

Advisory Commission on Intergovernmental Relations

Special Telemeeting, audio file available at:

<https://portal.ct.gov/-/media/OPM/IGP/ACIR/20200324-ACIR-Special-Meeting.mp4?la=en>

Tuesday, March 24, 2020

Members present: James Albis, Carl Amento, Maureen Brummett, John Elsesser, John Filchak, Betsy Gara (alt.), Sam Gold, Mary Glassman (alt.), Brian Greenleaf, Rick Hart, Martin Heft, Marcia Leclerc, James O’Leary, Neil O’Leary (Chair), Francis Pickering, Lon Seidman, Brendan Sharkey, Ron Thomas, Bob Valentine, Lyle Wray (Vice Chair)

Others participating: Joe DeLong (CCM)

Members absent: Sen. Stephen Cassano, Kathy Demsey, Tommy Hyde, Scott Shanley

ACIR staff: Bruce Wittchen

1. Call to Order

Commission chair Neil O’Leary called the meeting to order at 11:05 and Commission vice-chair Wray called roll to verify that a quorum was present.

2. Governor’s Executive Orders

Commission member Heft provided an overview of executive orders affecting local operations and services. He explained that each identifies the relevant statute, the particular task, the deadline, and the allowance being made. The Governor’s Office is looking at what appear to be the most significant requirements and has reviewed those with deadlines through May 1. Commission vice-chair Wray asked if a spreadsheet of changes is available and Commission member Heft said he will find out if anything is available.

3. ACIR Assessment of Municipal Best Practices During COVID-19 Shutdowns

Commission chair Neil O’Leary noted the unprecedented nature of the current situation and noted the importance of the labor issues at such a time. He thanked Commission members Sharkey and Filchak for their efforts in getting this started and asked Commission member Sharkey to explain what has been done so far.

Commission member Sharkey said the impetus of this was sitting through two days of meetings at the Town of Hamden, going department by department to decide how to meet state requirements. He provided some examples and pointed out that municipalities cannot shut down.

Commission member Sharkey said the ACIR can be a voice for local needs, taking input from those with different perspectives and coordinating with the state, but we have to act quickly. He mentioned that many local officials are individually developing workarounds, but there is no central clearinghouse where they can find solutions developed by others. No one person has all the answers.

He provided an overview of the work he and Commission member Filchak did in preparation for this meeting. He pointed out that a municipality changing procedures on its own risks finding itself being on the wrong end of litigation if doing things differently than others. He said a municipality taking the same approach as others gains a kind of herd immunity.

The approach under consideration is to go through various officials and municipal or education associations to learn the needs and identify best practices. Subcommittees can collect recommendations to be vetted with the state. Commission chair Neil O'Leary invited comments and reminded everyone to identify themselves when speaking.

Commission member Valentine said towns should share any changes they have implemented. Commission vice-chair Wray said this is a good idea and noted the need to coordinate the ideas described here with what the [CT Conference of Municipalities](#) (CCM), [Council of Small Towns](#) (COST), and [CT Office of Policy & Management](#) (OPM) are doing. Others are addressing the need to provide protective equipment for 1st responders, but licensing issues are unresolved.

Joe DeLong, of the [CT Conference of Municipalities](#) (CCM), said he is predominantly working on the webinar that will be at 11:00 on Wednesday, but mentioned that municipalities must resolve a wide range budgeting, Freedom of Information (FOI), technology, procedural, and legal issues. Commission member Gold said municipalities are extending deadlines regarding land use issues and identifies similar issues for other departments, such as town clerks. Some of these can be addressed through executive orders, but there are a lot of moving parts.

Commission member Valentine pointed out that towns like his rely on volunteers for their emergency management services. The inability to renew expiring certifications or to take tests at the end of training will hurt their ability to provide services. State statutes and regulations ([CGS 19a-195](#) and [RCSA 19a-179-10](#)) require an ambulance to be staffed by two certified people. The staffing problem will creep up on us, potentially halting service, and volunteers are at risk legally if they perform their work with proper certifications.

Commission member Hart said the state [Office of Emergency Medical Services](#) (OEMS) has postponed the expiration of EMS certifications by 90 days. He added that using a driver lacking the required certification creates a liability for the ambulance service. He said mutual aid is available and will be needed. Ensuring the availability of adequate personal protective equipment (PPE) is the top priority. He also said the best practices being compiled should include that employees not be laid off. Commission member Valentine said he was only questioning the state requirement that the driver of an ambulance also be certified.

Commission member Filchak pointed out that small towns's capacities are already stretched for he range of town hall functions. Providing services regionally at this time can relieve the burden without forcing regionalism. The goal is to keep towns functioning and can regional entities help? Commission member Seidman said governments are struggling to enable the public to observe meetings. Efforts are disjointed and we need to identify best practices. He noted the public interest in budget transfers, which increase near the end of the fiscal year.

Commission member Brummett said this is the time to share services. She explained that her schools can share personal protective equipment they are not using, as well as meal services and internet hotspots. She recommended that municipal officials reach out to school officials; they have supplies. Commission chair Neil O'Leary said his schools' allied health program has provided supplies to the city.

Commission chair Neil O'Leary said anyone interested in volunteering for this work should contact Bruce Wittchen. He mentioned issues arising in his city regarding essential employees, who are expected to continue reporting to their workplace, while non-essential employees can be at home. It raises concerns for those with parents at home or facing other issues. They are working this out with the unions. He also noted that different municipalities are taking different approaches regarding school bus service providers. Collaboration and open lines of communication will be important and he likes the idea of the spreadsheet being compiled.

4. Other municipal, regional, or state matters for ACIR consideration, if any

No other matters were raised for consideration.

5. Next Steps

There was a discussion of proceeding with the subcommittees as described, while coordinating with other ongoing efforts. Commission chair Neil O'Leary pointed out that a number of associations are represented in this meeting and we should all work together and with the Governor's Office. Commission alternate Glassman said a number of municipal attorneys are working on this and, in response to an earlier point, she noted that information regarding school supply inventories can be shared.

Commission alternate Gara said we want to avoid missing anything in this effort, but should avoid overlap with similar work by others. Commission member Brummett said education groups are doing a lot already and that can be synthesized for this group. Commission chair Neil O'Leary asked people interested in participating to respond quickly. Commission member Heft said OPM will email everyone again to seek volunteers. He mentioned that Claire Coleman of the Governor's Office and of OPM had to drop off the call, but is appreciative of this effort, which will help guide future executive orders.

Commission chair Neil O'Leary asked if Commission members Sharkey and Heft have anything to add and Commission member Sharkey said this is terrific and highlighted that a granular level of detail will be important. Joe DeLong said one thing not discussed today is statutory provisions against retirees double dipping by working while collecting a municipal pension. There was further discussion of the issue.

Commission member Hart asked if it would be permissible to invite other labor representatives to participate. Commission chair Neil O'Leary said it is, noting that there must be dialogue regarding various labor issues. There was a brief discussion confirming that there will be three subcommittees: Health & Emergency Services, Education, and General Municipal.

6. Adjournment

A motion was made and seconded to adjourn the meeting and it was approved unanimously. The meeting was adjourned at 12:03.

Minutes prepared by Bruce Wittchen, OPM