

Local Government of the Future Subcommittee Advisory Commission on Intergovernmental Relations

Tuesday, February 22, 2022

Note: This document is ACIR staff notes written during this subcommittee meeting. It is a public document and has been provided to meeting participants for their review and revised in accordance with any comments received but is not approved minutes of the meeting.

The agenda is available at:

<https://egov.ct.gov/PMC/Agenda/Download/13598>

The audio recording is available at:

https://portal.ct.gov/-/media/ACIR/Meetings/2022/2022-02-22_ACIR_LGF_Audio.mp3

ACIR Members present: John Filchak, Jim O’Leary, Francis Pickering, Troy Raccuia, Brendan Sharkey (Chair), Lyle Wray (Vice-Chair)

Other participants: Todd Carusillo, Leah Grenier, Brian O’Connor, Margaret Wirtenberg

ACIR staff: Bruce Wittchen

1. Call to order

Commission chair Sharkey called the meeting to order at 10:33, outlined remote meeting procedures, and described the purpose of the meeting.

2. Review of [1/25/2022 LGF meeting notes](#) and [draft 2/4/2022 ACIR minutes](#), if desired

There were no comments.

3. Intergovernmental emergency management system issues

Commission chair Sharkey mentioned that Commission member O’Leary brought this issue to the group and asked him to provide some background so the group can decide if it wants to study the topic. Commission O’Leary highlighted the intergovernmental relationships of crisis management and noted the need for information flow in both directions between the state, regional, and local levels. He said such work by the ACIR should consider the lessons of the pandemic but focus on the future, not the past.

Commission member O’Leary said the state is expected to follow the [National Incident Management System](#) (NIMS) and mentioned Gov. Rell’s [Executive Order 10](#) and Gov. Malloy’s [Executive Order 34](#), which Gov. Lamont adopted. He said the ACIR can help bring parts together that are spelled out in different documents or provide assistance to the legislature to spell out the process more clearly. He said Dept. Of Emergency Management & Homeland Security (DEMHS) Deputy Commissioner Bergeron pointed him to subdivision (e) of CGS Sec. 28-5, *Preparation for civil preparedness. Subpoenas. Comprehensive plan and program for civil preparedness. Training programs. Cooperation by other state agencies. Orders and regulations.*

Commission chair Sharkey asked what problem the ACIR would focus on. Commission member O’Leary said the structure established in NIMS is adopted by state agencies and municipalities but some agencies have been reluctant to commit the training and time needed. This leads to confusion at the local level.

Margaret Wirtenberg said the ACIR has dealt with such things in the past and noted the range of interests that can be involved. There was a discussion of inviting Deputy Commissioner Bergeron to an ACIR meeting.

Commission member O’Leary said the Deputy Commissioner had referenced the [State Agency Training and Exercise Plan](#) (SATEP) distributed to agencies in 2019, which she had described to him as being aspirational. He pointed out that agencies are busy, the expectations of that plan require a lot of work, and the plan is only used occasionally. He said the ACIR might help the plan be implemented without being adversarial to the agencies. He noted that Gov. Rell’s executive order was never fully implemented.

Commission vice-chair Wray said he supports inviting Deputy Commissioner Bergeron to speak with the ACIR before the group commits to this. He said the emergency management people at his COG do not see a problem. The problem might be largely between executive branch agencies, not between the layers of government which is the area the ACIR works in. Commission member Filchak said he agrees with that. He described his own experiences with emergency management at his COG, where he sees robust communications. He added that the problem he sees is that the state’s emergency management region boundaries and COG boundaries are not aligned. Neither are the boundaries of regional health, education, and economic entities also relevant to the COVID response.

Commission chair Sharkey said Commission member Heft of OPM has expressed reticence in the past about the ACIR taking on issues largely within the executive branch. It might not be the ACIR’s role to look into whether agencies are following requirements; the regional alignment issue raised by Commission member Filchak might be more suitable. He agreed with inviting Deputy Commissioner to a future meeting.

Commission member O’Leary agreed with the focus being on regional coordination. He said the question to answer is how communications can be enhanced in the future. He believes the Governor and agencies would have been helped if there were a better understanding of NIMS. The ACIR can help. Commission chair Sharkey asked what the ACIR would do and Commission member Filchak said the group could make a statement that the plan should be implemented as expected, which would be worthwhile, and can lend a hand if asked. There was further discussion of a possible ACIR role and that the ACIR should not be seen as saying the plan had not been followed.

