

**TOWN OF HAMDEN, CONNECTICUT  
CHARTER REVISION COMMISSION  
MINUTES OF MEETING**

**January 6, 2021**

A meeting of the Charter Revision Commission was held on Wednesday, January 6, 2021 via Zoom due to the Covid-19 Pandemic. The meeting was called to order at 7:00 P.M. by the Chair, Mr. Dixon and roll call was taken.

**MEMBERS PRESENT:** Frank Dixon, Chair; Jackie Downing, Vice-Chair; Lamond Battle, Secretary; Jay Kaye; Nancy Olson; Todd Berton; Joshua Sprague-Oliveira; Marnie Hebron; Sarah Gallagher; Frank LaDore (after roll call); Jeff Cohen (after roll call)

**MEMBERS ABSENT:** Tiffany Artis-Wilson; Tom Figlar; Myron Hul; Todd Moler

**ALSO IN ATTENDANCE:** Steve Mednick, Counsel

**APPROVAL OF PREVIOUS MINUTES – December 22, 2020**

Moved by Ms. Downing, seconded by Mr. Kaye and approved unanimously.

**3. Initial Draft Ethics Language from Commission Counsel re-Ethics (Charter 3-9 and 7.2.B) Including Initial requirement for Board of Education, Legislative Council, and sec. 7-2 Boards and Commissions to address recusal and conflicts of interests in the rules)**

Mr. Mednick said there wasn't much to change here but the first change is under "Recusal" § 3-9 B (2) where he has added: "The Legislative Council, Board of Education and all Boards or Commissions established under Section 7-2 of the Charter are required to include recusal provisions in their Rules of Procedure."

Mr. Mednick said the next change was adding qualifications and said these are not absolute requirements but considerations to take into account. He then asked the Commission to read over them and give their thoughts. (c) Qualifications: in addition to the general requirements of statute, law and this charter the Mayor is obligated to take into consideration the following qualifications and experiences with regard to the mix and diversity of appointment to the Board of Ethics: training and/or experience in (1) local government (including, but not limited to familiarity with the Town of Hamden, although not in a current position that would cause the member to be in violation of the Charter or ordinances); (2) financial matters with knowledge of fiduciary responsibilities (as evidenced by service as a certified public accountant, having earned a bachelor, master or doctorate degree in business, finance or public administration or business experience); (3) mediation, arbitration and conflict resolution; (4) law; (5) religious or ethical studies; (6) community, religious and neighborhood activities; and; (7) other qualifications as may be established by ordinance. Of equal weight with the foregoing requirements, the Mayor is required to consider appointments reflective of the various neighborhoods and the ethnic, racial, gender and cultural mix of the town in order to achieve a balance on the board. Members are required to engage in a training session offered by the Connecticut Office of State Ethics or a successor agency, immediately following confirmation to the Board by the Legislative Council and at the commencement of any

subsequent term thereon. Failure to participate in training sessions constitutes grounds for removal from the Board of Ethics.

Ms. Olson said she understands the intent but by the time they get to number 7 they'll already be saying they can't be on this commission. She said she thinks a high moral value is more important, not what they do and said she would recommend a background check.

Mr. Mednick said he'd have to check on that, he's never seen it done for a volunteer to a board or commission.

Ms. Gallagher said she does not recommend a background check but she does think this language is intimidating and more like a job description than qualifications. She said she'd like to see a range of expertise and see this more simplified.

Mr. Dixon said he agrees with Ms. Gallagher on the background check not being necessary.

Mr. Mednick gave a few ways of how he could simplify this.

Ms. Olson suggests this be equal weight under §7-1 for all boards and commissions.

Ms. Downing said she doesn't agree, she thinks the Board of Ethics should be held to a different standard than the general commission. She said she agrees that there should be diversity and life experiences for others but more specific in ethics.

Mr. Cohen said he agrees and thinks it should be held to a higher standard as well.

Mr. Mednick said he will generalize this with higher standards for ethics.

Ms. Olson said the part about training, cost and facilities can be an exclusionary thing and if there's a cost it should be picked up by the town. Mr. Mednick said the State's Ethic Commission provides free online training.

Mr. Dixon requested a motion for Mr. Mednick to amend and change the language in (c) Qualifications and bring it back to them. Moved by Mr. Cohen, seconded by Mr. Kaye and approved unanimously.

