaps not now due to the federal funds, but it will again lack money in the future. This involves the legislature, the governor, the public, and municipalities; the ACIR can help in reaching a consensus. Commission member

Filchak mentioned the [property tax report](#) recently issued by 1000 Friends of CT but acknowledged that not everyone will agree with all its recommendation.

c. Other future work for subcommittee

There was no further discussion

8. Other Old Business

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

Commission vice chair Wray said the [3rd webinar on youth auto theft](#) will be next week and mentioned other ongoing work regarding Hartford-Springfield rail. He said other webinars are planned and noted that property tax reform could be the subject of one. He also mentioned the [recent letter](#) he and Commission chair Sharkey sent to the Governor including a request to fund a policy lab at UConn.

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

Commission chair Sharkey provided further information about the letter mentioned by Commission vice chair Wray, which had been discussed at last month's meeting. He explained that it also included a request to fund three additional people in OPM's Intergovernmental Policy & Planning Division to support the ACIR and facilitate further municipal efforts from a policy and practice perspective. He received a follow-up request for additional information and he noted that he did his ACIR survey response analysis Thanksgiving weekend. He said it is difficult to rely on volunteers like himself to do such work, but pointed out that the ACIR gets only part of Bruce Wittchen's time.

Commission chair Sharkey said local officials with a question about elections or FOI matters know to contact the Secretary of State or FOI Commission. There is no analogous state source of answers for other municipal questions and there should be a place to go. He said that group could also do policy work and planning for change.

c. Plans for 2022 Legislative session

Commission chair Sharkey listed topics the group has discussed, including electronic meetings, home rule, and property tax reform, and invited suggestions for others to consider for the 2022 legislative session.

Commission member Seidman mentioned Sec. 6 of [PA 19-91](#), which required the Dept. of Education to produce a report regarding [CGS Sec. 10-158a](#)'s authorization of cooperative arrangements to be considered a local education agency without towns establishing a regional school district. He said CGS 10-158a provides opportunities to alleviate mismatches between what towns have and need. Commission member Pickering mentioned the [State Tax Panel Final Report](#), which discusses the property tax, and Commission chair Sharkey asked him to provide it for distribution.

Maureen Brummett mentioned the CAPSS Blueprint discussed by the ACIR for last year's legislative session and said CAPSS would like to present an update to the ACIR. John Filchak mentioned a new OLR report, [Animal Control Officers and PA 20-1, JSS](#), and explained that it reviews the impact of 2020's police accountability legislation on animal control. The impact is significant on small towns.

Commission member Elsesser said 5G telecommunications will be affected by what the state chooses to require of providers. He explained that that the state requires the sharing of poles and cell phone towers by other systems, but the three providers are not sharing for 5G. This is

controlled by lobbyists, not state policy. John said he will provide [a report he wrote about 5G](#). Commission chair Sharkey asked that any additional suggestions be sent to Bruce for circulation. He said the group should monitor legislation and asked if the ACIR can have a greater presence at public hearings.

9. New business or other municipal, regional, or state matters for ACIR consideration

Commission member O’Leary recommended that the ACIR review and discuss the state’s emergency incident management system and how it has been used during the pandemic. Commission chair Sharkey recommended it be an agenda item and Commission member O’Leary said he will provide information.

10. Additional Public Comments

There were no additional comments.

11. Next meeting

Commission chair Sharkey read the dates of upcoming meetings and mentioned that that the subcommittee meeting might be set aside for the legal or technology deep dive:

- Tuesday, Dec. 28, 2021, 10:30 am Subcommittee
- Friday, Jan. 7, 2022, 10:30 am Full ACIR

12. Adjournment

The meeting was adjourned at 12:01.

Minutes prepared by Bruce Wittchen, OPM