

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

September 30, 2020

A meeting of the Charter Revision Commission was held on Wednesday, September 30, 2020. This meeting was held electronically, via Zoom, due to the Covid-19 Pandemic. The meeting was called to order at 7:03 P.M. by the Council President. The Clerk took the roll followed by the Pledge of Allegiance and moment of silence.

MEMBERS PRESENT: Frank Dixon, Chair; Jackie Downing, Vice-Chair; Lamond Battle, Secretary; Todd Berton; Sarah Gallagher; Marnie Hebron; Myron Hul; Jay Kaye; Nancy Olson; Todd Moler; Jeffrey Cohen at 7:08pm; Frank LaDore at 7:39pm; Tom Figlar at 7:53pm; Joshua Sprague-Oliveira at 8:02pm

MEMBERS ABSENT: Tiffany Artis-Wilson

ALSO IN ATTENDANCE: Steve Mednick, Counsel

PUBLIC HEARING: There were no speakers. Emails sent in are attached hereto.

APPROVAL OF PREVIOUS MINUTES: September 9, 2020 – Moved by Ms. Olson, seconded by Mr. Cohen and approved unanimously.

Mr. Dixon gave an overview of what the Commissions charge is.

Red-Line Session-

Mr. Mednick went through the chapters of the charter explaining what each section was for. He said 10 years ago we did some reorganization and consolidation in the document saying the first chapter is the structure of the charter and lays out how you read the charter giving definitions and that it's a pretty comprehensive section.

There was little discussion on Section 1-4 BB (the definition of "Town") where Mr. Mednick said he believes we had at least one person suggest that maybe it's time to change from a Town to a City as it's the 11th or 12th largest municipality in the State of CT and there are smaller ones that are called a City. He said this may come up.

Mr. Dixon said he thinks people aren't aware that if we're considered a city it could open us up to more outside funding so he thinks it's important that more people understand that.

Mr. Cohen said he thinks maybe though being called a town gives people more of a feeling of more community, more intimacy, and that may draw people here.

Mr. Mednick said Section 2-3 "General Grant of Powers" is what he talked about a lot last time and this is where we talk about how we can't do recall because there's no expressed grant of authority for us to do so. He said if we had a Special Act we could do it, but we do not.

Section 2-4 “Continuance of Rights and Obligations” Mr. Mednick said are sections that have been in the Charter from the beginning and we’re at the point where if we wanted to clean them up and take some out because the reality is the reason we don’t is we always wonder is there some pension program that goes back to the 1950’s or 60’s that still affects anybody in the Town. He said we rarely touch those sections unless we feel comfortable of anything that might have occurred before 1966. He said maybe we’ll leave it to the next charter revision just to be safe.

Chapter 3 Mr. Mednick said is where we see the things that we know and hear a lot about and these sections conform with State law. 3-3 A1 is where the elected officials are. He said we’ve seen some proposals come in that discuss the composition of a Legislative Council and about the Board of Education so if we address those issues this is a section we’ll be working with. 3-3B the Date of Election of Elected Officials is set by the State.

Mr. Mednick said he doesn’t think he’s seen any proposals that came in talking about terms of office. It was mentioned something might have come in talking about term limits. Mr. Mednick said they can’t do anything with municipality term limits in the State of CT.

Mr. Mednick gave the commission a briefing on the subject of term limits. He then mentioned someone sent in the suggestion of getting rid of the At-Large Council members and making the Town 5 districts with 3 Council members representing each district.

Section 3-5 “Vacancies in Elected Offices” he said there have been questions raised about filling vacancies so there will probably be some time spent on this section. Section 3-7 “Reapportionment of Voting Districts was addressed the last time and a good amount of time and work was spent on it so he doesn’t think there’s really a need to go through it.

Section 3-9 “Conflict of Interest and Ethics” he said is a pretty comprehensive section which sets up the constitutional standard for what should be in conflict of interest policy, an ethics ordinance, it establishes broad standards for recusal, violations of the law, etc. He said he knows there are a number of issues raised in their material, maybe in the public testimony too that address conflict of interest and ethics. He said some of it may be more pertinent into going in the ordinance, some of it may be pertinent to expanding the constitutional mandate of the charter He said as we go through this is probably a section we’ll be looking at in more detail.

Mr. Cohen in a sense as their positions as commissioners working on and revising the charter he said his question is there is a community outreach foundation that he’s been asked to be involved with and he sees no conflict of interest but maybe being in this position there is. He said it’s community outreach joining police with the community, that’s the type of thing it is, so is that in any way a conflict? Mr. Mednick said the standard usually is whether you have a personal or financial interest. He said he doesn’t believe there is an issue but they can talk more offline so he can get the details, think about it talk to the Town Attorney and then go from there.

