

**TOWN OF HAMDEN,
CONNECTICUT
CHARTER REVISION COMMISSION
MINUTES OF MEETING
March 3, 2021**

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https://zoom.us/rec/play/XpwDcFX16y4CrIFlMVhDd1hk-LbrMz3hKlK3ozyZ-g6E5UDA4FZ5T4fVvfmC57mjlKTzkQiW_NB1b_Yh.hvBuU7hmsyx_XQDt?continueMode=true&_xzm_rtaid=jQ9LsRuTSdmpftxDUrYWPA.1617040276794.c4b6f01eacb78675c6da044e317b8cf9&_xzm_rhtaid=46

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A meeting of the Charter Revision Commission was held on Wednesday, March 3, 2021 via Zoom due to the Covid-19 Pandemic. The meeting was called to order at 6:00 P.M. by the Chair, Mr. Dixon and roll call was taken.

- Note: This meeting was done without a clerk. Attendance is based on voices heard or acknowledged while reviewing the video so attendance may not be accurate for those reasons.**

MEMBERS PRESENT: Frank Dixon, Chair; Jackie Downing, Vice-Chair; Sarah Gallagher; Myron Hul; Jay Kaye; Nancy Olson; Joshua Sprague-Oliveira; Marnie Hebron; Frank LaDore; Jeffrey Cohen (after roll call); Todd Moler (after roll call)

MEMBERS ABSENT: Tiffany Artis-Wilson; Lamond Battle; Todd Berton; Tom Figlar; (These names were not heard or acknowledged as being present during the roll call)

ALSO IN ATTENDANCE: Steve Mednick, Counsel

APPROVAL OF PREVIOUS MINUTES – None ready

CRC Deliberations: Action Item #5 (As Revised) – Budget Process

Mr. Mednick said this starts with Boards & Commission and goes through the budget. He then explained how he laid out this section saying they put the Board of Finance into a restricted category similar to the Ethics Commission and Civil Service Commission. He also explained how he threw 5 years in here based on previous discussions, but some thought 3 years was sufficient so he put it back to 3 years saying they're still open to discussing 5 if they choose to do so.

Mr. Mednick said for the Board of Finance both Town Attorney Sue Gruen and him both have concerns about calling something the Board of Finance because it can be a confusing title and after doing some research he found in Massachusetts that they call theirs a Finance Commission and recommends that

maybe they call it that. Mr. Dixon said he doesn't think there are any issues with that and thinks it makes things less complicated. Mr. LaDore said he agrees and there was a general consensus.

Mr. Mednick said the first change in §7-2 A is in 1 A 1 - Budget preparation and oversight which he believes reflects the changes that they discussed at the last meeting where we want to make it clear that this pertains to the financial ethnicity and soundness, as well as compliance with laws, procedures, contractual and fiduciary obligations as well as best practices in public finance as set forth in law and this charter..etc.

Mr. Kaye asked Mr. Mednick if this was an assumption of best practices or if there's a protocol and how do they define that. Mr. Mednick said they can do two things with it, they could cite organizations that exist in the historical current context or their successors (along with some additional language following to clarify things)

Mr. Mednick said the next change is in sub-paragraph C – Collective Bargaining. He said he had a brief conversation with Labor Counsel and they want him to change in the 7th line where he talks about “proposed” agreements they want the word “tentative” agreements in there. He then explained why this makes sense. This topic was discussed for a bit.

Mr. Moler said he can't help but wonder if all of this is for nothing if they change to a Town Manager form of government which they haven't decided yet. Mr. Mednick said all the Finance Commission and this budget language should pertain to either, whether they decide on a Town Manager or Mayor. Ms. Gallagher said she thinks the language could be a little stronger. Mr. Mednick said he will come up with more robust language on interactions and figure out to deal with the advisory opinion.

Mr. Mednick said on D he thought it was best to keep it simple and straight to the point and said one of the things they may want to look as we go through Board and Commissions is what you may want to do to bolster the Pension Commission and maybe put some of these methodologies under their jurisdiction. There was some discussion on this topic as far as the Town not meeting its obligations in the past, whether or not a person collecting a pension can sit on the Board with Mr. Mednick saying they'd follow the Ethics Code like any other body. Mr. Hul asked about the intent which Mr. Mednick said was to propose a funding policy. Mr. Hul asked if they could simplify it and say that the budgeted amount of the pension shall be the ARC (Actuarial Required Contribution) and any deviation from the ARC will need Legislative Council participation. Mr. Dixon asked where in here he was talking about and Mr. Mednick said he thinks Mr. Hul wants to replace D. Mr. Mednick then asked Mr. Hul for the language. Mr. Hul said in an unpolished version if the intent is to fund the ARC then we state that and if the payment of the ARC is going to be modified by any means then Council needs to participate in that discussion and decision. Mr. Mednick said okay, he has the concept they just have to tell him what they want him to do.

