

**TOWN OF HAMDEN, CONNECTICUT
LEGISLATIVE COUNCIL
MINUTES OF SPECIAL MEETING**

July 13, 2021

(Continuation of meeting recessed on July 12, 2021)

***To view the recording, please click the following link and observe the instructions when/if prompted: <https://us06web.zoom.us/rec/share/uub-Jblc0VmHomOnoKTWR1O735cdTP9KKVtoAF6-Yj7kwhVpr0RP9QU53Dz3c6K1.nx0xDencGyWZTCcY>**

**** If prompted for a password, enter: ?0iJsU9^**

***** 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 then, review the recording by downloading the digital version of these minutes and following the instructions above.**

A special meeting of the Legislative Council was held on Tuesday, July 13, 2021. This meeting was held electronically, via Zoom, due to the Covid-19 Pandemic. The meeting was called out of recess at 6:38 P.M. by the Council President.

MEMBERS PRESENT:

Mick McGarry	Dominique Baez
Marjorie Bonadies	Adrian Webber (after roll call)
Kathleen Schomaker	Brad Macdowall
Justin Farmer	Betty Wetmore
Austin Cesare	Valerie Horsley
Kristin Dolan	Berita Rowe-Lewis (after roll call)
	Jeron Alston (approx.. 9:00pm)

MEMBERS ABSENT: Jody Clouse; Athena Gary

PRESIDING: Mick McGarry, President

ALSO IN ATTENDANCE: Frank Dixon, Charter Revision Commission Chair; Jackie Downing, Charter Revision Commission Vice-Chair; Steve Mednick, Counsel to Council; Sue Gruen, Town Attorney

Charter Revision Workshop:

Chapter VIII:

§8-2 A (#23 on resolution) Dept. Heads appointed to a fix number of years

Ms. Horsley said she doesn't think someone will take a job with an ending date and will not vote in favor of this.

Ms. Schomaker said she is also not in favor of fixed terms.

Mr. Macdowall said he agrees and he's not sure this is the right move but he thinks they should be looking at Department Heads and their duties to the Town. After some discussion he said he won't support this.

Mr. McGarry said he agrees with a lot said.

A vote was taken and the item failed with all opposed.

§8-2 B (item #24 on resolution) Removed for cause

Moved by Ms. Schomaker, seconded by Mr. Farmer.

There was some discussion about protection for Department Heads with Mr. Mednick reading different charter sections. There was also discussion on politics and Mayoral appointments of Dept. Heads.

Mr. Macdowall said he won't support it. Ms. Bonadies said she wants better language.

Ms. Horsley suggested a friendly to add "after progressive disciplinary actions" after documentation. Mr. Farmer asked if she meant like a 3 strike clause. Ms. Horsley said Human Resources or someone can decide that.

After some discussion and clarifying points by Mr. Mednick Ms. Horsley rescinded her friendly and said she'll support this.

Mr. Macdowall said he thinks they're getting a little deep in the weeds for a governing document.

Ms. Schomaker said she won't support this.

Ms. Dolan said she won't support it either, it hamstrings an incoming Mayor.

Mr. Farmer said he too will not support it, agrees with hamstringing the Mayor.

Mr. Macdowall asked if they would accept a friendly to let the CRC decide which Dept. Heads this applies to and who it doesn't apply to. Ms. Schomaker said she'd accept it but Mr. Farmer declined.

Mr. Macdowall moved a motion for the CRC to decide which Dept. Heads require cause to be fired, seconded by Mr. Cesare. DISCUSSION: Ms. Bonadies said she thinks all employees should have protection. She said she'll support item #24 as recommended because she doesn't want the CRC to pick winners and losers.

A vote was taken and the amendment failed with 2 in favor (Macdowall (Cesare) and all others opposed.

