

**TOWN OF HAMDEN, CONNECTICUT**

**CHARTER REVISION COMMISSION**

**MINUTES OF MEETING**

**July 20, 2021**

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

[https://us06web.zoom.us/rec/share/A2IB2nK20qNmRFoVYBGNwdN950FFdbj6N5EuoMS3MN5yeP3wb2\\_EnvdHR1WKck.AWQAY\\_w-nInTaQ59](https://us06web.zoom.us/rec/share/A2IB2nK20qNmRFoVYBGNwdN950FFdbj6N5EuoMS3MN5yeP3wb2_EnvdHR1WKck.AWQAY_w-nInTaQ59)

**\*\* If prompted for a password, enter: +N4w#+eP**

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A meeting of the Charter Revision Commission was held on Tuesday, July 20, 2021 via Zoom due to the Covid-19 Pandemic. The meeting was called to order at 7:12 P.M. by the Chair, Mr. Dixon and roll call was taken.

**MEMBERS PRESENT:** Frank Dixon, Chair, Jackie Downing, Vice Chair, Thomas Figlar, Jeffrey Cohen, Frank LaDore, Tiffany Artis- Wilson, Nancy Olson, Sarah Gallagher, Jay Kaye, Joshua Sprague Oliveira, Todd Berton

Marnie Hebron (present at roll call-left the meeting at 9:30pm)

Myron Hul (present at roll call-left the meeting at 7:37pm)

**MEMBERS ABSENT:** Todd Moler; Lamond Battle, Secretary

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

**APPROVAL OF MINUTES:** Ms. Downing moved a motion to approve the following list of minutes: 2/17/2021-2/23/2021-3/3/2021-4/14/2021-4/28/2021-5/1/2021-5/4/2021-5/6/2021-5/12/2021-5/18/2021-5/25/2021 – The motion was seconded by Ms. Gallagher. **DISCUSSION:** Mr. Hul said he will vote no on the minutes tonight due to the process and the lateness of them. He said he can't remember what was said that far back. Ms. Olson echoed Mr. Hul and said she too will vote no. Mr. Cohen also said he'd vote no. Ms. Downing said she remembers everything she said and reviewed them for what she said only, not everyone else. She said they aren't expected to remember what everyone said, only themselves. She said minutes were put on the website as soon as they were available even though they weren't approved and the videos were also there so she will vote for them with confidence except for the May 4<sup>th</sup> ones.

A roll call vote was taken and the motion failed:

Ms. Artis-Wilson – Abstain

Mr. Berton - No

Mr. Cohen – No

Mr. Dixon – Yes

Ms. Downing – Yes

Mr. Figlar – No  
Ms. Gallagher – Yes  
Ms. Hebron – Yes  
Mr. Hul – No  
Mr. Kaye – No  
Mr. LaDore – No  
Ms. Olson – No  
Mr. Sprague-Oliveira – Yes but abstaining from 2/23, 5/1 and 5/6

#### **4. CONSENT CALENDAR: LEGISLATIVE COUNCIL RECOMMENDATIONS (“LCR”):**

Mr. Dixon requested a motion for approval of the Consent Calendar for Items A through N.  
Moved by Mr. Kaye, seconded by Mr. LaDore and approved unanimously.

- A. LCR #1: Removal of extraneous language pertaining to “Regular Meetings.”**
- B. LCR #3: Insertion of date on quarterly report on executed agreements**
- C. LCR #6: Failure to obtain a quorum shouldn’t invoke consecutive meeting restriction**
- D. LCR #7: 24-hour notice applies insofar as it complies with Law.**
- E. LCR #8: Town Clerk is responsible for assigning Board and Commission clerks**
- F. LCR #9: Public review should be “in accordance with Law.”**
- G. LCR #10: Town Clerk is responsible for assigning appropriate communications capacity to Boards and Commissions.**
- H. LCR #13: Eliminate definitive language with a due process standard for removing members of Boards and Commissions**
- I. LCR #14: Finance Commission involvement in CBA negotiation process at the invitation of the Mayor or the Board of Education,**
- J. LCR #15: Add the word “capital” to title “Long term Finance Planning” and require reports every “five” instead of “three” years.**
- K. LCR #18: Language recommended by Labor Counsel modifying Police Commission role in commenting on CBAs.**
- L. LCR #25: Capital projects would lapse after five years of inactivity, instead of three.**
- M. LCR #26: General provisions regarding tying notice requirements to state legal requirements.**
- N. LCR #27: Adding the term “while in office” to grounds for removal provisions re – conviction of certain crimes.**

Mr. Hul left the meeting here.

