

**TOWN OF HAMDEN, CONNECTICUT**

**CHARTER REVISION COMMISSION**

**MINUTES OF MEETING**

**March 31, 2021**

**\* To view the recording, please click the following link and observe the instructions when/if prompted:**

[https://zoom.us/rec/share/Fizzvd9eDQ8bsRET-XiTqCdTkW4\\_sE8pq9eU8HHXr7py2zqLAY7iCr7QTXsKQZvn.bhGrexcD5Fjic6Z0](https://zoom.us/rec/share/Fizzvd9eDQ8bsRET-XiTqCdTkW4_sE8pq9eU8HHXr7py2zqLAY7iCr7QTXsKQZvn.bhGrexcD5Fjic6Z0)

**\*\* If prompted for a password, enter: 04n#gs&A**

**\*\*\* If you are reviewing a print copy of these minutes and wish to view the meeting recording, please visit the Agenda Center at [www.hamden.com/agendacenter](http://www.hamden.com/agendacenter)**

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A meeting of the Charter Revision Commission was held on Wednesday, March 31, 2021 via Zoom due to the Covid-19 Pandemic. The meeting was called to order at 7:07 P.M. by the Chair, Mr. Dixon and roll call was taken.

**MEMBERS PRESENT:** Frank Dixon, Chair; Jackie Downing, Vice-Chair; Lamond Battle, Secretary; Sarah Gallagher; Myron Hul; Jay Kaye; Joshua Sprague-Oliveira; Marnie Hebron; Frank LaDore; Todd Berton; Jeffrey Cohen; Tom Figlar; Todd Moler

**MEMBERS ABSENT:** Tiffany Artis-Wilson; Nancy Olson

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

**APPROVAL OF PREVIOUS MINUTES:** Mr. Kaye moved a motion to approve the minutes of March 2, 2021. The motion was seconded by Mr. Cohen and approved with 1 abstention (Battle)

Mr. Dixon asked Mr. Mednick to begin the discussion of Agenda Item #3, CRC Discussion:

Mr. Mednick said regarding 3.a., he had promised and provided some alternate approaches regarding the Chief Operating Officer, COO, position (which this commission has drafted) which has been under discussion. The position they laid out in the document had very strict terms especially regarding the background/qualifications of the COO and the notion that the position would span across Mayoral terms, (5 years). He referred to the materials provided and asked the commissioners to commence with their discussion of this position and whether to leave it as drafted or modify the language. Mr. Dixon said this had already been discussed at length and asked the commissioners to please streamline the discussion.

Mr. Mednick referred them to Action Item 5 from the last meeting. There was some brief discussion and review. Ms. Gallagher said that she has put a lot of thought into this position since the last meeting and said we need to clarify what the exact problem is that this commission was trying to solve in creating this position. She referenced the term length for COO. She indicated that after the discussion of a Strong Mayor who has policy implementation ability and - this has been reflected in election by the people- the idea that the COO would stay on into a new Mayor's term- it could be difficult for the new Mayor to proceed if they don't have

the staff they are appointing. This should be re-visited. Also, regarding it, COO, being an “at will” position, it makes sense to her that the Mayor would have the ability to remove with approval of the Council. She said she also believes this position should be in the Mayor’s office. She also referenced that the position of CAO has existed in the Mayor’s office and are we just formalizing it to provide better management to the Mayor? Do we need to create another bureaucratic process?

Discussion followed on the pros and cons of many aspects of this position with a large focus on the question of whether it should be a 4 or 5 year position. Mr. Mednick offered, - Is it a political appointment or a professional position. Is it a 4 year appointment or is it a 5 year contract, or a 4 year contract? How would the “overlap” in “terms” either serve or hinder a Mayor, especially a new Mayor?

Mr. Hul strongly stated he believes it should overlap. It could begin with a 5 year term and get to 4 thereafter. This would still overlap. There was more discussion.

Ms. Downing returned to the question of what exactly is the problem we initially set out to solve here? She said at this point it seems they are trying to have both a Town Manager and a Mayor. She reminded that initially they set out to look at “Town Manager”. It was decided instead to have a Strong Mayor. Now it seems like they are trying to make a Town Manager under the Mayor. She does not see how that functions. An overlap kills a new person coming in. It is not done in the business world. She said it is best practices that the continuing CEO be out before the new person comes in. She does not support an overlap in the term of the COO. She believes they should create a position in the Mayor’s office which they can codify in the Charter instead of a Chief of Staff who is someone’s friend or relative with no qualifications, just because there has always been a Chief of Staff. Create a COO position in the Mayor’s office that has some power, authority, and accountability to the Town, works directly with the Mayor to move the agenda forward, that she/he was elected for, and runs concurrent with the Mayor.

More discussion followed on what the COO in the Mayor’s office would actually do. Mr. Mednick pointed out that he needed clarification as to whether they want the Legislative Council approval on both the hiring, and the possible removal of a person in this position, as it would be a Mayoral appointment in this configuration.

