

Advisory Commission on Intergovernmental Relations

Friday, June 3, 2021

An audio recording is available at: <http://ct-n.com/ctnplayer.asp?odID=19780>

Members present: Maureen Brummett, Sen. Stephen Cassano, John Filchak, Brian Greenleaf, Martin Heft, Harrison Nantz, Keith Norton, James O’Leary, Francis Pickering, Lon Seidman, Brendan Sharkey (Chair)

Members not present: Kyle Abercrombie, Carl Amento, Luke Bronin, John Elsesser, Greg Florio, Sam Gold, Karl Kilduff, Neil O’Leary, Troy Raccuia, Ron Thomas, Mike Walsh

Other participants: Lou Rosado Burch, John Harkins, Sheila McKay, Brian O’Connor, Kari Olson; Richard Porth, Margaret Wirtenberg, Lyle Wray

Member vacancies: Nominated by COST: Municipal official: Town of <10,000 population
Nominated by CCM: Municipal official: Town of 20,000 – 60,000 population
Nominated by CT-COG: Representative of Councils of Governments

OPM staff: Bruce Wittchen

1. Call to order and overview of telemeeting procedures

Commission chair Sharkey called the meeting to order at 10:36, acknowledging the lack of a quorum, and provided an overview of remote meeting procedures.

2. Approval of the [minutes of the April 1, 2022 meeting](#) and the [minutes of the May 13, 2022 meeting](#)

Due to the lack of a quorum, a vote could not be held.

3. Membership update, if any

Bruce Wittchen said Keith Norton, who is in this meeting, is the new designee for the state Dept. of Education, replacing Kathy Demsey. Martin Heft said he is in contact with the Governor’s office about the pending vacancies and about having a member designated vice-chair.

4. ACIR regular reports

- ACIR Annual Report and 2022 work plan (no due date, target is July)
- ACIR Session Mandates Report (due November 15)
 - [Potential addition to ACIR mandate reporting](#)
 - [Cost Estimates for Selected Statutory Mandates on Municipalities in CT \(1995\)](#)

Bruce Wittchen said a first draft of the annual report + work plan will be ready for members’ review once he finishes the UConn & UGA studies section he has been discussing with Lyle Wray and updates the work plan based on today’s discussion of plans for the LGF subcommittee.

Bruce said he has begun the review of the 2022 legislation for the ACIR’s mandates reports and is through ~20% of the public and special acts. There was a discussion of potential changes to mandates reporting, including the possibility of selecting a sample of mandates passed in previous years to consider how the actual impacts of mandates compare with the impacts predicted prior to passage.

Commission member Pickering said the group should consider a heuristic to guide any selection of mandates for review. He highlighted education mandates in saying the group should consider the utility of what is required of municipalities, not just the resulting costs. There was a discussion of options and Commission member O’Leary asked who will provide the horsepower for taking on additional work. Commission chair Sharkey said there is an ongoing discussion of various scenarios for staffing to be included in the 2023 budget, including the possibility of the ACIR being more independent.

Brian O’Connor referred back to Commission member Pickering’s recommendation and suggested that the ACIR consider some education mandates, such as special education burden of proof. Sheila McKay noted that Sec. 4 of [PA 22-116](#) directs CAGE to convene a group to look at education mandates.

5. CT Local Government of the Future initiative

- a. Current subcommittee assignments
 - o Municipal data collection
 - o Maximizing federal funding
 - o Property tax reform

Commission chair Sharkey provided an overview of motivations behind the LGF initiative and highlighted some of the subcommittee’s work, such as the process leading up to the [2/2022 Report on Remote Meetings](#) required by Sec. 154 of [JSS PA 21-2](#). He asked Commission member Filchak to report on the previous week’s LGF meeting.

Commission member Filchak said Bruce Wittchen’s had prepared comprehensive notes of that meeting and asked if everyone had received the notes. Bruce said he only sent the initial draft to people who had attended the meeting and said he would send [a link](#) now to everyone on his ACIR distribution lists.

Commission member Filchak described the subcommittee’s discussion of [municipal fiscal indicators](#) and the [uniform chart of accounts](#) and noted the desire to have all towns using a comparable system. He also mentioned Commission member Heft’s reference at that meeting to OPM’s [fiscal health monitoring system](#) and asked if the submitted data are available online. Commission member Heft said the system is managed by a different unit at OPM and that he does not believe it is possible to access the data that way. He will check on that and he noted that the data should be available through the state’s [open data system](#). Commission member Filchak said the subcommittee discussed inadequacies regarding state and municipal data that prevent apples to apples comparisons. Many data remain paper-based.

Commission member Filchak outlined the 2nd topic of discussion at the meeting, maximizing federal revenue. He mentioned the discussion of the Rockefeller Institute’s 2022 report on [New York’s Balance of Payments with the Federal Government](#), noting that CT comes out at the bottom of almost every category. That topic will require further work.

Commission member Filchak said the bulk of the discussion focused on property tax reform and the subcommittee believes the ACIR can have a significant impact in that area. He mentioned work by the [Collins Center](#) on behalf of CCM, the recent 1000 Friends of CT property tax report, [Connecticut Property Taxes – Opportunity for Change](#), and noted that others are also looking into the topic. He suggested that they be invited to bring their findings and recommendations to the ACIR, which can mold them for legislative action.

