

12/21/2022 DRAFT

CRCOG Legislative Agenda for 2023

The Capitol Region Council of Governments (CRCOG) is the largest council of governments (COG) in Connecticut and serves 38 municipalities with a population of almost one million residents. Geographically, the region encompasses an area of 1,000 square miles covering most of the historic Hartford and Tolland counties.

CRCOG greatly appreciates the support that we have received from state government in recent years. Our General Assembly has stabilized funding for COGs and has supported critical initiatives such as the CT Foundation Solutions Indemnity Corporation (CFSIC) that is responsible for assisting homeowners with crumbling foundations. The state has also tasked COGs with a key role in coordinating the submission of competitive applications for funding under the Bipartisan Infrastructure Law/IIJA. Stronger COGs can continue to encourage regional collaboration to increase efficiency and effectiveness in the delivery of municipal services and to strengthen our economic recovery from the global pandemic.

CRCOG seeks to coordinate its Legislative Agenda in collaboration with other state and municipal entities such as the Advisory Commission on Intergovernmental Relations (ACIR), the Connecticut Conference of Municipalities (CCM), and the Connecticut Council of Small Towns (COST). The CRCOG agenda is roughly organized by legislative committee and separated into two broad categories - *Legislative Proposals to be Introduced by CRCOG* and *Other Legislative Proposals and Initiatives to Support*. CRCOG will prepare a draft statement of purpose for its legislative proposals for submission to the appropriate legislative committee.

Legislative Proposals to be Introduced by CRCOG

Environment

- *Regional approaches to stormwater management* – Stormwater management is a challenge for many of our communities. The frequency of heavy rain events has increased. We have more impervious cover, and the region has several areas with poorly draining soils. Many properties in our older neighborhoods still have stormwater lines directly connected to sanitary sewer system (even in SSO communities). Our existing stormwater infrastructure is aging, undersized or both. All of these issues contribute to local flooding in streets, homes, and commercial properties. This flooding can overwhelm sanitary sewer systems leading to contamination in local waterways including the CT River and Long Island Sound. The General Assembly has adopted legislation allowing municipalities to create local stormwater authorities to help finance stormwater infrastructure. However, watersheds often extend across municipal boundaries. CRCOG recommends that the state amend this legislation to expressly permit regional stormwater authorities to allow towns to combine resources to address this complex and costly issue more effectively and comprehensively.

Planning & Development

- *Service sharing* - Removing barriers to service sharing at the local level has long been a goal of the ACIR, CCM, CRCOG, and other municipal organizations. While towns across Connecticut have increasingly engaged in service sharing utilizing the state statute enabling interlocal agreements (CGS §7-339a et seq), it remains difficult to combine workforces represented by multiple bargaining units. Local charter provisions can also pose a barrier to service sharing.

To address the issue, CRCOG recommends that the General Assembly work in consultation with municipal organizations and organized labor to eliminate any remaining statutory barriers to shared services. This effort could involve revisions to the Municipal Employees Relations Act (MERA) and state legislation exempting municipalities from local charter provisions that prohibit or limit their ability to share services with other cities and towns.

State grant funding, such as the per capita grant (\$1.85 per capita) paid to regional health districts, could also incentivize municipalities to provide services on a regional basis, working through their councils of governments (COGs) or other regional entities. Regional health districts allow member municipalities to capture an economy of scale and to provide a higher level of service than they may be able to accomplish with a standalone municipal health department. This is a model that could be replicated for other municipal services, particularly those requiring a specialized professional or technical skill set such as building inspection, tax assessment, or human services. The establishment of a per capita grant to incentive regional service delivery could be a viable pilot initiative, perhaps combined with the state's Regional Performance Incentive Program (RPIP) that provides up to three years of seed funding to establish a new regional program or service.