Mr. Mednick said the next section is probably a section they’ll look at a little bit because as he mentioned the issue of recall is not available so we may want to take a look at this section if people feel strongly that they’d like to have the ability to establish a standard for removal. He said he has drafted removal provisions in charters throughout the State that really try to set-up a due process standard that allows for this type of action for the types of transgressions that are set forth in this ordinance.

Mr. Mednick said before he moves on from Chapter 3 he wants to bring up another issue that came up that has to do with the vacancy provision talked about earlier in this chapter. He said one of the issues that has been raised multiple times in section 3-5 is how do you select replacements for members of the Legislative Council and the Board of Ed and it's been said that the DTC and RTC should have a place in the charter but it's not common to bring a town committee into a charter and it's not good practice. He said replacement of officials should be done one of two ways, either by members of the body or a Mayoral appointment, or even a third approach is to have a special election. He said he'd take a look at charters around the state.

Mr. Mednick said the next section is Legislative Council and we spent a lot of time on this section last time and it sets forth the legislative powers. He said there are only two mandatory provisions to every charter, one is that you have executive and one is legislative and this is one of the mandatory sections. He said he thinks they'll spend some time on this section to look at the issue of technology of meetings, and how to continue with technology protocol and hybrid meetings when the pandemic ends. He said in a lot of municipalities he represents a lot of people are quite taken by the ability to have people attend meetings who normally cannot attend meetings through remote access. He said there are a number of proposals on how the Council should conduct themselves and that they should have monthly financial report sessions and those are the kind of things that we may look at and would go in here. This is also the section that talks about open meetings and public comment. Hamden is a public comment town, not all are, and this is where that mandate is set forth. It's not a statutory mandate, it's a charter mandate.

Mr. Mednick said 4-5 deals with general powers of the Council. He said if this section wasn't here the general powers that are set forth in the statute would be all we need. Section 4-7 is ordinances, statutory resolutions, resolutions, orders, and motions. These are how a bill becomes a law in Hamden. He said we do have something in Hamden called a petition for overrule, any ordinance or statutory resolution which are subject to overrule where 15% of the electors can petition within 20 days after the adoption can overrule the Legislative Council.

Mr. Mednick said the next section is very important. (4-10 Selection of Independent Auditors) He said we get audited every year and this makes perfect sense that the fiscal authority would be the body that has to hire the auditor. He said what you'll see in this section is some (unintelligible) that talks about best practice standards and you don't want to overwhelm the charter with standards that you create in the past (1966 or 2010) that are still in your charter in 2020 and so we moved in the direction of establishing best practice standards but we also tied the best practice standards to standard based organizations in the areas of enterprise. He wanted to try and maintain a best practice standard without defining it unless we need to define it and he's not saying you shouldn't do it if it needs to be done but if you have professional standards that are shifting in the field from time to time his attitude is go with the best practice standard way that we put it into section 4-10.

Mr. Mednick briefly went over the last few sections in Chapter 4 saying for section 4-12 (Interlocal Agreements and Regional Cooperation) that he put these provisions in here to allow for a more facile approach to addressing the idea of working with other municipalities.

There was some discussion on this topic. Mr. Dixon asked where Hamden is at now with regionalizing some of these resources. Mr. Mednick said the COG in this district seems to be underutilized and underfunded.

Mr. Cohen asked him what he thought about regionalization and interlocal services and what his feelings were about where it's going. Mr. Mednick said the direction we're taking is the federal government, the Malloy administration, the current administration and the US Dept. of Census have been working together for 5 years so he believes county equivalency will be coming to Connecticut in the next year or two and that will open up tens of millions of dollars of funds that we have not had in Connecticut that metropolitan districts and county governments throughout the US have had because Connecticut is not a county State.

Ms. Gallagher asked what that language would look like. Do some charters have specific areas in their charter? Mr. Mednick said he generally has a provision that is kind of a grandfather provision that allows for the entry into interlocal agreements in accordance with law, we have to have authority under State law to do it, and if it involves services you can't really have a diminution of the services that we have. He said it wouldn't be issue centric it would be procedural centric.

Mr. Hul said one of the concerns he has about regionalization is the dog and the tail. He said to be blunt, New Haven gets hundreds of millions of dollars. He said the funding differential is staggeringly different. He said there has to be the ability within the charter to say yes we can as a Town look at economies of scale and for lack of a better term regionalization, but there also has to be the protection of Towns interest within that same document that says we are not the (unintelligible) step-child we are equal partners despite size, despite geography, despite all the political differences, we are equal partner in our economic effort.