A vote was then taken on item #24 as recommended and the motion passed with a roll call vote of 8 in favor (Baez) (Bonadies) (Cesare) (Gary) (Horsley) (Rowe-Lewis) (Webber) (Wetmore) – 5 opposed (Dolan) (Farmer) (Macdowall) and 2 absent (Alston) (Clouse)

Mr. Mednick pointed out that #25 was a mistake and they can move on.

Chapter X:

§10-1 B (#26 on resolution) Budget Liaison

Mr. McGarry requested a motion to remove the budget liaison. Moved by Mr. Farmer, seconded by Ms. Horsley. DISCUSSION: Mr. Farmer said he doesn't think we need this and it shouldn't be in the charter so he won't be supporting it.

Mr. Macdowall said he agrees with Mr. Farmer and that it's the responsibility of the Finance office and he thinks the Finance Commission will help.

Ms. Wetmore said we have enough layers without adding another position.

Mr. Farmer suggested a friendly to add responsibilities to the Finance Director and that a capital has to be sent in a timely manner. Ms. Horsley said she'd accept the friendly without the capital budget.

After some discussion on the responsibilities being taken care of in the Finance office Ms. Gruen pointed out that the only non-person in that department would be the director.

Mr. Macdowall then suggested a friendly to remove the liaison and incorporate the duties in the Finance Director if the CRC decides to do so. Mr. Farmer and Ms. Horsley both accepted the friendly amendment.

Ms. Gruen then cautioned they look at the positions and make sure the union doesn't have an unfunded position that these duties would go to. Mr. Farmer said his understanding through Ken Kelley is that the position was eliminated.

A vote was taken on Mr. Macdowall's friendly amendment and it was approved unanimously.

§10-3-G (# 27 on resolution) Public inspection of budget

Moved by Mr. Cesare, seconded by Mr. Macdowall. DISCUSSION: There was discussion on the available ways to inspect the budget online 24/7 and without credentials. There was some discussion on current compatible technology which Mr. Macdowall said he doesn't think will go away in 10 years.

Mr. Mednick suggested "to inspect with whatever technology is current and inspect at all times with no restrictions".

A vote was taken and #27 as suggested by Mr. Mednick was approved unanimously.

§10-5 A (3) (b) (#28 on resolution) Lapse of capital funds

Moved by Mr. Farmer, seconded by Ms. Baez. DISCUSSION: Mr. Farmer said he thinks having a 5 year perspective lets them better prioritize their needs. Ms. Bonadies said she's leaning towards the 3 years. Mr. McGarry said he too agrees with the 5 years.

A vote was taken and it passed with 1 opposed (Bonadies)

#29 on resolution (see Chapter I §1-4 R and W (definition of meeting notice and public notice

Mr. Mednick explained how this amends meeting notice and public notice as recommended by the Town Attorney. He then explained A, B and C. Mr. McGarry asked if they needed to act. Mr. Mednick said you should.

Mr. McGarry then requested a motion to approve #28. Moved by Mr. Farmer, seconded by Ms. Horsley and approved unanimously.

#30 on resolution (see Chapter III §3-10 D (2) and (3) and Chapter VII §7-1 E (3) and (4) “while in office”

Mr. Mednick explained how he added “while in office” because he remembered a discussion about felonies and crimes, etc. He suggested they recommend this to the CRC.

Mr. McGarry requested a motion to recommend Resolution #30 to the CRC. Moved by Mr. Farmer, seconded by Ms. Schomaker and approved unanimously.

Item #4 on resolution - Chapter V §5-2 D (2) (a) -

Ms. Horsley moved a motion to take this item off the table. Seconded by Baez and approved unanimously.

Ms. Baez moved a motion to revisit this item, seconded by Ms. Horsley. DISCUSSION: Mr. Mednick said the CRC did not consider this and recommends withdrawing it.

Mr. McGarry requested a motion to withdraw this item Moved by Ms. Baez, seconded by Mr. Farmer and approved unanimously.