- *Local Match for BIL/IIJA funding* – Most funding opportunities under the Bipartisan Infrastructure Law/IIJA (e.g., Safe Streets for All, Building Resilient Infrastructure and Communities) require a 20% local match. It can be difficult for many of our communities to receive local bond approval for a project that may not be approved at the state or Federal level. To ameliorate this situation, CRCOG strongly encourages the state to allow applicants to use **current state funded grants** as a partial match for BIL/IIJA grant opportunities. This change in practice would also help the state to ensure that Connecticut does not lose out on these singular grant opportunities.
- *Intermunicipal land use and other commissions* – It can be challenging for towns of all sizes to recruit and retain volunteers to serve on land use boards and entities such as an ethics or fair rent commission. CRCOG endorses a proposal that has been considered in the past to provide municipalities with the option to create intermunicipal land use commissions with authority to address planning and zoning and inland wetlands matters. Intermunicipal or regional land use boards would also make it easier for municipalities, especially small towns, to share staff. In addition, CRCOG is seeking state legislation to expressly provide municipalities with the ability to form intermunicipal or regional commissions for a variety of purposes, including the adjudication of ethics and fair rent complaints. This could be an interesting initiative to pilot in one or two areas.

Public Health

- *Medicaid ambulance reimbursement* – The state Medicare ambulance reimbursement rate is approximately 50% of the Federal Medicare rate and is not covering the cost of care. Medicare patients comprise a large percentage of ambulance transports across the state and ambulance service is critical to maintaining the health of this population. CRCOG has two short-term recommendations to correct this funding deficiency while the issue is studied in more detail: 1) the state to index its Medicaid ambulance reimbursement rate at the Federal level; and 2) the state to pay the full rate for group home transport. This adjustment would help municipalities and other EMS providers maintain a comprehensive ambulance service in our state.

Other Legislative Proposals and Initiatives to Support

Appropriations

- *PILOT funding* – CRCOG endorses CCM’s recommendation that the state fund its payment in lieu of taxes (PILOT) programs at statutorily required levels. Property tax exemptions lower the property tax base in many of CRCOG’s communities, particularly for those municipalities that host significant state property and private colleges and hospitals. As cited by CCM, *Statewide, exemptions represent nearly 12 percent of the aggregated Equalized Net Grand Lists (ENGL). But this statistic seriously understates the issue for some communities. In 11 towns, exempt property other than city-owned property represents over 20 percent of the ENGL and in several the total is over 50 percent.* PILOT payments help to level the playing field and to fund important municipal services and programs in some of CRCOG’s most economically distressed municipalities.

Environment

- *Waste management* – CRCOG has an important waste management study underway to develop short and long-term solutions for our region. Through the Connecticut Coalition for Sustainable Materials Management (CCSMM) administered by the Connecticut Department of Energy & Environmental Protection (CTDEEP), the state is working in concert with COGs and municipalities to develop cost effective regional solutions to reduce, reuse, and recycle materials. CRCOG encourages the General Assembly to continue to support the CCSMM and CT DEEP in their efforts to develop innovative ideas and programs to promote food waste diversion, extended producer responsibility (EPR) for consumer packaging, and streamlined permitting of anaerobic digesters and related infrastructure.

Finance, Revenue & Bonding

- *Funding for CFSIC* – The CT Foundation Indemnity Solutions Company (CFSIC) was established to assist homeowners with crumbling foundations. To date, CFSIC has successfully replaced foundations for 642 homes within the CRCOG and Northeast CT Council of Governments regions. Under Public Act No. 17-2, CFSIC was scheduled to “sunset” on June 30, 2022. On July 6, 2021, Governor Lamont signed Public Act 21-120, which eliminated CFSIC’s termination date and allocated \$100 million in additional General Obligation Bond funding for CFSIC payable in four annual installments of \$25 million each beginning on July 1, 2022. Following the initial \$25 million installment it will be necessary for the State Bond Commission to authorize the issuance of the remaining balance of \$75 million in bond funds to enable CFSIC to continue its mission.