**(Resolution being discussed is attached to the end of these minutes)**

#### **5. COMMISSION DISCUSSION: BOARDS AND COMMISSIONS:**

- A. LCR #11: Post-Meeting Comment** – Mr. Mednick explained this and said that the Council’s recommendation is to re-exam this. Ms. Schomaker explained how the Council wondered why have comments on a concluded item. She said it was also mentioned that if Council didn’t know something someone else may, but she doesn’t think that’s for public input. Mr. Mednick explained a section in Boards & Commissions and said what you don’t get with Boards and Commissions is the committee structure like the LC has with 2 weeks in between acting on items. He suggests maybe if something is brought up new at a meeting not taking final action on it until the next meeting.

Mr. Kaye read a letter from the public and then suggested that Boards and Commissions can make their own rules. Mr. Dixon said meetings are already long and he's not sure what purpose this serves. Mr. Kaye said they can limit their public comments to 1 to 2 minutes in their own rules.

Ms. Downing said she doesn't see any harm in it, but she also doesn't see any value. She said if the action has already happened they can only comment, they could ask questions but they won't get answers. She thinks that the next meeting offers public input in the beginning and thinks this could be abused and doesn't think commissioners should be subject to it so she'll support the Legislative Council request and remove it.

Ms. Gallagher asked what the alternate language is. Mr. Mednick said the way he sees it is to keep it or get rid of it completely.

There was some discussion on an alternative of public comment before action items. Mr. Mednick said what if a department is testifying but it's a non-posted item would you still allow? Ms. Downing said yes, for discussion that evening.

After some more discussion on this topic **Mr. Kaye moved a motion** to keep the language as is. The motion was seconded by Ms. Artis-Wilson and it failed in a tie with a roll call vote of 6 in favor (Artis-Wilson) (Berton) (Dixon) (Hebron) (Kaye) (Olson) and 6 opposed (Cohen) (Downing) (Figlar) (Gallagher) (LaDore) (Sprague-Oliveira) – 3 absent

Ms. Gallagher said she does like the idea of opportunity for discussion if there's new info given.

After more discussion **Mr. LaDore moved a motion** to remove the post meeting comment provision. The motion was seconded by Mr. Figlar.

Ms. Gallagher asked if they would accept a friendly with a provision about new business and posting. Mr. Mednick said he'd eliminate the language of post comment and create a standard for public comment if non posted items come in, something when new evidence comes in have another public session for that. Ms. Downing said yes, that's what she'd like to see. Ms. Olson said she thinks it needs to be made clear to the commission chairs.

After some back and forth discussion on language Mr. Kaye said in 7-1 B (7) (b) he'd like to see a public comment session prior to and during, not following. The language he'd like to see is: (After the first sentence) "There shall be a public comment session prior to the commencement of all business on a regular and special meeting agenda. Each Board or Commission shall establish rules pertaining to the time and duration of public comment and at the discretion of the chair allow for additional public comment during said meeting."

Mr. Mednick is playing around with the language and asked how about "new material or information presented to the commission following public comment" or something like that. Mr. Cohen said he likes that. Mr. Kaye said that works.

Mr. LaDore withdrew his motion to remove the language and Mr. Figlar withdrew his second.

**Mr. Kaye then moved a motion** to send the new language to the Legislative Council. The motion was seconded by Mr. LaDore and approved unanimously.

## **B. LCR #17: Electronic Access**

Mr. Dixon went over some of the conversation with Council about electronic access. There was discussion on some of the language used rather than the word email. Ms. Downing stated this is a 10 year document and email may not be the preferred choice down the road and said the LC recommended “direct public access” and she thinks it needs to be uniformed for all and not different platforms. “uniformed, direct, electronic access” and it needs to be clear to the public.

Mr. Mednick said they need to come up with the means of electronic access. There was some discussion on the language. Mr. Cohen said he has language he will get to Mr. Mednick. Mr. Mednick said he thinks the concept is whatever electronic means.

Ms. Olson said she agrees with Ms. Downing that it needs to be uniform platform. Mr. Sprague-Oliveira said he agrees but he'd like to see something about remote access. Mr. Mednick said that's a wonderful idea. Ms. Downing suggested “email or another uniform platform to communicate remotely”. Mr. Dixon said agrees with that.

Mr. Mednick reminded them of the Town Attorney's concern with bargaining work and more strain on it. He said he'll speak to her.