Item #6 on resolution – Chapter VII §7-1 B (1) (a) and (b); §7-1 F and G (2)

Mr. Mednick said he doesn't know if this needs action he just wanted to make it clear to eliminate the LC structure for Police, Library and DEI and use geographic. By consensus everyone said they were okay with this.

Item #11 on resolution – Chapter VII §7-1 B (7) (a)

Mr. Mednick said he wants to make sure this is what they wanted to recommend to the commission.

Mr. McGarry requested a motion to approve item #11. Moved by Ms. Horsley, seconded by Ms. Schomaker and approved unanimously.

Item #13 B on resolution – Chapter VII §7-1 C (4)

Mr. Mednick said he'd be eliminating this language as discussed last week and said if they send it back it'll be with regard to minority representation.

Mr. McGarry requested a motion to approve #13. Moved by Mr. Farmer, seconded by Ms. Horsley and approved unanimously.

Item #15 on resolution – Chapter VII §7-2 A (1) (c)

Mr. Mednick said here he added the language of “Board of Education”

Mr. McGarry requested a motion to approve item #15. Moved by Mr. Farmer, seconded by Mr. Cesare and approved unanimously.

Item #19 on resolution – Chapter VII § 7-2 D (2) (f)

Mr. Mednick explained this language drafted by the Labor Attorney.

Mr. McGarry requested a motion to approve #19. Moved by Ms. Bonadies, seconded by Mr. Webber and approved with 1 opposed (Farmer)

Item #22 on resolution – Chapter VII §7-2 L (3) (f)

Mr. Mednick explained the language he added in A and B.

Mr. Farmer moved a motion to combine A&B. The motion was seconded by Ms. Schomaker and approved unanimously.

Mr. McGarry then requested a motion for approval. Moved by Mr. Farmer, seconded by Mr. Webber. DISCUSSION: Mr. Farmer said these are well thought out concepts.

Mr. Cesare asked about term limits and whether or not it was still in there. Mr. Mednick said the language in §13 A says the commission should reexamine the provision regarding term limits taking into account the Legislative Council discussion. Mr. Cesare stated he's not sure that's clear enough.

Mr. Farmer withdrew his motion to approve A and B. Mr. Webber withdrew his second.

Ms. Horsley moved a motion to approve A and B, seconded by Ms. Rowe-Lewis. DISCUSSION: Ms. Horsley said she is okay with the language and that it's what they approved last time.

A vote was taken and it passed with 1 opposed (Farmer)

Mr. Mednick then read the “Be it Further Resolved” about reviewing the document for errata with the Town Attorney.

Mr. McGarry requested a motion to approve the “Be it Further Resolved” for errata. Moved by Mr. Farmer, seconded by Ms. Baez and approved unanimously.

Ms. Bonadies mentioned she submitted recommendations about transparency from the BOE that wasn't discussed. Mr. McGarry asked her if she had a motion.

Ms. Bonadies moved a motion to recommend that the BOE be more transparent and put curriculum on the website for each grade including materials and text books. The motion was seconded by Mr. Cesare. DISCUSSION: Ms. Bonadies said they had a lot of discussion about departments being more accessible and this is the same.

Mr. Farmer said he thinks it's important to show what kids are being taught and he'll support this.

Mr. Cesare said he'll support it, he thinks transparency is important.

Mr. Alston said he too supports this but wonders to what extent are we asking them to present. Ms. Bonadies said materials and text books. Mr. Alston said he will support it with this language of a general overview of curriculum.

Ms. Horsley said she has concerns about constraining and misinformation that's not intentional and she'd rather the BOE take this up and not put it in the Charter.

Ms. Gruen suggested getting legal advice on this to make sure the authority is there to do this.

There was some discussion on altered curriculum.

Mr. Webber agrees that transparency is important but he doesn't think we should constrain the teachers. He'd like to amend it with more flexibility. Ms. Bonadies said she's flexible.

Mr. Cesare said all curriculum is approved already so all this does is make those things get posted online and he sees no issue with it.

