

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

April 6, 2021

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https://zoom.us/rec/play/kZs5DHArQwf9FoteOTWFFes_ciOyB_9a8nMgVsqYpxispu4VBBFJkYuvA6UHvWls3vLhMY_33bSNE7.q3gadvMnSMwcmCIV?continueMode=true&xzm_rtaid=w_hjm8lktQt2b-3UIH9LQw.1620766205397.6873780c6223f0473a9f72efa811953d&xzm_rhtaid=112

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A meeting of the Charter Revision Commission was held on Tuesday, April 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.

MEMBERS PRESENT: Frank Dixon, Chair, Jackie Downing, Vice Chair, Jeffrey Cohen, Todd Moler, Todd Berton, Myron Hul, Nancy Olson, Thomas Figlar, Sarah Gallagher, Jay Kaye, Frank LaDore

MEMBERS ABSENT: Tiffany Artis-Wilson, Joshua Sprague-Oliveira, Marnie Hebron, Lamond Battle, Secretary

ALSO PRESENT: Steve Mednick Counsel

Approval of minutes of March 20, 2021 meeting. Moved by Mr. Kaye, seconded by Mr. Cohen. Mr. Hul said his name was spelled wrong. Ms. Downing moved a mention to correct the spelling of his name, seconded by Mr. Kaye and the minutes were approved unanimously with the amendment.

Mr. Dixon directed to Agenda Item 7- 3, A Charter Revision Commission Discussion of General Requirements for Boards and Commissions. Mr. Mednick directed to Tracking Document Section 7-1A, 2 sub-section E re: Frequency of meetings for Boards and Commissions which states “The frequency of regular meetings shall be not less than one meeting per month.” Mr. Mednick asked the commissioners to discuss this wording. A discussion followed exploring suggestions including: mandate commissions must meet six times a year minimum, mandate they can skip one month but not the next, mandate that if they cancel they must provide an explanation for the

cancellation, mandate that if they are on a break from meetings, the public can petition them in or the Mayor can order them in to meet if there are pressing and urgent items to be managed. Ms. Gallagher offered that because of electronic meetings, can a commission hold a brief electronic meeting to convey they have no business to discuss. There was a discussion of what actually constitutes a meeting and whether meetings or even discussions, should be held at all if there is no quorum. Mr. Hul asked if in the absence of the Chair, can a Vice-Chair call/hold a meeting and, in the absence of a Chair AND a Vice-Chair, can a member of the board or commission call to order a meeting and, is it a meeting at that point if the sole purpose is to take public input without a quorum? Mr. Mednick said you can have any two members, the Mayor or the Chair convene the meeting under the charter as drafted. With no quorum, you don't have a meeting. Mr. Mednick said it could at best, be a loose forum if there were no Chair or Vice Chair present to shut it down, but no action could be taken. Referencing frequency of meetings, Mr. Mednick suggested that they keep it monthly, (twelve per year) and that a commission must publicly state the reasons for cancellation and cannot cancel more than two consecutive months. The commission agreed to this. Next, Mr. Mednick referenced Clerk appointments. It was decided that wording would be created designating the Chief Operating Officer, COO, as the person that ensures that all boards and commissions have clerks/ has a clerk assigned to serve their functions. Next Mr. Mednick referenced records and record keeping for commissions. The commission agreed to keep the current wording and add to it, that minutes must be posted in compliance with State Law. Next Mr. Mednick referenced "public access, comment and interaction". It was initially agreed that there should be one town email address per commission, assigned to and managed by the Clerk of the commission for public comment and interaction. Next a discussion occurred regarding this because some commissioners indicated they believe everyone on a commission should have access to the commission email. Mr. Hul indicated he is in favor of only the Clerk and the Chair of a commission having access to the commission email, specifically for security. Ms. Downing, in agreement, pointed out that is how this Charter Revision Commission works with email and it works very well. Mr. Cohen indicated that he believes all commissioners should have access to the email and there are security procedures which can be implemented. It was decided that each commission would have an email address, and the Clerk and the Chair would have access to such and distribute the email to the commissioners.

Next, Mr. Mednick directed to Subsection C1 pertaining to the wording requiring a Mayor to make these commission appointments in a timely fashion. Mr. Mednick, suggested the Waterbury model of this: in Waterbury it is crafted so a new Mayor has 90 days after just coming into office to appoint to commissions. After six months, if a vacancy occurs, the Mayor must appoint within 60 days. If the Mayor does not appoint within 60 days it goes to the Legislative Council which has 60 days to fill the vacancy, and if they fail to do so, it goes to the remaining board or commission, but still subject to Legislative Council approval. Mr. Mednick said he is confident that the Mayor will make the appointments because the idea is to fill these commissions. Mr. Hul verified with Mr. Mednick that the Council has 60 days to approve an appointment sent to them by the Mayor. Mr. Mednick indicated that is correct. He asked Mr. Mednick whether a committee can hold it up. Mr. Mednick said if a committee held it up, it would be up to the council body and Leadership to discharge the committee because otherwise, the appointment will be lost. The group agreed upon this model and Mr. Mednick is preparing the language.

Mr. Mednick directed to the next section pertaining to limitation of service on boards and commissions. There was a robust discussion of term limits with numerous opinions about how many consecutive terms should be allowed and how much time off should be required after a term limit expires, and how to provide for someone filling a remainder of a term in a position which was vacated.