Ms. Downing said she's not sure that she agrees with putting that requirement in the charter. She said when they started going down this road it was to make sure the financial planning and the finances including the funding of the pensions was transparent and clear, and that the public could understand and that it's true and accurate which may not have always been the case but she thinks what this says is it will absolutely be the public and the Legislative Council will be informed of what action is being taken. She's afraid if the dictate by charter that they have to meet the ARC every year there are extenuating circumstances in some years when that is not practical and when some actuaries might say they see that and know what the required amount is but it's not practical. She said if you think in terms of making up lost ground Town services would be devastated if we had to meet the ARC and get us where we belong and she's not sure they should dictate that by Charter for the next 10 years without the opportunity to change that.

Mr. Mednick said you don't want to set an intractable provision in the Charter and what this was intended to do is say we need to establish a policy based on best practices and law.

Mr. Kaye said he likes the way the language came out and prefers to keep it the way it is. Ms. Gallagher agreed, but with a language clarification of who proposes. After a little more discussion Mr. Mednick said he'd throw in some things suggested.

Mr. Mednick **said E – Long Term Financial Planning** is pretty simple, he made some modifications that Planning has to take into consideration the financial effects of the Plan of Conservation & Development and to take the plan into account during budget deliberations.

Mr. Mednick next went to the appointment and duration of the membership. Ms. Gallagher said here she had a thought about the membership which currently says they're appointed by the Mayor and given what we heard about his is sort of a check and balance she was wondering if they should have a portion of the members appointed by the Legislative Council or Council President to have that balance. She said the Board of Ed may have a part in that role as well. Mr. Mednick said this isn't a novel concept in terms of the operation of government. He explained how it would work with the BOE, Mayor and Council all getting appointments. Mr. Hul said he likes the balance of all that but would like to see Council approve all the recommended. Ms. Downing said she too thinks Council should approve all but she thinks the Council should get 3 appointments, the Mayor two and the Board of Ed none. Mr. Hul doesn't agree with the Board of Education not having a voice in it.

After some discussion on this Mr. Dixon said to move this along he thinks they need to vote on the Board of Ed being represented or not being represented. Mr. Mednick asked what if there were qualifications. Mr. Cohen asked if part of the issue was making the Board of Ed subject to review. Mr. Dixon said he doesn't think it's for review, but for representation. Mr. Kaye stated he agrees with the language and that they need to get to public comment so they should vote.

Mr. Dixon gave it to Ms. Gallagher to make the motion. **Ms. Gallagher moved a motion** to amend the appointment to include 3 members from the Legislative Council, and 2 members from the Mayor and amending the qualifications to include expertise in educational financing and subject to approval by the Legislative Council. The motion was seconded by Mr. Kaye and approved with 1 opposed (Hul) and 1 abstention (Olson)

Public Comment on Town Governance Issues

Public comment can be heard on the recording at Time Code 1:12:40 (meeting recording link above) and written comments submitted are attached.

Mr. Moler asked if they'd be discussing some of the things they heard. Mr. Dixon said yes, once they were done accepting public comments at approximately 8:05.

Following Public Comment: Continuation of Action Item #5 deliberations, if necessary; and, Preliminary Discussion of Town Governance Issues

Mr. Mednick said the next issue is the diversity commission and he believes several members suggested modification of the name to Diversity, Equity and Inclusion Commission. Mr. Mednick went over the updated language with the commissioners saying it establishes the commission, lays out the jurisdiction of the commission, etc. (Mr. Mednick briefly reads over pieces throughout the section)

Mr. Dixon said this was the language that Ms. Gallagher and Mr. Cohen submitted, correct?. Mr. Cohen said his only concern is that he's not saying (unintelligible) he has a copy dated the 22nd that's not the same as this and he hasn't a chance to review this. He said he knows there was discussion and he made some points but he doesn't have this copy and he would like to review it but right off the bat he doesn't think it covers everything they want it to cover in just looking at it for the first time. He said and if there's going to be a vote he doesn't think he could vote or take a position but he doesn't want to be absent from this as it's a very important issue to him. He said he'd just like to spend some time with it because he has been working on some language based on another version that he thinks is more expansive and he thinks this one is missing a few things that need to be covered. Mr. Dixon asked him did he mean just the Equity Commission part or the entire...Mr. Cohen said the entire document. He doesn't know how this could have happened but as he compares it to his computer screen it's different and maybe it's his printer but he has some suggestions he thinks are worth well based on some other stuff and he doesn't think this covers enough and that there are important things missing or there's a lack of representation. He said he doesn't want to set the commission back and every time he gets an email he prints it but he don't have that, at least not that version.