Ms. Horsley suggested a friendly and asked if we could add "approved" curriculum. Both Ms. Bonadies and Mr. Cesare accepted the friendly amendment.

Mr. Alston clarified that this amendment is now just approved curriculum. Mr. Mednick and Ms. Bonadies both said yes.

A vote was taken and approved by a roll call vote of 9 in favor (Alston) (Baez) (Bonadies) (Cesare) (Horsley) (Rowe-Lewis) (Schomaker) (Webber) (McGarry) – 3 abstentions (Dolan) (Farmer) (Maddowall) and 3 absent

Mr. Farmer thanked the Charter Revision Commission for their work on this document, including the public and Dept. Heads.

Ms. Bonadies said she'd like to see what the cost analysis of this Charter is.

Mr. Maddowall said he wants to consider the way they vote for At-Large candidates because he thinks voting for 4 on a slate of 6 is problematic.

Mr. Maddowall then moved a motion to recommend the CRC assess the voting structure for At-Large Council. The motion was seconded by Mr. Farmer. DISCUSSION: Mr. Cesare said he thinks this is laughable and a last minute back door approach and he won't support it.

Ms. Bonadies said this is a clear attempt to replace the Republican Party with the working families to create a super majority and erasing the minority party votes. She said its tyranny.

Ms. Horsley said she also won't support this. She said she submitted her list of things weeks ago like they were supposed to do and this is disrespectful to everyone this late in the process. She said they'll have the final decision anyway.

Mr. Macdowall said this has been out there awhile so everyone knows about it. He just wants the CRC to have the discussion and whatever they come back with he will support.

Mr. Farmer said he doesn't see the concerns.

Ms. Downing said they discussed this at their May 25th meeting and Mr. Mednick went over the State Statutes and given that consideration to it. She said if it's sent back she's not sure the outcome would be any different.

Mr. Mednick then went over the State Statutes.

After a lengthy discussion a vote was taken on the motion and it failed with 3 in favor (Macdowall) (Farmer) (Alston)

There being no further business Mr. McGarry requested a motion to adjourn. Moved by Mr. Farmer, seconded by Mr. Alston and adjourned at 10:12 P.M.

Respectfully submitted,

Kim Renta
Clerk of the Council

RESOLUTION OF THE HAMDEN LEGISLATIVE COUNCIL

RECOMMENDATIONS OF THE LEGISLATIVE COUNCIL TO THE CHARTER REVISION COMMISSION, PURSUANT TO C.G.S. §7-191(b)

PRESENTED BY: Mick McGarry, President of the Legislative Council
DATED: July 13, 2021

WHEREAS, the Charter Revision Commission (hereinafter, "Commission") submitted its draft report to the City and Town Clerk on May 28, 2021 ("Draft Report"); and,

WHEREAS, the Legislative Council has conducted a Public Hearing on the Draft Report in accordance with C.G.S. Sec. 7-191(b) and considered and reviewed said report; and,

WHEREAS, the Legislative Council generally accepts the substantial content of the Draft Report favorably; and,

WHEREAS, pursuant to C.G.S. Sec. 7-191(c) the Legislative Council, as the appointing authority of the Charter revisions is authorized to make recommendations to Commission for changes in the Draft Report; and,

WHEREAS, the Legislative Council does have a number of issues in the Draft Report that should either be deleted or modified.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE TOWN OF HAMDEN: That the Charter Revision Commission consider the following recommendations and adjustments to its Draft Report:

- Chapter I, Section 1-3: Time of Appointments and Meetings Generally.** Delete the following sentence: "Any meeting required by this Charter to be held on a certain Day shall be deemed, for all purposes, to be a regular meeting."
- Chapter III, Section 3-4: Eligibility.** The eligibility standard for residency should apply equally to "at-large" as well as "district" appointments.
- Chapter V, Section 5-2.D(1): Submission of Quarterly Reports to Council.** The quarters should be defined and commence on July 1st and each quarter thereafter.
- Chapter V, Section 5-2.D(2)(a): Legislative modification of Threshold for Exemption Transaction under Competitive Procurement and Solicitation Requirements.** The Legislative Council should have complete discretion regarding the creation of this threshold. **TABLED: Finance Director says that since this is a legislative power, the Council should have discretion to modify the standard for what contracts to approve; although, the record should disclose the standard or best practice for the Council action**

