

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

July 30, 2022

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A meeting of the Charter Revision Commission was held on Saturday, July 30, 2022 via Zoom due to the Covid-19 Pandemic.

1. Call to Order: 10:35 AM

2. Roll Call

Present: Sarah Gallagher, Chair; Frank Dixon, Vice-Chair; Jackie Downing; Jay Kaye; Y’Isiah Lopes; Laura Santino, Patricia C. Vener - Saavedra, Secretary

Absent: None

Also in attendance: Steve Mednick, Counsel to Commission; Laurie Sweet, Legislative Council member; Katie Kiely, Legislative Council member; Dominique Baez, Legislative Council President

Agenda:

3. Public Testimony:

- none

Public Comments for CRC can be sent to: CRC2022@hamden.com

4. Agenda

- Receive memo from council to review specific items.
- Mednick – asks for intro comments from Baez who gives a short intro about the work done by both council and commission.
 - Items 1 and 2 – issues in definitions – Mednick likes them to be properly integrated. Mayoral election cycle for 4 year term when should take effect – 2023 or 2025? How does this integrate with BOE and Town Clerk? How about a realignment but that’s probably too late to realign BOE at this time.

- Baez – we need a proper turnout – if mayoral election is out of synch with LC and BoE elections we might not have a goodly amount of electors. Concern with how to get more electors for BOE.
- Item 3 – language needed to more clearly state that district office requires district residency
- Item 4 - 3.5.A - “remainder of term” for Mayoral succession before end of term is specified. ("For the remainder of the term")
- Item 5 – techie issue – 5-2.D (1) language that is unclear even to attorney’s should be deleted. Something about "documents not capable of redaction." Replace with "unless prohibited by Law."
- Item 6 – 5-4.C – Is there really a need for definition of “emergency expenditure.” Not all emergency expenditures need to be covered by this.
 - Baez – sometimes overtime expenditures are contingency emergencies.
 - Downing – we were careful here because there’s always been a contingencies line. There are different kinds of emergencies. Public vs “every day run-of-the-mill” emergency. The latter are not necessarily Public emergencies.
 - Mednick – ordinance can be created. Mentions 2 different kinds of public emergencies. Mednick notes that CRC is looking at Public Emergency types of emergency expenditures.
- Item 7 – 5-5 and 10-2 - COO – council wants us to eliminate COO
 - Baez – we had lengthy discussion and despite the CRC’s work decided they don’t yet want in the Charter at this time.
 - Kaye – Is this a dead issue? Can we pull it off and put it on a separate question on a ballot?
 - Mednick – if CRC is persistent, the LC can vote it out of the Charter completely. We might be able to convince them to put it out as a separate ballot question. They can’t change the provision and neither can we.
 - Vener-Saavedra asks how hard it would be to convince the LC to put it on the ballot as a separate question.
 - Baez – hard to say
 - Katie Kiely – That is a hard question. You could ask us but LC would need to be convinced of its importance. She’s not sure she understands the why. She might consider putting to the voters.
 - Kaye – based on public comments that gave a lot of support from residents and town employees and etc which was his reason for supporting the idea. To him it makes sense to give the voters the chance to vote.
 - Downing – is this the time now for this discussion?
 - Gallagher – Clarification questions now are ok.
 - Mednick – reminds us that we will need to have very clear and convincing reasoning’s.
- Item 8 – 7-1.A(2) Mednick - CRC worked very hard for to create an open meeting standard for the world we live in now so to have modern charter recognizing modern times and thus worked hard to have a transition modus that takes into consideration both what we can do and what we want to do. Diane Hoffman gave great suggestions and context that we pay attention to. This Charter is effective in November if passed by voters and needs to be realistic wrt what is viable at that moment vs what we are migrating to.

- Gallagher elucidates support while reminding us that we do need to be careful that provisions come into effect realistically.
- Item 9 – 7-1.B (4) – tech issue – Clarification that failure to obtain a quorum does not make a meeting missed for this reason a "violation of the frequency provision."
- Item 10 – 7-1.B (5) and 7-1.K (1) (c) -Assignment of Clerk provision needs wording of "or other designee" to the assignment of a clerk to commissions provision.
- Item 11 - 7-1.C (4) – Limitation of Service – limit is clear but concerns re: impact of provision on Boards and Commissions. Do not want to have carve outs (ie, not inclusive) Perhaps we can alter the effective dates. Veterans, Wetlands commissions raised concerns. One suggestion was an 18 year limitation but would accept any measure that would not bring about any unintended consequences.
 - Gallagher – another idea that came up is if people could serve as ex-officio board members.
 - Kiely – Vet commission had struggles due to their unique positions and people needing to be removed for various reasons. Maybe use lang. of “if x makes y problem, then...” some provisions could be made.
 - Mednick – perhaps an alternate phase-out – can we create an option for council to adopt ordinance provision for temporary alternate service during transition with a cap on their service.
 - Kiely – yes, that does make sense. Just wants to make sure harm is not done to commissions while at the same time encouraging more participation.
 - Baez – supports the concepts under discussion – helping without harm creatively.
- Item 12 – 7-1. (E) – Additional standard for removal provision for members of boards and commissions suggested by a LC member wanted to add is the falsification of documents of qualifications submitted for consideration of an appointment.
- Item 13 7 -1.I - restriction on having held municipal office should be limited to “Hamden” only. Except for Police.
 - Baez – For example, the Fire Commission has people who have worked in other cities and this is and should be allowable
- Item 14 - 7-1.K – Amendments to Town Clerk (appointments to Boards and Commissions) regarding implementation of the requirements to create a list of specific candidates to have reasonable timing, as well as other issues with specificities (Discuss with Town Clerk).
- Item 15 – 7-2.A (1) (b) – clarify finance commission has reporting obligation to LC.
- Item 16 – 7-2.A (2) (f) – qualifications wrt Finance commission. Trying to make sure has appropriate interactions with Mayoral office and LC. Verification of documentation is their job. Without making the qualifications too onerous. Should include people who work in, say, a bodega as well as experienced CPA. In other words, a representative who is any person unbound by the qualifications restrictions.
- Item 17 - 7-2.C(5) – Board of Ethics - penalties for charter violations should be established –
 - Gallagher this was a general concern that the various violations and their penalties are all over the charter and rather belong in one place.
- Item 18 - 7-2.D Police Commission as Traffic Authority or not? – Charter is silent mostly on Traffic Authority but it is a big responsibility. This charter says that if State Law changes Council and Mayor would be able to transfer TA functions elsewhere (a different commission for example).