At this point Mr. Hul said after listening to the discussion and the other commissioners, he would move off his position of the 5 year term. He does still believe it should be a contract position and not “at the Mayor’s will”. There was discussion on whether it should be a 4 year position with “removal for cause” with the approval of the Council, built in. Mr. Mednick pointed out that if you have a contract, you can have contract damages.

The position was then discussed as being placed in the Mayor’s Office as a Mayoral appointment subject to qualifications set forth, subject to approval by the Council, with a contracted term to run in conjunction with the Mayor. Then, there was a lengthy discussion of the pros and cons of having a contract for this position. Mr. Mednick summarized the conclusions of the discussion by asking the commissioners to approve whether the following points are what they wished to agree on: Appointment by the Mayor, up to the term of the Mayor, with a contract, with termination for cause with the approval of the Legislative Council and no residency requirement. They agreed. Mr. Dixon said this is agreeing on initial tentative language to move forward at this point.

Next the discussion went to Agenda Item 3.b. - Mayoral and Legislative Council Terms. Mr. Mednick said they had already decided on a 4 year term for the Mayor. He directed them to discuss the terms for the Legislative Council. Mr. Dixon asked Mr. Hul to begin. Mr. Hul said he is in favor of Council having staggered 4 year terms. He is unsure what this would look like, district or at large first. Mr. Mednick said

there are many ways to do it. Discussion followed about how the staggering would take place and what would best serve the residents. Mr. LaDore motioned to leave the charter as is for the Legislative council terms at 2 year terms. Mr. Cohen seconded. It was approved with 12 voting, 9-Yes, 2 No, and one abstention.

Next, Mr. Dixon directed to Action Item #4. Revised Action Item #5 (includes COO, Term Limits, Finance Commission, Budget Process) Mr. Mednick displayed the document and said this is the same document you've been seeing for the past month and a half and as he scrolled he read the categories aloud and said he would be providing a red-line version of all changes they had made. Ms. Downing motioned to move the Budget Process Section along as drafted. Mr. Moler seconded. This passed with all in favor.

Next Mr. Dixon directed to Agenda Item #5 CRC Discussion with Counsel re: upcoming meetings and tracking chart. Mr. Mednick displayed the Section in the Issues Tracking Chart on Boards and Commissions for their brief review and said he would prepare for the next meeting, a red line version with language for the changes they resolved- transparency of language, diversity of members, posting requirement, increasing membership of Civil Service, to be discussed -time limits, hiring of Director. The commission will continue discussing Boards and commissions in the next meeting.

Mr. Hul asked Mr. Mednick what the difference is between a Charter defined Commission or Board and those that are not? Mr. Mednick explained that some Commissions are so central and critical to the day to day existence of the community, that they should be laid out clearly and delineated in our constitution/Charter. That should not be a lot of commissions. Then a category of commissions is created that are required by Charter, indicating they are important and need to be created by Ordinance. It is a prioritization based on function. Mr. Mednick also recommends that we have a provision for merging commissions. Mr. Hul asked where the recommended commissions are listed in the Charter. The list of Charter recommended commissions is in Section 7.3 and Merger and Consolidation of Boards and commissions is in Section 7.7.

Mr. Kaye pointed out that in the current Charter Section 8-7, Departments are listed including Economic Development, but going on into Section 8-a, b, etc., the other departments are discussed but not Economic Development. This was placed into a slot for discussion at the next meeting.

Mr. Mednick pointed out some items to be discussed in the next meeting including Police and Fire Commissions and Civilian Review Board. There was a brief discussion on how the civilian Review board board should be created: Charter? Ordinance? Ordinance mandated by Charter? Council? It is generally agreed that it should be mandated by Charter.

Mr. Hul said he would like to know their responsibilities before that discussion. He said it would be very helpful to have a comparison between the Civilian Review Board responsibilities and the Police Commission responsibilities. Mr. Mednick said that right now State Statute gives the municipality the ability to create the scope of the Civilian Review Board. It is a blank slate. A problem exists because we have a Collective Bargaining Unit Agreement and a Police Commission. The Police Commission is in the Collective Bargaining Agreement as the disciplinary body. Civilian Review Boards want to look at disciplinary matters. The Civilian Review Board can review the disciplinary action, but without a State Mandate, the Subpoena Authority which has been given to Civilian Review Boards, is going to be thwarted, because in court, Collective Bargaining Agreements trump Charter Provision and Local Ordinance. An examination and discussion of this will continue in the next meeting. Mr. Mednick is putting together a Panel of Experts on this.

Mr. Kaye said they also wished to discuss the Traffic Commission and whether it should continue to be merged with the Police Commission.

Ms. Hebron said she wished to discuss elected commissions instead of appointed commissions.

Mr. Mednick told the commissioners to give him any names of possible speakers for the upcoming Expert Panel.

There being no further business Mr. Dixon requested a motion to adjourn. Moved by Mr. Kaye, seconded by Mr. Ladore and adjourned at 9:20 pm.

\*This meeting had no clerk. Meeting starting/ending times may have been estimated by viewing the video. The same for attendance.

\*Discussion summary typed while viewing the video and submitted by Rose Lion, Legislative Council Secretary.

\* Kim Renta, Legislative Council Clerk reviewed the minutes and added any additions as needed, along with the video link before filing.