Commented [S1]: DRAFTING COMMENT: THE CRC DID NOT ADDRESS THIS ISSUE AND THERE SEEMS TO BE NO COMPELLING REASON TO APPROVE THIS REQUEST. IT IS UP TO YOU.

RESOLUTION OF THE HAMDEN LEGISLATIVE COUNCIL
RECOMMENDATIONS TO THE CHARTER REVISION COMMISSION,

5. **Chapter V, Section 5-5: Chief Operating Officer.** COO should be eliminated and replaced by the Chief of Staff position in the Charter with a delineation of responsibilities.
6. **Chapter VII, Section 7-1.B(1)(a) and (b); Sections 7-1.F and G(2) and Sections 7-2.D(3) [Police Commission], 7-2.J(2) [Library Board] and 7-2.L(4)[DEI Commission].** Eliminate the utilization of representation by Legislative Council Districts and utilize the term “geographic representation and diversity” to be monitored by the Diversity, Equity and Inclusion Commission.
7. **Chapter VII, Section 7-1.B(4).** This provision should not apply in the event the Commission fails to obtain a quorum.
8. **Chapter VII, Section 7-1.B(4).** The 24 notice standard should apply “...unless otherwise required by Law”.
9. **Chapter VII, Section 7-1.B(5).** The Town Clerk should replace the COO with respect to the assignment of clerks to boards and commissions.
10. **Chapter VII, Section 7-1B(6).** Add the term “in accordance with law” at the end of the first sentence.
11. **Chapter VII, Section 7-1.B(7)(a).** The Town Clerk should replace the COO as the party “responsible for assigning the appropriate communications capacity to the Boards and Commissions for the purpose of receiving information from the public”. The Commission should make it clear that the issue is not the form of communication but rather, the facilitation of platforms and standards that permit uniform public access to convey information to Boards and Commissions.
12. **Chapter VII, Section 7-1.B(7)(b).** The Commission should reexamine the post-meeting public comment.
13. **Chapter VII, Section 7-1.C(4).**
 - A. The Commission should re-examine the provision regarding term limits taking into account the Legislative Council discussion.
 - B. **Errata:** Eliminate Transition Language re – non-voting status since it was not approved by the Charter Commission; however, the Commission should not adopt a provision that does not comply with Minority Party Representation and other requirements of the Charter.
14. **Chapter VII, Section 7-1.F(1).** Delete the term “such person’s membership on such Board or Commission shall be immediately terminated” and replace with “such person shall immediately resign from such Board or Commission. Failure to resign shall be grounds for removal under §3-10.D of this Charter.”

Commented [S2]: PROCEDURAL COMMENT: THE ORIGINAL COMMENT ON THE COO ADDRESSED THE ISSUES RAISED BY THE TOWN ATTORNEY AND FIRE CHIEF REGARDING MERA AND OTHER ADMINISTRATIVE CONCERNS. IF THE POSITION OF THE COUNCIL IS TO ELIMINATE THE POSITION AND REPLACE IT WITH A CHIEF OF STAFF, THIS WORDING IS FINE.

PLEASE NOTE THAT THE CRC WILL ONLY BE ABLE TO ACT ON THE POSITION OF CHIEF OF STAFF OR RETURN THE CURRENT LANGUAGE, WITH THE OBJECTIONAL, FOR YOUR CONSIDERATION.

