

# Advisory Commission on Intergovernmental Relations

Friday, March 4, 2021

An audio recording is available at: [https://portal.ct.gov/-/media/ACIR/Meetings/2022/2022-03-04\\_ACIR\\_Audio.mp3](https://portal.ct.gov/-/media/ACIR/Meetings/2022/2022-03-04_ACIR_Audio.mp3)

**Members present:** Kyle Abercrombie, Maureen Brummett, Sen. Stephen Cassano, John Elsesser, John Filchak, Martin Heft, Karl Kilduff, James O’Leary, Francis Pickering, Troy Raccuia (by phone), Lon Seidman, Brendan Sharkey (Chair), Ron Thomas, Mike Walsh, Lyle Wray (Vice-Chair)

**Members not present:** Carl Amento, Luke Bronin, Kathy Demsey, Greg Florio, Sam Gold, Brian Greenleaf, Harrison Nantz, Neil O’Leary

**Other participants:** Leah Grenier, Steve Mednick, Meghan Portfolio, Richard Porth, Margaret Wirtenberg

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

**OPM staff:** Bruce Wittchen

## 1. Call to order and overview of telemeeting procedures

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

## 2. Approval of the [minutes of the February 4, 2022 meeting](#).

A motion was made and seconded to approve the draft minutes and the motion was approved unanimously.

## 3. Membership update, if any

Commission chair Sharkey mentioned [HB 5269](#), *An Act Concerning Remote Meetings Under The Freedom Of Information Act*, which he said would eliminate the expiration date established in Sec. 149 of [JSS PA 21-2](#), which authorized remote meetings. He mentioned the [ACIR report on remote meetings](#) required by Sec. 154 of that public act and said the ACIR had recommended the deadline be extended beyond this year. He also noted the concern raised about hitting such a deadline when the legislature is not in session to remedy the situation.

There was a discussion of [ACIR membership](#), with two municipal positions remaining to be filled and Commission vice chair Wray leaving the ACIR when his affiliation with CRCOG ends at the end of the month. Commission vice chair Wray said he would like to continue to assist the ACIR in its work and outlined a possible research group approach for future discussion by the ACIR. There was a discussion of such an approach and he highlighted that he would not be a member of the ACIR. Commission member O’Leary said the ACIR needs that research horsepower and Commission vice chair Wray said he will look for ACIR members to assist with it.

## 4. Other ACIR regular reports

- ACIR Session Mandates Report (mandates normally identified after session ends)

Bruce Wittchen said he would like to begin by skipping to the second report on the agenda, the mandates report. He pointed out that research for that report ordinarily begins following the legislative session but, prior to COVID, there had been some discussion of changing the ACIR’s

approach to mandates reporting. Commission chair Sharkey asked Bruce to compile an overview of those discussions for the group's next meeting.

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

Bruce said he had said this report, which has no due date, would be ready by now, but he keeps updating the work plan based on what work the ACIR decides to take on. He said there is no requirement for the report to conform to a calendar year schedule and asked if it might be better to issue it after the end of the session so the work plan can identify any tasks assigned by the legislature during the session and the report describe assistance provided by the ACIR. There was a consensus to delay the report until after the session.

## 5. CT Local Government of the Future initiative

- Possible work for subcommittee
  - Intergovernmental issues re emergency managements system

Commission chair Sharkey said the subcommittee discussed the emergency management system (EMS) at its 2/22 meeting (see [draft notes](#)). Commission member O'Leary said he tried to highlight the importance of communications for the EMS and he believes the ACIR should look at the two-way communications between the state and municipalities.

Commission member O'Leary said executive orders from three Governors directed that communications be in accordance with the [National Incident Management System](#) (NIMS). He said Deputy Commissioner Brenda Bergeron of the Dept. of Emergency Management and Homeland Security (DEMHS) plans to attend the next subcommittee meeting.

Commission chair Sharkey said some members have questioned whether this has been a problem and an appropriate role for the ACIR, so the Deputy Commissioner's perspective should help the group determine if the ACIR should take this up. Commission member O'Leary highlighted that if the ACIR does, it cannot be adversarial. How can the ACIR contribute to the process to enhance EMS communications.

Commission member Elsesser said his town is comfortable with communications and pointed out that one EMS problem is that [DEMHS's regions](#) are not aligned with [COG regions](#). Commission member Filchak agreed with Commission member Elsesser's comment about the problem of regional boundaries not being aligned, but added that pandemic response and recovery are ongoing and not yet in the rear-view mirror. However, he does think the state has done a very good job.

- ACIR study/input regarding property tax reform, [2022 DRS Tax Incidence Report](#), or other fiscal matters

Commission chair Sharkey said Commission members Filchak and Pickering have identified other possible topics for the subcommittee. Commission member Pickering said he had brought up long-term municipal finances as being an important topic and also mentioned the [2022 DRS Tax Incidence Report](#). Commission member Filchak said the 2022 report confirms the disparities described in the [2014 report](#) and added that the Department of Revenue Services is forming a research division. He said that is the [same approach used in MN](#) and recommended the ACIR invite Commissioner Mark Boughton to a future ACIR meeting.

