

Advisory Commission on Intergovernmental Relations

Friday, May 13, 2021

An audio recording is available at: <https://ct-n.com/ondemand.asp?ID=19733>

Members present: Kyle Abercrombie, Martin Heft, Karl Kilduff, James O’Leary, Francis Pickering, Brendan Sharkey (Chair), Ron Thomas

Members not present: Carl Amento, Luke Bronin, Maureen Brummett, Sen. Stephen Cassano, Kathy Demsey, John Elsesser, John Filchak, Greg Florio, Sam Gold, Brian Greenleaf, Harrison Nantz, Neil O’Leary, Troy Raccuia, Lon Seidman, Mike Walsh

Other participants: Clare Doyle, Betsy Gara, Matt Hart, Sheila McKay, Steve Mednick, Brian O’Connor, Kari Olson; Richard Porth, Rich Roberts, Lyle Wray, 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
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 10:41, acknowledging the lack of a quorum for this rescheduled meeting. He provided an overview of remote meeting procedures and noted that member John Filchak could not be here today because of a health issue but expects to return soon.

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

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

3. Membership update, if any

Commission chair Sharkey provided a brief update and Bruce Wittchen noted that Matt Hart, who CT-COG has nominated to represent COGs, is in attendance.

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 July seemed much further away when the group decided a few months ago to wait until then to release the annual report. He noted that waiting until then allows the work plan to include any assignments or requests from the legislature. He will update his previous draft in the next month.

Bruce pointed out the links beneath the mandates report line on the agenda and said the first is a previously circulated description of recommendations members have made at previous meetings for how to improve the ACIR’s work with mandates. The second link is to a 1995 report by the ACIR doing one of those things – taking a closer look at a sample of mandates. He noted that the ACIR

seems to have only done that once and might not have had the capacity to continue, but he mentioned they reviewed more mandates than has been considered more recently.

Commission chair Sharkey asked if the CT Conference of Municipalities (CCM) and CT Council of Small Towns (COST) think the ACIR should do such a review or if it is already covered by CCM and/or COST. Commission member Thomas said it is important for a neutral party like the ACIR to issue such a report and said CCM will be happy to assist. Betsy Gara agreed with his perspective and offered COST's assistance too.

Commission member O'Leary provided further background regarding the ACIR's work on mandates in the 1990s. He said the ACIR identified mandates for the towns to look at but there were few responses. Margaret Wirtenberg said she had not been a member but drove then-Commission chair Alice Meyer to meetings during that time and remembers the situation being very political.

5. CT Local Government of the Future initiative

a. Current subcommittee assignments

- Municipal data collection
- Maximizing federal funding

Commission member Pickering said he has to leave this meeting but wants everyone to know that the [Western CT Council of Governments](#) (WestCOG) has an intern who is available to assist with the ACIR's LGF initiative. Commission chair Sharkey thanked him and provided an overview of the subcommittee's 4/26 meeting (see [draft notes](#)). He explained that the data collection topic would involve an assessment of what municipalities report to the state and how it is used.

Commission chair Sharkey said the second topic considers the notion of whether the state is adequately maximizing the federal revenues. He said the COGs don't fit nicely in the federal funding framework and mentioned past work on the misalignment of service areas. He asked if the state should ramp up the COGs and [Regional Educational Service Centers](#) (RESCs) or consider a more consolidated approach to service delivery. He mentioned that the subcommittee discussed the potential scale and scope of such a review.

Steve Mednick mentioned the [state's effort to gain county equivalency for the COGS](#) and said the long-term expectation is that it will be a revenue generator. Commission member Pickering agreed but pointed out that, in addition to needing eligibility for additional funding the COGs will need the wherewithal. There was a discussion of that process and Commission chair Sharkey added that the subcommittee also discussed the capacity of OPM's intergovernmental division.

Commission member Heft said there is nothing in the division's budget to provide additional staff in the division and mentioned the need to replace two staff due to retirement. They will look at it in the next budget. Commission member Sharkey said Commission member Heft cannot advocate for additional staff but other ACIR members can. Commission member Heft mentioned the letter on intergovernmental funding that the chair and vice-chair previously sent the Governor and OPM Secretary. He said the ACIR might also consider a budget line for staffing of its own or for a consultant. There was a discussion of the timing of budget requests and Commission member Heft said he will let the ACIR know when budget requests are being prepared.

Matt Hart said he also is interested in county equivalency and in identifying and resolving impediments to service sharing. He added that there needs to be a path under the state's [Municipal Employee Relations Act](#) (MERA) for merging unionized employees. Steve Mednick agreed regarding the need for work in this area and added that municipalities doing charters will ask him

how to share services but there are MERA issues. He also commented on the importance of concluding the county equivalency process.

Commission chair Sharkey asked if the LGF subcommittee might conclude that COGs, through the county equivalency process, will be empowered to bring additional funding. Steve Mednick said CT has less presence in Washington, DC than other states, but better coordination within the state would be a positive.

There was further discussion of the county equivalency process and Commission member Heft said the most recent information is that the US Census Bureau is working on it. There will be a public comment process following the federal register notice and other federal agencies will later consider changes in their processes. He added that he is not aware of federal funds being missed because those dollars go to the state now. The question is about who should apply.