#### **4. Revision of Emergency Powers (Charter 5-5) Draft language for 1/6/2021**

After some discussion about the recent pandemic Mr. Mednick said what he did here was under §5-5 A Declaration of a public emergency he added at the end: "In the event of a declaration of public emergency declared by the president or Governor, there is no requirement for a local declaration, unless unique circumstances or external funding or reimbursement requirements otherwise require."

Mr. Mednick said then at the end of 5-5 A (1) he added: Said public emergency may be a public health or civil preparedness emergency or both, as set forth under the General Statutes. He said next he included a notice provision (5-5 A. (2): In the event a declaration is issued by the Mayor or Legislative Council, the Mayor or President of the Legislative Council, as the case may be, is required to issue notice within three (3) hours of such declaration in accordance with §1-4 V of this Charter by electronic

means to the Mayor or the members of the Legislative Council, as the case may be; or in the event electronic means are not available by delivering the written declaration to the receiving party (ies). The Mayor is required to notify all emergency personnel of the public emergency.”

Mr. Mednick said the next change is under 5-5 C. he included a provision (1) Public Emergency Contingency Appropriation: The Mayor and Legislative Council are required to include in the Town Budget Ordinance an appropriation for a public emergency contingency for the purpose of effectuating the authority of the Mayor under §5-5.C(2) of this Charter. He said under C (2) (a) he establishes a term of authorized amount: (“Authorized Amount”) as may be appropriated pursuant to §5-5.C(1) of this Charter, any increase to the Authorized Amount, as set forth below, or any emergency appropriation as may be approved by the Council from the public emergency contingency appropriation. He said under that is an ability to increase.

Mr. Mednick said the next change is in paragraph D Emergency Meetings of the Legislative Council: Here he said this is best left to the Rules of the Legislative Council rather than ordinance so he made that change. He said in paragraph E he added the word “order” it’s not an ordinance and said he will do that throughout.

Mr. Dixon requested a motion for amendment to ordinance for order. Moved by Ms. Olson, seconded by Mr. LaDore and approved unanimously.

## **5. Revision of Reapportionment (Charter 3-7)**

Mr. Mednick said here there were a couple fixes. He said in F (1) he kept it at the same numbers of members but the Mayor’s recommendations was reduced from 3 to 1 and he put the two Registrar’s of Voter’s on it and under (3) he changed the vote from instead of 7 of 9 to a majority vote of the entire membership. Mr. Mednick said in G (2) he put two-thirds (2/3rds) of the Council present and voting.

Ms. Downing said the Registrar’s asked about 10 districts and asked if they thought they wanted to do anything with it and can they? Mr. Mednick said he didn’t address it here because he thought it’d be addressed at a later point in the process.

Ms. Downing then moved a motion to approve this section as provided. The motion was seconded by Mr. Kaye and approved unanimously.

## **6. Request from Corporation Counsel to withdraw the request (Charter 5-2(D))**

Mr. Mednick said Town Attorney Gruen was the one to bring this up but now wants to withdraw it. He said she’s concerned it just raises more questions and that the general definition of contracts may include contracts to go that don’t need to go like those that fall within MERA and then you may get in violation of State Law.

Ms. Gallagher asked if they could say except for those that fall under MERA. Mr. Mednick said no because there are some that fall under MERA and he then gave some examples. Mr. Mednick said he can talk about the definition with Ms. Gruen and go over it more and suggested they do a motion to withdraw the fiscal part. Ms. Olson moved the motion, seconded by Mr. Kaye and approved unanimously.

Mr. Mednick said he will get the revised Ethics language to them ASAP and maybe it can be an action item at the next meeting.

There was the some discussion on the meeting schedule and what they'd be doing coming up. Mr. Mednick said the next meeting will be the joint one with the Fiscal Stability Committee and he has some other financial people he'll be bringing on and said the next 3 meetings are all around budget. They then discussed some of the added meeting dates.

There being no further business Mr. Dixon requested a motion to adjourn. Moved by Ms. Downing, seconded by Mr. Cohen and the meeting adjourned at 8:34 P.M.

Respectfully submitted,

Kim Renta  
Clerk of the Council