Commission chair Sharkey noted that Commission member Pickering has also said the state's approach to assisting municipalities is flawed. Commission member Pickering said there are

ways the state can help municipalities chart a better course and added that a restructuring of the state's approach can bring in additional federal funding. There was a discussion of how the topic should be framed and that it should be discussed by the LGF subcommittee.

Commission chair Sharkey mentioned the state's effort to gain [county equivalency for the COGs](#), in part to improve access to federal funds, and he agreed with earlier comments that other regional boundaries should be better aligned with the COGs. Commission member Pickering highlighted alignment can provide the economy of scale to seek grants not currently being sought. Commission chair Sharkey mentioned that the state had wanted to control federal economic development funding and the problem had to be solved legislatively, a subject discussed in the [notes of the 2/22/2022 LGF meeting](#).

There was a discussion of resources available in CT and Commission vice chair Wray suggested looking at other states' use of federal funds. He pointed out that small towns cannot maintain 3-person grant-writing teams. Commission member Cassano added that CT's congressional delegation should be involved. Federal bills should not be written in a manner that does not work for CT. There was further discussion of county equivalency and Commission member Pickering pointed out that many small counties in other states also do not have the capacity to apply for such federal funds.

There was further discussion of the misalignment of the boundaries used by various programs. Commission member Filchak pointed out that infrastructure funding is available to counties and to [metropolitan planning organizations](#) (MPOs) but know provision was made for COGs not in MPOs, like the COGs of NW and NE CT.

- Legislative assignments

There was no discussion.

- Other

## 6. Other Old Business

- a. Consider ACIR endorsement of [updated CAPSS Blueprint](#) presented to ACIR 2/4/2022

Commission chair Sharkey provided an overview of the ACIR's interest in the Blueprint since CAPSS issued the original version in 2021. He invited a motion and second to bring this up for discussion. A motion was made and seconded.

Commission member Brummet said she will testify in favor of the Blueprint and explained that CAPSS seeks to improve the state's funding approach and highlighted the desire to fully fund special education excess cost grants. The current approach creates winners and loser. The motion was passed unanimously, with Council members Abercrombie, Heft, and Pickering abstaining.

Commission chair Sharkey asked Commission member Brummet about the committees that will review legislation relevant to the Blueprint and offered to submit written testimony. Commission member Brummet said she will share CAPSS's testimony.

- b. UConn & UGA studies and [Institute for Municipal & Regional Policy](#)

Commission vice chair Wray said a webinar is planned after May 1 for UConn MPA student Kylie Bouley to present the results of her work on shared services. He noted that he has spoken with CCM's Rick Porth about this.

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

Commission chair Sharkey mentioned the ACIR's recommendations regarding the use of funds and there was a discussion of recommendations not being included in the Governor's midterm budget proposal. Commission member Heft offered to review those with Acting Undersecretary Beckham and Commission chair Sharkey asked to be informed when the ACIR can help and Commission member Heft said he would keep the group in the loop.

## 7. New business or any other municipal, regional, or state matters for ACIR consideration

Commission member Seidman mentioned [SB 278](#), *An Act Requiring Multichannel Video Programming Distributors To Pay A Community Access Programming Fee*, and described issues that have arisen over the years regarding local access TV. He said local access TV was overlaid on old cable service areas and noted that fees paid by cable providers have declined because of cord cutting. He suggested that perhaps streaming service providers should have been paying the fees all along.

Commission member Pickering said anyone can create a YouTube program and the local access model should be reconsidered. Commission member Seidman said the focus has shifted from broadcast to production and Commission member Pickering pointed out the availability of production facilities in libraries now and there was a discussion of limitations on commercial use and different potential approaches to this service. Commission member Elsesser mentioned the [Public, Educational and Governmental Programming and Educational Technology Investment Account](#) (PEGPETIA) grant program and said people interested in community access programming might consider an editing and streaming model based on that.

Commission member Heft mentioned [SB 324](#), *An Act Establishing A Working Group To Study Title Seven Of The General Statutes*, and [HB 5359](#), *An Act Requiring A Study Of The Feasibility Of Permitting The Online Advertisement Of Legal Notices By Municipalities*. He said both would require studies by OPM and could involve the ACIR.

Commission member Filchak mentioned [HB 5256](#), *An Act Studying The Consolidation Of Local And Regional Transit Districts*, and said he intends to testify in favor of a regional approach. Commission member Pickering said the ACIR should be involved in studies such as those and noted that a larger audience can be reached through other platforms. He also pointed out that subsec. (9) of [CGS 13b-4](#) requires DOT, by 1978, to submit a plan for a restructured system of regional transit districts. He added that there is a lot of dead wood in the statutes.

Commission chair Sharkey said the ACIR should weigh in on the new studies and Commission member Filchak said a lot of people here will likely submit testimony. There was a discussion of establishing a central repository of members' testimony regarding legislation relevant to the ACIR.

## 8. Additional public comments if any

There were no additional comments.

## 9. Next meeting

Commission chair Sharkey read the dates of upcoming meetings.

- Tuesday, March. 22, 2022, 10:30 am      Subcommittee
- Friday, April 1, 2022, 10:30 am      Full ACIR

## 10. Adjournment

The meeting adjourned at 11:43.

*Minutes prepared by Bruce Wittchen, OPM*