Commission vice chair Wray pointed out that NIMS requires an after-action analysis and that is the mechanism for assessing the COVID response. The agencies should do that to determine what worked and what should be done differently the next time the plan is implemented. Commission chair asked Commission member O’Leary to invite Deputy Commissioner Bergeron to this group’s 3/22 meeting and said Commission vice chair Wray’s recommendation of an after-action report is excellent. He thanked Commission member O’Leary for bringing this to the group.

4. Other topics, if any

Commission vice-chair Wray mentioned a conversation he had with [Rep. McCarthy Vahey](#) and said he recommended the [Planning & Development Committee](#) (PD Committee) look to the ACIR for research support. Commission chair Sharkey noted that [Rep. McCarthy Vahey](#) had asked him about extending the remote meeting authorization as discussed in the ACIR’s [Final Report on Remote Meetings](#). He said he suggested the committee draft a bill lifting the deadline and noted the potential havoc with having such a deadline even at a later date, especially if the legislature is not in session at the time. He said the legislature should allow remote meetings to continue and rein them in if needed. Commission chair Sharkey said he and others should consider potential testimony for a remote meeting bill and he noted that he had also recommended additional staffing to support the ACIR.

Commission member Pickering said another topic the ACIR should consider is access to federal funding. He highlighted the challenges of applying for grants and whether state grant requirement overlap with federal requirements. He also mentioned the significance of long term finances and mentioned OPM’s

[Municipal Fiscal Indicators](#) reporting. He said his COG has done a historic review of those municipal fiscal data.

Commission chair Sharkey said there is a mismatch among agencies and described the origins of [legislation enabling regional economic development districts](#) (EDDs). He said CT had been missing certain federal funding without them. He also said the state had been discouraging [regional economic development commissions](#) (EDCs) even though only larger cities could qualify for certain funding without applying through an EDC. The ACIR should consider the problem of federal funds being left on the table and the municipal fiscal review suggested by Commission member Pickering.

Commission member Filchak agreed the municipal fiscal review and noted that the Dept. of Revenue Services will be releasing the first tax incidence study since [2014's report](#) later this month. He also said some COGs and EDDs have gone their separate ways and mentioned the potential benefits of inter-municipal sharing of revenue and development.

Brian O'Connor pointed out that data are often collected but not studied. He noted the potential role of the [Uniform Chart of Accounts](#) (UCOA) in understanding municipal finances and suggested that better accounting practices be incentivized. There was a discussion of the UCOA and of the unwillingness of some school boards. Commission chair Sharkey asked for volunteers to articulate the potential ACIR work on this in time for the ACIR's next meeting and Commission members Pickering, Filchak, and Wray offered to help.

Commission member Filchak pointed out that the results of the 2014 tax incidence study showed the burden falls on those with lower incomes. Commission vice chair Wray said his COG faced resistance for trying an EDD and described his previous experience with those when he worked in the Midwest. He noted that they had developed the capacity to look for grants and other funding and described various approaches. He said most COGs lack the horsepower. Commission chair Sharkey noted the availability of funding from the [Regional Performance Incentive Program](#) (RPIP), as revised according to ACIR recommendation last year (RPIP 2.0).

Commission member Filchak said a bill expected from the PD Committee would authorize two COG-based regional building officials. He noted that one of the current hurdles is that the statute requires building officials be appointed for four years. Commission member Pickering asked if that would allow greater specialization by building officials. Commission member Filchak mentioned the regional building official approach of the [Franklin Regional Council of Governments](#), which avoids the need for all to be generalists. Commission member Filchak said that is especially important due to new building practices and technologies. There was a discussion of the bill referencing RPIP 2.0 to initiate the regional approach.

Commission member Filchak said they anticipate a 2-year grant to cover start-up capital and personnel needs. Commission vice chair Wray said that critical mass is necessary to provide specialty services and to enable further training. Commission chair said the concepts will be developed for consideration by the full ACIR and to be assigned to this subcommittee.

5. Next Meetings

Commission chair Sharkey read the dates of upcoming meetings: 3/4/2022 for the full ACIR and 3/22/2022 for this subcommittee.

6. Adjourn

The meeting was adjourned at 11:34.

Notes prepared by Bruce Wittchen, OPM