Ms. Downing proposed the following concerning consecutive terms - limits: 2 year terms - no more than 5, 3 year terms - no more than 3, 4 year terms no more than 3, 5 year terms – no more than 2, 6 year terms – no more than 2. Mr. Hul was concerned about someone filling a remainder of a term and that it should not be included in the term limit. After more discussion Mr. Hul suggested, If it is more than 50% of the term, consider it the whole time/term, if it is less than 50%, it becomes those years. Mr. Dixon disagrees with this approach and strongly feels that if someone comes in to fill the remainder of a term, they know that and it should be accepted as just that. He indicated we are making this too complicated and we are here to do just the opposite. After more discussion, no decision was reached. Mr. Mednick will begin to draft some language and the commissioners will continue to consider this matter.

Mr. Mednick directed to Sub-section J regarding frequent publication of commission openings. Mr. Mednick suggested that boards and commissions should be updated regularly on the website within 7 days of appointments or vacancies. The commissioners agreed.

Next, Mr. Mednick directed to Civil Service Commission. At this time Ms. Gallgher asked Mr. Mednick about guidelines for meetings going forward pertaining to access to commission meetings, about types of meetings: remote, in person, hybrid etc. Mr. Mednick explained that it will be addressed in another Section, the Definitions Section, and will contain language allowing for changes in State Laws as they may evolve going forward. Regarding Civil Service Commission, Mr. Mednick said they added three members and one alternate and he asked if one alternate is enough. The Commissioners agreed on adding 5 members and one alternate.

Next Mr. Mednick pointed to expansion of the Library Board from five to nine and appointment of the Library Director for discussion. He explained that there is a State Statute allowing Library Boards to have up to nine members. However, this Library Board was not created by State Law, this Library Board was created by Home Rule. Mr. Mednick explained that in addition, it was somehow adopted that The Library Board appoint the Library Director and Directors which is actually from the State Statute, but does not apply here, because this Library Board was established by Home Rule/Charter. It only applies if you have a Library Board which was created without a Charter. Yet, somehow in the past, this was accepted into the Charter. He wishes to point this out, but he is not necessarily recommending it be changed. Mr. Hul asked Mr. Mednick, if he was saying that they cannot remove this process of appointment through the Library Board of The Director and Associate Director. Mr. Mednick answered, he believes they can remove it because he does not believe that Statute applies. However, he does not know if the Library Director and Associate Library Director are covered in Collective Bargaining Units which would affect this. Mr. Hul would like to see this appointment process by the Board removed. Mr. Mednick and Mr. Hul agreed this would require a discussion with the Library and Library Board and the Administration.

Mr. Kaye asked if the request from the Library to go to nine board members was connected to wanting representation from all districts. Mr. Mednick replied that he believes they cited it because it was consistent with State Statute. Mr. Kaye would like to bring this up with them in discussion. Ms. Gallagher said she would like to see/encourage representation from all districts on all commissions whenever possible. A discussion followed on the topic of representation from all nine town districts on commissions. Mr. Mednick reminded it will take an analysis of all town boards and commissions both Charter and Ordinance and that will be a very large undertaking. He suggested the Sub-committee on Boards and Commissions discuss this. Ms. Downing reminded that the sub-committee had discussed this and had decided nine members with all districts represented was mandatory for certain commissions going forward, but not appropriate for all.

Mr. Kaye referenced that they have discussed putting in language regarding diversity for all commissions and perhaps reviewing that language, and making sure it is language going forward for all commissions, not just nine member commissions emphasizing that the smaller commissions to pay extra attention to diversity. Mr. Mednick agreed and said that is a very good point, indicating we need the right language, and extol upon the Mayor and the Legislative Council that whether a commission is a nine district commission, which will force at least geographic diversity, it must be ensured, there is racial and ethnic diversity. Under both models whether a nine member or five or less member commission, it is incumbent upon the Mayor and the Council to make sure that on any commission, whether it be 3 members, 5 members or any number, that all elements of diversity are part of it. Mr. Hul indicated there are still questions and this really should continue under discussion in sub-committee. He reminded that there are commissions larger than nine, which brings the questions of choosing commissioners of more than the nine districts, needing to consider party affiliation, demographics, qualifications, alternates, racial and ethnic diversity – all of the things which have been under discussion here with consideration to nine member or less commissions. Ms. Gallagher agreed this needs to go back to sub-committee.

At this point, Mr. Mednick asked the commissioners to confirm that he is going to draft language pertaining to the Library Board, that is be a nine member board. They confirmed.

Next Mr. Mednick said the Inland wetlands Commission was asking for 11 members one alternate. This was requested by Attorney Tim Lee, Land Use Attorney for the Town. Mr. Hul suggested three alternates. Mr. Mednick will consult with Mr. Lee.

Next, Mr. Mednick directed to discussion of a Diversity, Equity and Inclusion Commission. He directed to language previously worked on, on Page 27. There was a brief discussion referencing the need to review previous wording and revisions and return to this topic in an upcoming meeting.

Next Mr. Dixon and Mr. Mednick referenced Agenda Item #4 – CRC discussion with Counsel: a. Statutory Restrictions on Civil Service Commissions b. Diversity for Boards and Commissions Membership. Mr. Mednick said he would have the Civil Service and Diversity language prepared for the next meeting.

At this point Mr. Mednick asked the commissioners to verify that they will have the Library Director/Board and the Administration come in to speak with them about the Library Board questions. Mr. Mednick reviewed what other topics are coming in the upcoming meeting agendas.

Mr. Mednick reminded the commissioners that we are in a time crunch and must be diligent in getting to the topics not yet completed. The commission scheduled extra meetings on upcoming Saturdays to meet this time demand.

Mr. LaDore moved a motion to adjourn, seconded by Ms. Gallagher. The meeting adjourned at approximately 9:25 P.M.

This meeting had no clerk. Meeting starting/ending times and attendance were best guessed by watching the video.

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

Ms. Renta, Legislative Council Administrator/Clerk reviewed the minutes and added the video link before filing.