Ms. Downing asked Mr. Mednick if she was showing the right version and Mr. Mednick said yes that's the one that was sent out to everybody. Ms. Downing told Mr. Cohen she'd be very interested in hearing his comments no matter which version. She said they're not voting tonight they're making amendments so she'd love to hear his thoughts as well as others. Mr. Mednick said he wants to point out that he has notes that he took based on comments made by the Vice-Chair and Ms. Gallagher, as well as a number of comments from Attorney Cohen, but they were very broad comments and hard to transfer into the document and he thought he was going to get some language at some point. Mr. Cohen said that's what he was going to disseminate to the commission...remember he said if you wants things to work the right way they got to be (unintelligible) bulletproof, and if Mr. Mednick remembers he was showing him things to discuss where some things would work and where some things won't work (he gave an example of the governor's issue with the vaccine where some think it's been unevenly distributed) and if he recalls he gave an example at the bottom of some language which may explain part of it, but his point is the idea is to give you a sense of that and the language that he's going to suggest and it's actually not much more than what he's seeing. Mr. Mednick suggested they walk through it. Mr. Cohen said how about so they don't hold anything up, he still needs to look at what Ms. Downing just sent him, but he still would like to make suggestions, so since it was mentioned there wasn't going to be a vote tonight he has time to do that and then he can send what his suggestions are and everyone would have them.

There was then some discussion on the section itself and some change in language suggestions. Mr. Mednick said if you want to make it proactive you may say "the commission on its own motion" and that means the commission makes the determination about what they do. Mr. Kaye said there you go and Ms. Gallagher said that's great. Ms. Downing asked if they could also put in "and upon request". Mr. Mednick said and upon request. He said he'll also change "policies" to "recommendations" as suggested by Mr. Hul. Mr. Cohen said he thinks if you want to use the word equity you should use "equity and equality" because what you lose in one you gain in the other. Ms. Gallagher said she hears is diversity, equity and inclusion as how to reflect what they're really trying to say so she would recommend a Diversity, Equity & Inclusion Commission. Ms. Cohen said he thinks both terms need to be used to cover everything and he'll go ahead and disseminate and get to the commission to see why there are slight differences to the two and if you leave out the one., equity across the board will not work without equality and equality across the board will not work without equity and in his opinion if we don't have both we'll come up with problems. Mr. Cohen then said he'll explain it in a writing he has and will get it to everybody, as well as some language that will go along with it.

Ms. Olson said she doesn't understand why it doesn't expand to all identified protected classes. Mr. Cohen said that's another area he doesn't think is expansive enough and where he'd like it to be more specific and

this is another spot where he has language that will make it specific and encompassing. Mr. Sprague-Oliveira said agrees with Ms. Olson and said he thinks it'd be great to have protected classes to be included and then said he disagrees with Mr. Cohen's statement on equality based on his own experience and also thinks if you include equality you're diminishing the impact of equity because we're looking at these systemic issues and equality doesn't allow you to take into account those inequities that are already in place.

There was a lengthy discussion on equity and equality. Mr. Cohen stated he will not vote for one without the other because one won't work without the other, but he'd like everyone to read what he put together with an open mind.

There was then some discussion on some of the language inside the section and Ms. Gallagher suggested taking out the term "public safety" and using a different term in its place and also mentioned taking out the word "past" for redressing past equities in all the budgets.

There was some discussion on similar like commissions as well as barriers that prevent people from serving. Ms. Downing mentioned it would be helpful if they had the mission statements/charges for all individual commissions. There was then a lengthy discussion on what other commissions may do that may be duplicated here. Mr. Figlar pointed out that there are issues filling some current Boards and Commissions with members and wonders as they create new ones will they be able to get people to fill the seats. Mr. Dixon said they need to put what's needed in place and then worry about the seats being filled. Mr. Figlar expressed his concern with putting the commission together and then nothing happening with it or it being utilized to fulfill its potential.

Mr. Mednick said Mr. Cohen has a lot of ideas so he will send him an updated version of the document and Mr. Cohen can insert his thoughts and ideas and get them over to him and the entire Commission so they can discuss it. Mr. Cohen said they'd have it by the weekend and no later.

There was then a lengthy discussion on the composition of the commission. Mr. Mednick then mentioned some outstanding issues they needed to discuss at their next meeting. There was discussion on this going to the LC for approval, as well as the timeline and the process.

There being no further business Mr. Dixon requested a motion to adjourn. Moved by Mr. LaDore, seconded by Ms. Gallagher and adjourned at 9:30pm.

Respectfully submitted,

Kim Renta
Clerk of the Council