They decided to hold this item until the next meeting to discuss new language.

## **C. LCR #5: Geographic Representation and Diversity**

Mr. Dixon explained how the Council wants geographic here and not districts. Ms. Downing echoed Mr. Dixon and then explained how the appointments for new terms would be based on the 9 districts and then the DEI would be charged to define geographic and by ordinance redefine how they're appointed for subsequent terms. Mr. Figlar pointed out how they used examples of districts 1&9 and 5&2.

There was some discussion on demographic changes over the years.

Mr. Sprague-Oliveira said he likes geographic but wonders how that would work with staggered terms. Ms. Gallagher said she likes their language. Ms. Downing said this was a big sticking point with the Council.

After a lengthy discussion **Ms. Gallagher moved a motion** to retain the language as written and add language for the DEI and the LC to act on geographic structure based on best practices and data. Ms. Downing seconded the motion.

After some more discussion Mr. Dixon asked what the language was they wanted to see here.

Ms. Gallagher said she would repeat her motion if that's helpful and said the following: “to retain the language as written in the Charter and add the ability for the 3 commissions, Police, Library and DEI, and add the ability for the DEI commission to recommend and the Legislative Council to take action on an alternate geographic structure based on data and best practice for future appointments. Additionally, according to whatever section that was, the LC may change boards and commissions membership based on the geographic representation recommended by the DEI”. She said there is now 3 parts.

Mr. Mednick said at that point it would not be based on DEI it would be based on the ordinance that they adopted based on the DEI recommendation.

Ms. Gallagher said if they so choose to pass an ordinance. She said with the language she's proposing they may choose to not pass an ordinance and things would maintain the way they are. Mr. Mednick said a DEI standard is a good idea.

A vote was taken on Ms. Gallagher's motion and it passed with 2 opposed (LaDore) (Figlar) and 2 abstentions (Olson) (Cohen)

**D. LCR #12: Term Limits on Board and Commission Service**

Mr. Mednick read and explained the LC recommendation. Ms. Downing said she likes term limits but the Council was highly opposed and she would compromise on this due to that. Mr. Dixon stated he's in favor of the term limit language.

After some discussion Mr. LaDore moved a motion to not have term limits for Boards and Commissions. The motion was seconded by Mr. Figlar and approved with a roll call vote of 8 in favor (Berton) (Cohen) (Downing) (Figlar) (Kaye) (LaDore) (Olson) (Sprague-Oliveira) – 3 opposed (Artis-Wilson) (Dixon) (Gallagher) and 4 absent (Battle) (Hebron) (Hul) (Moler)

**E. LCR #20: Protected Class Language**

Mr. Mednick explaining the recommendation of replacing classes to applicable Federal and State laws. Ms. Gallagher said she recommends and asks to put it in definitions rather than footnotes. Mr. Mednick said he thinks it meets their objective but they can always reject it. Mr. Sprague-Oliveira said he agrees with Ms. Gallagher and thinks putting them in the footnotes is awful. Ms. Downing said she agrees and she thinks moving it to the definitions applies it to the whole document.

**Mr. Kaye moved a motion** to keep the language as is as they presented it. The motion was seconded by Mr. Sprague-Oliveira.

Mr. LaDore expressed his concern saying in 5 years there may be another group not listed there. Mr. Dixon stated they listed them out but still also had the federal language there. Mr. Figlar said he also agrees that new groups may appear and be left out so he's not big on listing protected classes. There was discussion. Mr. Cohen said he thinks the LC language wouldn't leave anyone out. Mr. Dixon said neither does their language. Ms. Downing said she likes the value of putting it in the definitions but also can see leaving it here.

A roll call vote was taken and it passed with 6 in favor (Artis-Wilson) (Dixon) (Downing) (Gallagher) (Kaye) (Sprague-Oliveira) – 5 opposed (Berton) (Cohen) (Figlar) (LaDore) (Olson) and 4 absent (Battle) (Hebron) (Hul) (Moler)

**F. LCR #21A and B: DEI Commission Monitoring Function**

Mr. Mednick referenced some things talked about earlier and the Mayor vetting appointments with the DEI commission and about the DEI providing annual reports to the LC and the Mayor.

There was some discussion about putting an effective date on the "A" part of the provision. They discussed July 1<sup>st</sup> or 90 days. Mr. Mednick suggested 90 days during the Mayor's first term of office, 60 if re-elected.

