



# Lower Connecticut River Valley Council of Governments

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## Lower Connecticut River Valley Council of Governments And Lower Connecticut River Valley Metropolitan Planning Organization

### MINUTES OF EMERGENCY MEETING

Friday, March 13, 2020

#### RiverCOG Members;

Chester: Lauren Gister \*  
Clinton: Karl Kilduff \*  
Cromwell: Anthony Salvatore \*  
Deep River: Angus McDonald  
Durham: Laura Francis  
East Haddam: Robert Smith \*  
East Hampton: David Cox \*  
Essex: Norm Needleman \*  
Haddam: Robert McGarry \*  
Killingworth: Cathy Iino \*  
Lyme: Steve Mattson \*  
Middlefield: Ed Bailey \*  
Middletown: Ben Florsheim  
Old Lyme: Tim Griswold \*  
Old Saybrook: Carl Fortuna  
Portland: Susan Bransfield  
Westbrook: Noel Bishop \*

#### MPO Members:

Middlesex Chamber of Commerce: Darlene Briggs \*  
Estuary & Middletown Are Transit Districts: Joe Comerford

#### Others Present:

Attorney Steve Mednick  
Cathy Lezon, Eversource  
Ellen Graham, Senator Blumenthal's Office  
Julia McGrath, Congressman Courtney's Office  
Briana Duvivo, Senator Murphy's Office  
Catherine Dube, COST  
Eric Lindquist, OPM  
Rob Zampiano, Portland  
Suzanne Helchowski, Westbrook  
Zachary Faiella, Westbrook Public Health Dept.  
Lisa Fasulo, Essex Health Dept.  
Deb Denette, East Haddam Town Clerk  
Linda Zemienieski, East Haddam  
Cynthia Varrichio, East Haddam  
Carleen Quinn, East Haddam

**RiverCOG**

**Staff Present:**

Sam Gold  
Janice Ehle/Meyer  
Torrance Downes  
Eliza LoPresti

**1. Call to Order, Roll Call/Introductions, Public Speaking**

Vice Chairman Gister called the meeting to order at 9:50 A.M. This meeting took place virtually by phone and video conference. RiverCOG staff and Norm Needleman were the only people present in the office.

Roll was called by Sam Gold. It was noted that Norm Needleman was present in the RiverCOG office acting as State Senator as well as Essex's First Selectman.

Ms. McGrath of Congressman Courtney's office stated that there is a bill regarding paid sick leave coming up for a vote; text is still being negotiated and she will send more information once she has it.

Senator Needleman stated that there is going to be some type of relief bill for small businesses and those with lower income that can't miss a paycheck. There will also be a suggestion to the Gov. to give advice to retailers to minimize runs on stores. Today most of the schools in Eastern CT will announce closings at noon; this may create some panic.

**2. Discussion of Municipal Operations and Business During COVID19 Pandemic**

**a. Requests of Governor for Specific Relief on Municipal Obligations and Requirements**

Atty. Mednick recommends each town check their charter (if they have one) and review how the town can conduct itself pertinent to the general operations of government during a shutdown/state of emergency. Some charters may state that once the Gov. declares a state of emergency that also covers the town as well; some towns may want to independently declare a state of emergency. He stated that municipalities may want to seek tolling legislation that allows municipalities to basically stop activities and resume at the end of the emergency period. This is in reference to things that have time limits like zoning commission hearings.

There was discussion dealing with town budgets and possible extension of the legislative session for the State. Sen. Needleman stated that the Governor has broad discretion to make adjustments to the biennium budget and that a bonding bill was passed to make sure municipalities get money for items like LOTCIP, Town Aid Road, etc. The Senator also suggested that each individual town plan for contingency to the extreme and that the COG be used as a vehicle for information.

It was asked if there was a standard document to use for declaring a state of emergency. Sen. Needleman stated that there should be one on file in each from previous storms. He reiterated that there are not a lot of big things that will effect towns monetarily up for discussion in this budget.

It was asked if there are any possible advantages to declaring a state of emergency such as funds to cover certain costs like worker's comp for fire, EMS, etc. Atty. Mednick noted that statute 28-8A (b) permits naming those to be eligible for worker's comp that will be dealing with an

emergency. This also give the CEO ability to mitigate major emergencies and secure and preserve any documents pertinent to future investigation (please find the full text of that statute here: [https://www.cga.ct.gov/current/pub/chap\\_517.htm#sec\\_28-8a](https://www.cga.ct.gov/current/pub/chap_517.htm#sec_28-8a) ). Sen. Needleman noted that in statute towns (those towns without a charter), the CEO has broad authority.

In the case of a controversial application, like for ZEO or Wetlands Commission, there should be a discussion with the applicant about the situation. Sen. Needleman noted that once the schools announce their closing today there may be many calls coming in and CEOs will be inundated with very many issues, not just those about operations.

**b. Primary Elections**

There was discussion on waiving the requirements for absentee ballots, although CT is not really set up to handle processing all the ballots that way. If this is recommended there very well may be logistical problems. There is a call with the Secretary of State next Tuesday about contingency plans and possible logistical help for absentee ballots.

**c. Legality of Limiting Attendance at Public Meetings**

Public meetings by phone are acceptable as long as people in the room or on the phone have the ability to speak during public comment. Someone needs to be controlling the apparatus so members of the public can participate. This ruling is from 1981 and obviously did not anticipate the current situation and does not discuss whether someone needs to be physically present in a public space. Ms. Iino will send out any further answers to questions from Tom Hennick, who handles state FOI.

**3. Chairman's and Executive Director's Reports**

None at this time

**4. Other Business**

Mr. Smith asked about social media issues as there is a lot of misinformation and panic. There was discussion on posting updates at a certain time each day and directing people to the health department websites.

Atty. Mednick will put together a list of information regarding talking points before declaring a state of emergency, which he will send to Mr. Gold for distribution. He reiterated that each town with a charter will be a little different and that each town should look into this and speak to their attorney.

Mr. Bishop asked which towns were expecting to declare states of emergencies. Sen. Needleman stated Essex will not do it now and suggested that it be done as a group, similar to the way the superintendents are about to announce the school closings. Atty. Mednick suggested each town check with their town attorney as to whether they need to declare a state of emergency or if the Governor's declaration covers their town.

There was discussion on what to do with large-scale private events like Bill's Seafood's event this upcoming weekend. Atty. Mednick noted that the CEOs have the ability to enforce through health and building codes. Additionally, the Governor has invoked an executive order banning gatherings of more than 250 people, which is enforceable.

There was discussion on crafting a same-message regional statement regarding declaring state of emergencies. A group message from all 17 towns was briefly discussed. Discussion followed on which towns are closing what and food assistance at schools for students.

**5. Adjournment**

Chairman Salvatore noted that he will call another meeting as deemed necessary. The COG meeting for next week will be a video/conference call rather than an in-person meeting.

The meeting was adjourned at 11:03 am.

Respectfully submitted,  
Eliza LoPresti