Section 5 Mr. Mednick said is a second they'll be paying attention to because a number of issues were raised here and he knows a number of officials in Town and others have thoughts on this so we will be focusing on this section. He said if we ultimately move in the direction of Town Management you will see a major revision of both the legislative section and the Mayor's section.

Section 5-5 Emergency Powers Mr. Mednick said is a section he knows other people in government want them to take a look at these issues and make sure everything works as well as it can and he said it's actually worked pretty well.

Mr. Mednick gave a quick overview of Chapter 6 and said one party raised the issue of keeping the Town Clerk as an elected position and he assumes it was done for a reason so he doesn't know if it will or won't come up. He said Registrar of Voters is also in this section but they can't really do much with Registrars because they are mandated by the State. There was then a brief discussion on certifications.

Chapter 7 Boards and Commissions Mr. Mednick said there was a lot of work done on this section the last time but they may have to look at a number of issues that were raised about attendance and removal.

Mr. Figlar said when you talk about removal is there was something they could put here about addressing social media issues of commissioners. He said people aren't always careful about what they post. Mr. Mednick said we're going through this issue with Legislative Council right now and it's a very complicated issue. He said he's in talks with the Town Attorney right now and they'll be talking with Leadership of the LC so he should have a treasure trove of information to be able to talk about that's standard. He said you're talking about speech and any time you talk about limiting someone's ability to speak it really is a significant question particularly with public officials whether they're appointed or elected. There's been a revolution in the last 10 years in terms of how social media is addressed and he

thinks it's a real worthwhile issue and he recommends that when we get into our work session that you raise this issue again.

Mr. Ladore said he got removed from Civil Service because he works for the State so that's something he'd like to look at and figure out why. He also said they need to look at alternates for the Civil Service Commission because there's only 3 commissioners and when one doesn't show up two is their quorum. Mr. Mednick said we'll take a look at that section that led to your removal he's not sure they interpreted it properly. He said he thinks some others might have raised an issue with the number of members as well so he'll make a note to revisit it.

Ms. Gallagher said she sees there's something on minority party representation and asked if there was anything else around representation in Hamden like geography or demographics to talk about representation on the commissions that reflect the Town. Mr. Mednick said no, he has drafted provisions in other communities, the Board of Education in Hartford has demographics requirements, has background requirements to make sure you have diversity of geography, of race, of backgrounds (unintelligible) so that you don't end up with six lawyers from one section of Town on a board.

Mr. Mednick said one of the issues that we'll probably be looking at this year is the Police Commission and looking at different models for the Police Commission. One of the issues we've seen addressed is the Civilian Police Review Board and there's now State legislation which he won't get into the details of but he just drafted something that he hopes to get out to this body next week that will address that issue. He said one thing we may look at as we get into the process is expanding the current membership and creating a 9 district so you automatically have someone in each district appointed to the commission which guarantees representation throughout the Town. He said they've also looked at diversity not only on geography but diversity on background so that you don't end up with a bunch of former policeman serving on the commission.

There was then some discussion on ways to better advertise Boards and Commission vacancies. As they continued to discuss Boards and Commissions Mr. Mednick mentioned all the public comments they received about QU and said the Planning and Zoning Commission may come into play with all those complaints. Mr. Hul suggested talking to Department Heads about Boards and Commissions in addition to the Legislative Council and public.

There was then some discussion on mandated Boards and Commissions and the number of representation for them. Mr. Hul mentioned that the Library Board was the only Board that has the authority to hire department heads and asked why they have that authority and does it make sense? Mr. Mednick said this was a pre-existing section and that maybe it's just tradition and doesn't advocate keeping it if so. They talked about looking into it further for an answer.

There was discussion on inviting some of the elected officials to the next meeting of October 14th.

There being no further business Mr. Dixon requested a motion to adjourn. Moved by Mr. LaDore, seconded by Ms. Olson and adjourned at 9:18 P.M.

Respectfully submitted,

Kim Renta
Clerk of the Council

CHARTER REVISION COMMISSION - 9/30/2020

(PUBLIC COMMENTS SENT IN SINCE MTG ON 9/22/2020)

Tue 9/22/2020 6:51 PM

Re: VIOLENT CRIME, FEAR, RESIDENTS STRUGGLING TO PAY PROPERTY TAXES, INTIMIDATION AND DESTRUCTIVE PROPAGANDA FROM THE LEFT WING RADICALS OF HAMDEN, SILENCE OF TOWN GOVERNMENT, GHOST TOWN (hundreds of homes for sale in Hamden)

Thank you for the opportunity of addressing this Commission. The above outlines my talking points for tonight if I am given a chance to speak. It is self explanatory. Whether this Commission has the will or know how to address these issues in the middle of what I can only describe as Impending Civil War remains to be seen. I would like to offer my services.