Commented [S3]: PROCEDURAL COMMENT: THERE ARE THREE USES OF LC DISTRICTS FOR BOARDS AND COMMISSIONS IN THE PROPOSED CHARTER:

(1) THE NINE-MEMBER POLICE COMMISSION, LIBRARY BOARD AND DEI COMMISSION ARE THE ONLY THREE COMMISSIONS THAT WILL BE SELECTED ON THAT BASIS.

(2) THE LC CAN CREATE OR ALTER THE COMPOSITION OF OTHER BOARDS AND COMMISSION ON THE BASIS OF THE LC DISTRICTS.

(3) AS A GUIDE FOR COMPLIANCE WITH GEORGAPHIC DIVERSITY ON BOARDS AND COMMISSIONS

COUNCILMEMBER CESARE HAS PROPOSED TO HAVE THE DEI COMMISSION AS THE ARBITER OF COMPLIANCE WITH GEOGRAPHIC DIVERSITY [ITEM #(3), ABOVE]. THAT WAS CLEAR. WHAT IS NOT CLEAR IS WHETHER ITEM ## (1) AND (2), ABOVE, WERE MEANT TO BE ELIMINATED AS WELL.

Commented [S4]: DRAFTING NOTE: ADDED TO CLARIFY THE ELIMINATION OF THE PROPOSED APPOINTMENT BY LEGISLATIVE COUNCIL DISTRICTS.

Commented [S5]: DRAFTING NOTE: I MODIFIED THE LANGUAGE, SUBJECT TO YOUR APPROVAL, IN ORDER TO CORRESPOND TO THE ACTION TAKEN IN ITEM #18, BELOW.

Commented [S6]: DRAFTING NOTE: IN THE EVENT THIS PROVISION IS SENT TO THE COMMISSION COUNSEL RECOMMENDS DELETION OF THE LANGUAGE CONFERRING “NON-VOTING” STATUS ON COMMISSION MEMBERS WHETHER OR NOT THERE IS A VIOLATION OF THE MINORITY PARTY REPRESENTATION PROVISIONS OF THE CHARTER.

RESOLUTION OF THE HAMDEN LEGISLATIVE COUNCIL
RECOMMENDATIONS TO THE CHARTER REVISION COMMISSION,

15. **Chapter VII, Section 7-2.A(1)(c).** The role of the Finance Commission in collective bargaining should be at the discretion of the Mayor and **Board of Education**, in accordance with Law and any agreements governing the collective bargaining process.
16. **Chapter VII, Section 7-2.A(1)(e).** Long term planning should take “capital” planning into account and the reporting requirement should cover a period of five years.
17. **Chapter VII, Section 7-2.D: The Police Commission.** The Charter Commission should streamline the language in this provision to facilitate clarity and understanding; including the relationship between the Commission and the Chief of Police as well as other boards, commissions and outside citizen and neighborhood organizations; and to make it clear that the Policy Commission is vested with the authority to create policy for the Police department and to receive input.
18. **Chapter VII, Section 7-2.D(2)(c)(ii).** The Charter Commission should replace language referring to “electronic access” and dedicated email addresses and establish a clear standard for direct public communication with the Commission, as required by §7-1.B(7)(a) of the Charter.
19. **Chapter VII, Section 7-2.D(2)(f).** Labor Counsel recommends the following language: **“Submit to the Mayor, a review and comment on the contents of collective bargaining agreement in order to effectuate the alignment of such agreement with the public service requirements of the Town as well as the best practices of a Department in diversity, recruitment, promotion, training, community interaction and operations as well as other areas as may be set forth by Ordinance, provided; however, that such review and comments are for consideration only and shall not be deemed a directive to the Mayor or the Town’s negotiating committee.**
20. **Chapter VII, Section 7-2.D(2)(j).** The Commission should remove the “dedicated funding” provision and require a budget line item to be funded as part of the annual budget request. As a result, the errata request is moot.
21. **Chapter VII, Section 7-2.L. The Diversity, Equity and Inclusion Commission – Establishment.** The Commission should replace the specific delineation of “protected classes” with a reference to applicable federal and state laws as may be amended, that establish such protected classes and include the delineation in a footnote in order to memorialize those classes that existed at the time the Charter is adopted.
22. **Chapter VII, Section 7-2.L(3)(f). The Diversity, Equity and Inclusion Commission – Role of Commission – Monitoring Diversity and Geographic**

Commented [S7]: DRAFTING NOTE: BOARD OF EDUCATION NEEDS TO GIVE PERMISSION AS WELL AS THE MAYOR. LANGUAGE HAS BEEN WORKED OUT WITH THE TOWN ATTORNEY.