Government Administration & Elections

- *Apprenticeship program for building code officials* – Many of CRCOG’s members and other municipalities across the state are struggling to recruit and retain qualified building inspectors and other municipal officials. The Department of Administrative Services (DAS) has formed a working group to develop a bona fide apprenticeship program for building inspectors that could prove a model for the state. CRCOG is participating in this initiative which will likely require changes to the state building code and legislative action.
- *Reciprocity for municipal officials* – In order to assist municipalities with filling various staff vacancies, CRCOG recommends that Connecticut increase reciprocity to accept certifications from other states for various professional and technical positions. CRCOG proposes that the state establish an interdisciplinary work group to develop related recommendations for the General Assembly’s consideration.

Housing

- *Affordable housing* – The availability of affordable housing remains an issue for many if not most CRCOG communities. CRCOG recommends that the state promote the construction of affordable housing through tax credits, brownfield restoration tax credits, and the local property tax exemption with state reimbursement. Affordable housing is important to our region for several reasons, including workforce recruitment and retention, equity, economic development, and neighborhood vitality.

Planning & Development

- *Revolving loan program for code compliance* – Municipal planning staff have noted that lower income property owners and businesses struggle to finance the cost associated with remediating code compliance violations and making ADA upgrades and related improvements. CRCOG proposes that the state establish a low interest, revolving loan fund as a pilot initiative to assist income-qualified property owners and businesses with financing these expenses. As a revolving loan program, the fund would arguably be more stable and become self-supporting over time.
- *Complete streets planning* – Complete streets planning is important for several reasons, especially to promote pedestrian and traffic safety, economic development, and livability. CRCOG encourages the state to continue to provide resources to enable municipalities to develop and implement a Complete Streets Plan as a component of local Plans of Conservation and Development (POCD).

Public Health

- *Funding for PFAS contaminated wells* - Per- and polyfluoroalkyl substances (PFAS) are a group of over 9,000 manmade chemicals that are used in many consumer and industrial products such as non-stick cookware, fabric coatings, food packaging, and firefighting foams. PFAS are very persistent and can migrate through soil and remain in groundwater for long periods of time. PFAS are being studied as a cause for various health issues, including thyroid disorders and several cancers. The state has worked to address this serious public health issue with the creation of the Connecticut Interagency PFAS Task Force and its PFAS Action Plan. Given the prevalence of private wells throughout our region and Connecticut overall, the state has allocated \$1.15 million in funding to test and remediate private wells for PFAS. CRCOG recommends that the state build on this initiative and provide additional funding to test and remediate contaminated private wells for PFAS and other harmful substances. COGs and regional health districts could be a partner in this effort. (Kathie Lutz to verify that this is accurate and update as needed)

Transportation

- *Clarify CTDOT's authority to acquire land for multi-use trails* - Currently, there is an open question about CTDOT's legal authority to condemn right-of-way (ROW) for off-road trails for bike/ped facilities. CRCOG supports the CTDOT's request for legislative approval to obtain this authority. This issue is vitally important to the future of the region's multi-use projects. The CTDOT plans to submit legislation in support of its request.
- *Hartford Line* - CRCOG welcomes the investments that the state is making to enhance the Hartford Line and passenger rail service and has recently commented on both the state's passenger rail and freight rail plans. With respect to passenger rail, CRCOG strongly urges the CTDOT to complete the design and construction of the stations in West Hartford, Newington, and Windsor – as well as full buildouts in Windsor Locks and Enfield – as expeditiously as possible. These investments are necessary to maximize the ridership potential along the line.
- *Vision Zero Council* – The Vision Zero Council is an interagency work group tasked with developing statewide policy to eliminate transportation-related fatalities and severe injuries involving pedestrians, bicyclists, transit users, motorists, and passengers. CRCOG staff are active members of the Council's sub-committees. With serious accidents and fatalities increasing across the state, the Council's work is vitally important to public health and safety. CRCOG views its participation in the Council's deliberations as a top priority and will incorporate key recommendations within its Metropolitan Transportation Plan (MTP) update. CRCOG further recommends that the General Assembly actively support the Council's recommendations.