Thank you.

Patricia Mary McLaughlin

Tue 9/22/2020 9:05 AM (this email didn't pop in until the next day of 9/23/2020)

Dear Charter Revision Commission:

I apologize, I cannot take part in the public hearing that the Commission will hold this evening, since I am a member of the Town's Planning & Zoning Commission, and we also have a meeting tonight at 7 pm. But I wanted to offer some thoughts, mostly general.

My best advice is, Be Bold. Hamden needs radical re-organization. It is clear that what we have been doing for the past 30-40 years isn't working. Ten years ago, we had a charter revision commission that simply trimmed around the edges, failing to address what are fundamental problems. Some ideas worth your consideration:

- Change Hamden's government to city, rather than town. It won't have any impact, really, but it is at least psychological. We have over 60,000 residents; the mayor of South Bend, with about 100,000 residents, ran for president this year.
- Establish a city manager governmental structure. Reduce mayoral responsibilities to ribbon cutting.
- Consider establishing a non-partisan election for legislative council. Party endorsements might be identified on the ballot, but if candidates are listed alphabetically, rather than by party, we open up the process to allow independent candidates, minor party candidates to hold office. I don't know if State Statutes will permit this, so it would require some investigation on your part.
- Consider eliminating at-large council members, replacing our current nine district structure with five districts, each represented by three councilmembers. It would mean a greater sharing of the responsibilities to neighborhoods, and require all candidates to pay more attention to local needs. By the way, this was an idea first proposed by Legislative Councilmember Austin Cesare, many years ago.
- Only two commissions, to my knowledge, are appointed together, rather than for staggered terms, the police and fire commissions. Expand the commissions to nine members, with three appointed each year, like the P&Z Commission presently.
- Consider term limits for commissions. Yes, that would remove me from P&Z. So be it.

Those are my thoughts. Thank you for your time.

-- Joseph McDonagh

xxxx Whitney Avenue

Hamden CT 06518

Thu 9/24/2020 7:26 PM

Good evening,

I wanted to address a few concerns regarding QU students and increasing number of homes that have cars from parked on lawns and on the streets.

I would also like to mention the number of traffic law violations that I have witnessed by these students. Running stop signs and traffic lights.

Our quiet community is changing and more residents are moving out and more students moving in. Not to mention litter is on the rise.

Noise is also a concern with loud music and with parties that seem to occur without regard to the working class people in the neighborhood.

Thank you,

Monique Simmons

Sat 9/26/2020 9:49 AM

With all the complaints that have been voiced in Hamden regarding panhandling, is it possible to address this issue by writing in an ordinance that prohibits panhandling on public and private properties without the owner's permission? This would help alleviate the fear that shoppers and pedestrians have walking by these people. Hamden residents have been attacked and harrassed by these panhandlers.

Thank you,

Ann M Pari

xx Harrison Drive, Hamden

9/27/2020

Dear Charter Commission,

Thank you for your request for public input. Here is my current list of concerns for your consideration.

1. Submission of written AND **Oral** public input must be guaranteed at all public town meetings including commission meetings.
2. Zoom and other technology that makes it possible for the public to participate in their local government meetings should be required to be used by the town even after the pandemic is over. It makes participation in our town government possible without the need to travel which can be difficult if you lack a car or a ride or mass transit is not available.
3. The town IT dept. must be capable of providing services needed to run our town so that email and other communications are reliable. There has been an ongoing problem with email delivery to town offices since at least January 2020. Emails are blocked, bounced, marked undeliverable etc. In a pandemic where town offices are closed, this is especially serious. In a democracy this is unacceptable.
4. The Tree Warden should be a licensed arborist. We are in a climate crisis. Our trees are precious natural resources that provide hundreds of thousands of dollars in services to our community, not the least of which is fighting climate change. Governor Lamont has issued Executive Order #3 and working groups have been meeting for months to develop plans on mitigation, adaptation and resiliency to address the crisis. The critical importance of protecting and planting trees is a part of many of the working groups including Science and Technology and Equity and Environmental Justice.

The GC3 working groups are encouraging all attendees to address the climate crisis on the local level and call for action locally as well as on the state level. In order for our Tree Warden to have the knowledge and skills to do the job properly and fully and to make difficult decisions, he/she must be a certified arborist. Please see the attached Benefits of Trees.