Commented [S8]: DRAFTING NOTE: THIS LANGUAGE BASED ON AGREEMENT WITH TOWN ATTORNEY AND LABOR COUNSEL.

RESOLUTION OF THE HAMDEN LEGISLATIVE COUNCIL
RECOMMENDATIONS TO THE CHARTER REVISION COMMISSION,

Representation on Boards and Commission.

- A. The Charter Commission should consider adding language that authorizes the DEI Commission to provide the Mayor and Legislative Council with recommendations pertaining to the diversity of members on Boards and Commission to ensure compliance with §7-1.G of the Charter **at the time of appointment.**
- B. The Charter Commission should consider adding language that authorizes the DEI Commission to provide an annual report to the Mayor and Legislative Council regarding the composition and diversity of Board and Commissions, commencing on **January 1, 2023.**

Commented [S9]: DRAFTING NOTE: THE LC DISCUSSED THE ISSUE OF CRITERIA FOR "GEOGRAPHIC DIVERSITY." YET, TO MY RECOLLECTION THERE WAS NO RESOLUTION OF WHERE AND HOW THAT WOULD BE DONE? DEI COMMISSISON?

Commented [S10]: DRAFTING NOTE: "AT THE TIME OF APPOINTMENT" ADDED AT THE REQUEST OF THE SPONSOR OF THE AMENDMENT TO MEET HIS ORIGINAL INTENT.

Commented [S11]: DRAFTING RECOMMENDATION: A STARTTING DATE WOLD BE USEFUL.

23. Chapter VIII, Section 8-2.A. Department Heads shall be appointed to a fixed term of years (No specific term was included).

Commented [S12]: CONTINUATION OF COUNCIL WORKSHOP

24. Chapter VIII, Section 8-2.B. Department Heads shall be removed "for cause" in all cases.

25. Chapter VIII, Section 8-5.B(3). Errata. Fix internal reference from §7-2.D(3)(d) to §8-2.

Commented [S13]: DRAFTING NOTE: ANOTHER INTERNAL FIX OF A MISSTATED CITE.

26. Chapter X, Section 10-1.B: The Budget Liaison. The Budget Liaison should be removed; or, said duties should be incorporated into the Finance Department.

27. Chapter X, Section 10-3.G: Public Inspection. The public should have the ability to inspect the budget on the website.

28. Chapter X, Section 10-5.A(3)(b). Lapse of Capital Funds. The lapse of capital funds should occur at "five years" rather than "three" years.

29. Generally. See, Chapter I, Section 1-4.R and W. Definition of "Meeting (or Hearing) Notice" and "Public Notice".

A. Add the following verbiage to Section 1-4.R: "...and as may be established by Ordinance or rules of the Legislative Council or any Board or Commission insofar as such notice requirements are in accordance with the General Statutes."