Commission chair Sharkey said he is interested in looking at the level – municipal, regional, state – at which applications are submitted. He mentioned the [Economic Development Districts](#) (EDDs) authorized by legislation he encouraged during his time in the legislature. He added that, other than for the largest cities, the state had previously applied for federal funds in that area and resisted change. Towns benefited from that change and this should be considered more broadly. Commission member O’Leary said this has been a systemic issue across agencies and mentioned a change at DOT.

Steve Recommended looking at nearby states that have metropolitan or county government. There likely will be a state funding component but what are best practices? Commission chair Sharkey said Commission member Pickering has suggested doing that, looking at how they monitor funding opportunities and apply for them.

b. Other

Commission chair Sharkey mentioned his conversation with [Department of Revenue Services](#) (DRS) Commissioner Boughton of the ACIR’s interest in property tax reform. He will follow on that and report back.

6. Other Old Business

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

Commission chair Sharkey and Lyle Wray spoke about the review article some members intend to write about the ACIR for a public administration journal co-edited by [Eric Zeemering](#) of the Univ. of Georgia, some of whose students have done studies with the ACIR, as have some UConn students. Lyle mentioned that there will be further webinars based on student studies.

Commission chair Sharkey asked if we know the outcome of the request for additional funding for a UConn policy center and Lyle said he is discussing that today with Prof. Alkadry of the [School of Public Policy](#). Commission chair Sharkey asked Lyle to mention the ACIR’s LGF work. Referring to the earlier discussion of federal funding, Lyle noted that the state has only one person in Washington, DC to seek funding; his former COG and MA’s Pioneer Valley share one. He said other COGs should consider this and he noted the state keeps funding opportunities close.

Commission member O’Leary said the group has discussed the ACIR’s capacity for many years; are we overlooking the capacity of COGs? They might be able to find relevant funding that is available to them. Commission chair said the ACIR could try to prevail on the coalitions of COGs and RESCs to help. Rick Porth said they have long looked at revenue options for local government and the ACIR should keep the COGs in mind.

Commission chair Sharkey noted that the ACIR's recommended changes created a new purpose for the [Regional Performance Incentive Program](#) (RPIP). Margaret Wirtenberg mentioned her experience with regions finding ways to fund activities and Commission chair Sharkey said RPIP 2.0 needs to be advertised.

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

- a. ACIR assignments in 2022 legislation or requests from legislators
- [SA 22-4](#), *An Act Establishing A Task Force To Study Title 7 Of The General Statutes*

Commission chair Sharkey said a proposal to have the ACIR work on public notices did not pass but SA 22-4 did pass. He noted that the task force must include an ACIR member, appointed by the senate minority leader, and said there is a consensus that change is needed in Title 7. If there is no objection, he is thinking of recommending Commission member Filchak, who has long been interested in this topic. Kari Olson said she would be interested in participating too. Commission chair Sharkey asked Bruce Wittchen to email all members of this group to ask if anyone else would be interested in representing the ACIR.

- b. Rediscovered: [1987 ACIR bylaws](#)

Commission chair Sharkey said Prof. Zeemering's invitation for ACIR members to write about the ACIR's work prompted Bruce Wittchen to do more research on the group and he discovered that the linked bylaws had been prepared in 1987. Bruce Wittchen provided further background and highlighted the inclusion of provisions establishing a smaller quorum and authorizing members to designate alternates, which would have likely enabled the group to have a quorum today. Commission chair Sharkey pointed out the question of whether it is permissible for the group to have bylaws and also noted that the current stricter standard for a quorum encourages fuller participation and that there is a benefit to having an appointee participate instead of an alternate.

8. Additional public comments if any

Margaret Wirtenberg said she was thrilled by the passage of [HB 5269](#), *An Act Concerning Remote Meetings Under The Freedom Of Information Act*, and Commission chair Sharkey thanked her for bringing that up and said it was monumental. He added that it was a long debate and he noted that opponents who expressed concerns about enabling municipalities to deny in-person meetings tended to be people who tend to oppose imposing mandates on towns. They wanted to prevent towns from being allowed the discretion.

Commission member O'Leary mentioned the earlier reference to labor issues involved when municipalities are interested in shared services. He said that at the time of the ACIR's work that led to [CGS Sec. 7-148cc](#) on the joint performance of municipal functions, it was assumed that it would also handle union issues. Is there a possible legislative role?

Commission chair Sharkey noted that the ACIR's representative of labor is not at this meeting, but mentioned the union work of both his predecessor and successor as speaker of the house and said he does not believe labor oppose regional collective bargaining. It can avoid dispersing their bargaining resources, but the discussion needs their input. Commission member O'Leary agreed.

9. Next meeting

Upcoming meetings will be.

- Tuesday, May 24, 2022, 10:30 am Subcommittee

- Friday, June 3, 2022, 10:30 am Full ACIR

10. Adjournment

The meeting adjourned at 11:55.

Minutes prepared by Bruce Wittchen, OPM