- Item 19 – Police and Fire - 7-2.D.3 (i) (vi) – Issue here is that Chief has authority to make recommendation in both depts. but maybe Mayor should (depends on Bargaining Agreement). Intent is to have Mayor play a role in promotions, appointments, and removals.
 - Kiely – Include in that 7-2.76 and 79 – Clarify that it includes all records and documents. Citation should be in actual charter.
 - Mednick – The section of the Gen Statutes is “default sections” We refer to them for usefulness but they are not binding on municipalities with Charter. Mednick will review and consult with Gruen.
 - Kiely – Does the Commission have the rights to these records and documents? Has to be clarified. Unsure where the issue came up, though.
 - Mednick reiterates that our ability to act under “home rule” because we have a Charter. If we follow State Statute we have ability to follow case law. In our charter we have given PC ability to have subpoena authority if LC makes them a Civilian Review Board.
 - Baez – we need a running list of Ordinances that LC needs to start creating. (Mednick offered to create such a list at a later time.)
 - Gallagher - Section 7-2.79 does this pertain to 18, 19, 20?
 - Mednick – just 18. We should look at everything.
- Item 20 – 7-2.D.3 (j) (ii) – Adding provisions such that Civilian complaints to Police and fire Chiefs should also be sent to their respective Commissions and to complainants.
 - Mednick – should this standard also apply to other depts. besides Police and Fire?
 - Baez – if a dept. is receiving minor complaints this should not be necessary.
- Item 21 – Inspired by a specific issue in Police Commission but a general request nonetheless; a provision that requires department heads to obtain approval from their department-related board or commission before asking Mayor's permission to destroy any/all documents.
- Item 22 – 7-2.D and E - Specific request for reports filing monthly to LC pertaining to overtime (reasons, status of inspection reports for Fire Dept., etc.) – should this pertain to all depts.?
- Item 23 – 7-2.D (4) and 7-1.B (1) - From Councilor Farmer – suggests a provision for the appointment of youth members to PC with consideration of same to all other commissions – what should age range be? (As these are non-voting positions perhaps range should be below voting age.)
- Item 24 – 7-2.J (4) - add to Library board add similar training language as for finance and police commissions (expanded library board at their request).
 - Gallagher – the training provision is there this just says that town will pay for it.
- Item 25 – 8-4.A(1)(d)(iv) - want to make sure Finance commission is recipient of various reports – expanded reporting requirements, repeating overtime, fire inspection, etc. (a duplication) (see item 22).
- Item 26 - 8-5 - Name change from "Public Health, Safety and Community Services" to "Public Safety, Health, and Human Services."
- Item 27 8-5. C and D - change section name to "Health and Human Services and include sub-section C as a paragraph therein.
- Item 28 – 10-1.B - Budget Liaison – There was a suggestion to remove this position but general consensus was that CRC look more closely at the ways to more effectively utilize the position wrt efficacy of communication between finance Commission and

LC as well as review effective date for more adaptable transition to adopting the position.

- Item 29 - 10-3.B (1) (f) - make sure dealing with averages should be "itemized" averages. (Add word, "itemized.)
 - and 30 – 10-3.B(2) - include 5 year (forward) standards
 - Item 31 - 10.3.f – extend transition period for "due diligence" for all transitions – 2 months effective dates – is this enough time?
 - Item 32 – 10-4.A (1) - make sure that when we reference LC during budget periods we reference committee jurisdiction but it should be "Legislative Council or a designated committee of Jurisdiction."
 - Item 33 - 10-4.D – Mayor’s budget msg. – we have it at end of due diligence of finance commission but perhaps its better at beginning of process.
 - Item 34 – errata – legal issues – think about effective dates; some might need extensions.
 - Kaye – LC recommended BoE election changes, we should have discussions with BoE members.
- Gallagher – we should separate out simple things vs meatier issues and tackle complex ones first. Asks Mednick of timeline Mednick we need to return doc to LC with Document into Secy. State first week of Sept. Mednick will send drafts as things are approved to LC even though not final. This will give a more lively and progressive interaction between CRC and LC.
 - Gallagher, *et alii* – backup meetings discussed and determined.

Time adjourned: 12:06 PM

Next meeting: Tuesday, August 2, 2022 at 4:30 PM

Minutes submitted by Commission Secretary Patricia C Vener-Saavedra