**Ms. Downing moved a motion** to add language authorizing the DEI to provide 7-1 G of the Charter within 3 months of the time all seats in the DEI commission are filled. The motion was seconded by Mr. LaDore. Ms. Gallagher said she thinks it should within be 3 months of the establishment. Ms. Downing said she will amend her motion to within 3 months of the first meeting of the DEI commission. Mr. LaDore seconded the amendment. Ms. Downing added a friendly amendment that the date will not delay appointments. Mr. LaDore said he accepted that friendly.

A vote was taken and it passed with 2 abstentions (Berton) (Cohen)

**Vote on B:**

Mr. Mednick said for the annual report they should change it to July 1, 2023. **Ms. Olson moved that as a motion**, seconded by Ms. Downing. Mr. Sprague-Oliveira said he thinks “required” should be there. Ms. Olson and Ms. Downing both accepted that as a friendly amendment. Mr. Mednick said it was the intent of the Council.

A vote was taken as amended and approved with 1 abstention (Cohen)

After some discussion on a document Mr. Mednick sent them earlier that day for Thursday’s evening, Mr. Kaye moved a motion to adjourn, seconded by Ms. Olson and the meeting adjourned at 11:30 P.M.

Respectfully submitted,

Kim Renta  
Legislative Council Clerk

# 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 draft 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:

- 1. 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."
- 2. Chapter III, Section 3-4: Eligibility.** The eligibility standard for residency should apply equally to "at-large" as well as "district" appointments.
- 3. Chapter V, Section 5-2.D(1): Submission of Quarterly Reports to Council.** The quarters should be defined and commence on July 1<sup>st</sup> and each quarter thereafter.
- 4. Chapter V, Section 5-5: Chief Operating Officer<sup>i</sup>.** COO should be eliminated and replaced by the Chief of Staff position in the Charter with a delineation of responsibilities.

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5. **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.
6. **Chapter VII, Section 7-1.B(4).** This provision should not apply in the event the Commission fails to obtain a quorum.
7. **Chapter VII, Section 7-1.B(4).** The 24 notice standard should apply “...unless otherwise required by Law”.
8. **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.
9. **Chapter VII, Section 7-1B(6).** Add the term “...in accordance with law” at the end of the first sentence.
10. **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 Charter 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.
11. **Chapter VII, Section 7-1.B(7)(b).** The Charter Commission should reexamine the post-meeting public comment.
12. **Chapter VII, Section 7-1.C(4).**
  - A. The Charter 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.
13. **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.”
14. **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

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bargaining process.

15. **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.
16. **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.
17. **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.
18. **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.**”
19. **Chapter VII, Section 7-2.D(2)(j).** The Charter 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.
20. **Chapter VII. Section 7-2.L. The Diversity, Equity and Inclusion Commission – Establishment.** The Charter 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.
21. **Chapter VII. Section 7-2.L(3)(f). The Diversity, Equity and Inclusion Commission – Role of Commission – Monitoring Diversity and Geographic 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

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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.
- 22. Chapter VIII, Section 8-2.B.** Department Heads shall be removed “for cause” in all cases.
- 23. Chapter X, Section 10-1.B: The Budget Liaison.** The Budget Liaison should be removed; and the Charter Commission should consider allocating said such duties as necessary to the Finance Department.
- 24. Chapter X, Section 10-3.G: Public Inspection.** The public should have the ability to inspect the budget on whatever platform or technology will ensure direct access at all times
- 25. 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.
- 26. 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 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

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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”).

- 27. Generally. See, Chapter III, Section 3-10.D(2) and (3) and Chapter VII, Section 7-1.E(3) and (4) re –** The Charter Commission should consider adding the following language following consultation with the Town Attorney “while in office”.
- 28. Chapter X – Department of Education:** The Charter Commission should consider whether the legal authority exists and, if so, develop language requiring transparency at the Board of Education by publishing and making the Board of Education-approved curriculum available to the public on whatever platform or technology will ensure direct access at all times.

**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.

**Approved at a Special Meeting of the Legislative Council, July 13, 2021.**

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<sup>i</sup> Proposed recommendations and Comment on Sec. 5-6.

<b>Proposed Recommendation: §5-6.B.</b> Director of Finance testified that the credentials are artificial and the academic requirements are unnecessary.
<b>Proposed Recommendation: §5-6.B(1)(a).</b> 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.
<b>Public Hearing Comment.</b> Diane Hoffman supports COO with “management expertise to better professionalize the administration.”
<b>Proposed Recommendation: §5-6.C(2).</b> 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
<b>Proposed Recommendation: §5-6.C(2)(a) and (b).</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.