B. Add the following verbiage to Section 1-4.W: "...in the event the requirement of the Charter is more stringent than the requirements of the General Statutes

C. See also, (1) Section 3-7.D(2)("First Reapportionment Commission"; (2) Section 3-10.C ("Notice for Removal of Elected and Appointed Officials"); (3) Section 4-8.A ("Public Notice of Final Action" Pertaining to Ordinances and

**RESOLUTION OF THE HAMDEN LEGISLATIVE COUNCIL
RECOMMENDATIONS TO THE CHARTER REVISION COMMISSION,**

Statutory Resolutions); (4) Section 4-11 (“Approval of Mayoral Appointments); (5) Section 5-4.A(2) “Notice” for adoption of emergency powers); (6) Section 5-4.D (“emergency Meetings of the Legislative Council”); (7) Section 5-5.E(1) and (5) (“Public Emergency and Notice requirements” and “Effective Date” for the Adoption of public emergency ordinances, orders and measures by the Legislative Council); (8) Section 7-1.B(4)“Notice” of meeting of board or commission); (9) Section 7-1.B(7)(b)(ii)(“Adding Items at regular Meeting Agendas: Public Comments”); (10) Section 7-1.K(3) (Public Notice of “Publication of Boards and Commissions: Applicant Pool”); (11) Section 8-4..E(1) (“Equal employment Opportunity”); (12) Section 10-3.G (“Public Inspection”); (13) Section 10-4.A(5) (“Public Inspection”); and, (14) Section 10-6.D and E (“Effective Date of Town Budget Ordinance” and related “Public Notice”).

30. Generally. See, Chapter III, Section 3-10.D(2) and (3) and Chapter VII, Section 7-1.E(3) and (4) re – “while in office”.

BE IT FURTHER RESOLVED: That the Council authorizes the Town Attorney and Counsel to the Council to continually review the document for errata and other non-substantive editorial revisions, subject to the approval of the Council.

For Consideration at a Special Meeting of the Legislative Council, July 13, 2021.

ONE FINAL NOTE:

PLEASE BE ADVISED THAT THE CRC IS RESTRICTED TO ADDRESS ONLY RECOMMENDATIONS THAT ARE SENT TO THEM BY THE LC. THEY CANNOT COME UP WITH NEW IDEAS OR MODIFY YOUR RECOMMENDATIONS UNLESS YOU SEND THEM AN “OPEN-ENDED RECOMMENDATION”.

WHERE THE LC SENDS AN “OPEN-ENDED RECOMMENDATION” THAT REQUIRES DRAFTING, SUCH AS THE POLICE COMMISSION ISSUE, I WOULD RECOMMEND THAT WE UTILIZE THE WORKING GROUP SO THAT THE ISSUES ARE FULLY FLESHED OUT AND RESOLVED BEFORE THEY ARE RETURNED TO THE LC. AGAIN, THE LC CAN ONLY APPROVE OR REJECT, IN WHOLE OR IN PART.

**Commented [S14]: DRAFTING NOTE:
RECOMMENDATION OF COUNSEL TO THE COUNCIL.**

RESOLUTION OF THE HAMDEN LEGISLATIVE COUNCIL
RECOMMENDATIONS TO THE CHARTER REVISION COMMISSION,

IF YOU HAVE FURTHER QUESTIONS LET'S TALK ON MONDAY.

¹ Proposed recommendations and Comment on Sec. 5-6.

Proposed Recommendation: §5-6.B. Director of Finance testified that the credentials are artificial and the academic requirements are unnecessary.
Proposed Recommendation: §5-6.B(1)(a). The Town Attorney and Counsel to the Council recommend adding the word "Mayor" prior to the term "shall propose" otherwise there is no one to propose the required ordinance.
Public Hearing Comment. Diane Hoffman supports COO with "management expertise to better professionalize the administration."
Proposed Recommendation: §5-6.C(2). Objection by Fire Chief to mandatory nature of Chief Operating Officer's duties to "manage, administer, supervise, and "perform" duties under the authority of the Mayor" as an encroachment on the authority of the Fire Chief
Proposed Recommendation: §5-6.C(2)(a) and (b). The Town Attorney raised the issue of what is the difference and why is there specific oversight over police and fire? Review in the context with provisions pertaining to the fire chief, police chief, police Commission and fire commission. Views are shared by the Finance Director.

DRAFT SUBJECT TO REVIEW AND REVISION BY LEGISLATIVE COUNCIL 12 JULY 2021