Commission chair Sharkey said he had offered to raise this with Dept. of Revenue Services Commissioner Boughton, who is the Governor’s point person regarding property tax reform and

said he will speak with him again about an ACIR role. Regarding the federal funding topic, he said the thought is to see how regional approaches, through counties in other states and potentially here through councils of governments (COGs) and [Regional Educational Service Centers](#) (RESCs), can bring more federal revenue. Regarding data, he highlighted that the state demands data but some data are superfluous while other data are very worthwhile but not used as they could be, such as those from the [uniform chart of accounts](#) (UCOA).

Commission chair Sharkey asked if the subcommittee recommended any next steps and Commission member Filchak said he believes Commission member Pickering offered to lead a sub-subcommittee to flesh out the federal funding topic. He said many people have studied tax reform with different perspectives and mentioned the [State Tax Panel](#) created by Sec. 137 of [PA 14-217](#). There is a solid foundation of data to work with and he recommended bringing in people to discuss this in future meetings. Commission chair Sharkey asked if a special subcommittee meeting should be scheduled to discuss an approach for this and there was general agreement to do so. Rick Porth noted that CCM's board did not approve the report prepared by GA State. He said CCM can share portions of what was prepared, but not the proposed recommendations. Brian O'Connor agreed.

Commission member O'Leary said the focus should be on structural change in property taxes and Commission member Filchak agreed, saying one-time relief does not correct the big issues. Lyle Wray said the group should establish a framework and transition steps for the desired changes. He said CT's tax structure is over-balanced towards property taxes and mentioned states that have been taking over education costs. He said another approach is to provide benefits directly to people such as with a homestead exemption or income-adjusted property tax.

Lyle Wray said the question is where state funds would come from with the state taking a greater role. An *ad hoc* approach is frustrating and we must understand that we must pay for property tax reform. He mentioned a midwestern state collecting a 1% property tax statewide. Commission chair Sharkey mentioned the current state surplus and Lyle said the state needs a plan; research has been in place for 30 years. Commission chair Sharkey mentioned state takeover of local special education costs and Lyle said the state needs and plan and funding to pay for it. Commission member O'Leary asked Brian O'Connor if, at the upcoming subcommittee meeting, he can summarize what led to the impasse at CCM regarding the report and Brian agreed

6. Other Old Business

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

Lyle Wray said this will be discussed next month, but noted there are three categories of studies:

1. Studies completed, but not presented
2. Studies in progress, including the perspectives essay to be published in the public administration journal co-edited by [Eric Zeemering](#) of the Univ. of Georgia
3. Studies to be done (the ACIR's research agenda)

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

There was a discussion of whether this topic should remain on the agenda for future meetings.

- c. Update: ACIR representation on [Task Force To Study Title 7 Of The General Statutes](#)

Commission chair Sharkey provided some background regarding the creation of the task force, highlighting that there had been some consideration of assigning the task to the ACIR. He said he has reached out to Sen. Martin, who must appoint an ACIR member to the task force, and is waiting

to hear from him. Commission member Filchak said he has worked on this with Steve Mednick and said the first step will be to put [Title 7](#) in logical order, not to try to deal with policy issues.

Commission chair Sharkey asked Commission member Filchak if he is willing to serve on the task force and he is. He said it is important. Commission member Cassano said, thinking out loud, his concern is whether they can do such a study. He believes it is being approached in good faith and people have ideas, but do we have the capacity? He noted that there are national firms that can do this.

Commission member Pickering recommended also looking at the much-shorter [Title 6](#), which addresses counties, because of the [state's effort to gain county equivalency for the COGS](#). Commission member Filchak said the expertise and varied perspectives on the task force should enable the restructuring. He said it would also be beneficial to move some relevant sections from other titles to Title 7. Commission chair Sharkey asked Commission member Filchak to offer the ACIR's services and suggestions to the task force.

d. Rediscovered: [1987 ACIR bylaws](#)

Commission chair Sharkey described the rediscovery of ACIR bylaws and noted their less restrictive quorum requirements. He does not know if the ACIR at this can have bylaws but will look into it. Commission member Pickering asked if the ACIR should update the bylaws, if it is bound by them, if it should abolish them. Commission chair Sharkey said it was a surprise to learn of the bylaws, adopted when the ACIR was a different animal, and it is unknown what the group can do with them.

Commission member Pickering said the ACIR could eliminate the bylaws and Commission chair Sharkey noted the need for a quorum. Margaret Wirtenberg pointed out that the ACIR started around the time of those bylaws and Commission member Heft said commissions sometimes require bylaws and this needs legal review. Commission member O'Leary said the bylaws might have been derived from bylaws of the federal ACIR and added that he does not recall a reference to bylaws during his time with the ACIR.

Commission chair Sharkey recommended digging more deeply as suggested by Commission member Heft. Commission member Cassano said this is an opportunity for the ACIR and asked what do we want to accomplish. He said the [Planning & Development](#) (PD) Committee, House, and Senate will support the ACIR in this. Commission chair Sharkey said that is a good point and feeds into the other discussions. Commission member Filchak noted that state [Freedom of Information](#) (FOI) requirements will prevail when reconsidering the bylaws.

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

There was no further discussion

8. Additional public comments if any

There were no additional public comments.

9. Next meeting

Upcoming meetings will be.

- Tuesday, June 28, 2022, 10:30 am Subcommittee
- Friday, July 8, 2022, 10:30 am Full ACIR

10. Adjournment

The meeting adjourned at 11:48.

Minutes prepared by Bruce Wittchen, OPM