5. Seriously consider changing to a town manager form of government- Our town is in financial ruin and needs a highly trained and skilled professional with a dedicated, knowledgeable team to lead us out of this situation by addressing our serious management problems.
6. Boards and Commissions- should have attendance requirements and meetings should be held 10 months per year. The police commission did not meet for an excessive number of months while residents had serious concerns to discuss.
7. Town clerk should remain an elected position and not become an appointed position.
8. Department heads should report to the mayor and respond to requests and questions from the Legislative Council on a timely basis to allow informed decision making by the Council. This past year, department heads were instructed not to speak to LC members at a time when critical budgetary deliberations were transpiring and council members could not get needed information from the department heads.

Department heads (or assistant) that have a direct interest in any item on the council agenda should be required to be available at the council meetings to answer questions that might arise in the meeting. The Council regularly has questions at the council meetings that go unanswered because the department head or assistant is not available to answer their questions.

All Department Heads should have required certifications in place prior to being hired.

9. Conflict of Interest- While reviewing the Charter, the possibility of conflict of interest should always be kept in mind and addressed as needed. Concerns over conflict of interest are constant and abundant in Hamden. There should be requirements addressing when town officials and employees must recuse themselves from participating in making a decision on a specific item.

10. Anyone who works for the town or the BOE or has a contract with the town should not be an elected official of the town as there is an intrinsic conflict of interest.

11. Board of Ethics members should not be appointed by the Mayor as they are called upon to review complaints concerning elected officials and town employees. The qualifications of these board members should be reviewed and tightened so that public confidence can be high that there is little opportunity for conflict of interest. Reconsideration of what types of issues are appropriate for the ethics commission to review, is needed. Complaints from the public should be considered.

12. Add recall by petition for cause in Section 3-10 Removal of elected and appointed officials.

13. Voters should be allowed to vote for 6 At-Large representatives since 6 At-Large representatives serve on the Legislative Council.

14. Legislative Council members should have attendance requirements. Vacancies on the legislative council should be filled within 3 months. The 7th District has not had a council representative for almost 2 years. Initially due to illness and then unfortunately, due to the death of our Representative. The people of the district need and are entitled to a representative they can turn to for their district concerns, just as every other district has.

15. If the Legislative council has a vacancy it should be filled by a majority vote of the Town Committee for a person of the same political party or affiliation as that of the person who just vacated the office. The Legislative Council should not vote to fill this vacancy.

16. Legislative Council members should not be expected to vote on an item that is brought before them less than 48 hours before the vote is anticipated. It is Impossible to make knowledgeable decisions that affect the entire town without more time to adequately consider the request. Delivery of a request later than 48 hours should only be allowed in an emergency. The meaning of emergency should be defined.

17. Address the preponderance of no bid contracts- There are concerns regarding nepotism. There are concerns that the town is not getting the best deal in quality and cost. The resulting contracts should have expiration dates. These bids seem to be used to rush transactions through the process and are often presented to the council at the last minute when a vote is needed immediately. Establish rules specifying when a no-bid contract can be used and consequences for abuse.

18. A financial update should be presented at every Legislative Council meeting by the town Finance Director or the next in charge.

19. Creation of a Civilian Review Board with subpoena powers. This is needed to address the recognized inequities in our criminal justice system nationwide and locally. It will help Hamden address our concerns and is needed to restore confidence in our police department so all residents feel safe.

20. Civil Service-increase by 2 members. 3 members are not sufficient. Establish fair hiring practices and determine what constitutes conflicts of interest in hiring.

Thank you very much for your attention and consideration of these issues.

Sincerely,

Diane Hoffman

Xxx Wilmot Rd.

Hamden

September 28, 2020

Below are issues I would like the Charter Revision Commission address-

- The need for a fiscally responsible Town Manger to run Hamden
- Increase the number of rental permits from \$300.00 to \$5,000.00 and renewal fee from \$150.00 to \$ 1,500.00.
- Reduce the number of districts in Hamden in order to reduce the disparity that continues to increase
- Increase the Planning and Zoning department to so they are better equipped to deal with issues such as Paradise Nursery and Quinnipiac rental properties.
- Make high profile positions part of the election process

Thank you,

Victoria Simiola

Tue 9/29/2020 2:51 PM

Thank you all for your efforts to reform this town.

Problem: Hamden taxes are way too high, and who knows where the money is going?

- 1- The approach to taxes needs to be re-engineered.
How about first setting a reasonable mill rate, then based on the grand list sources of income, including property to be taxed, determine the total town budget –that is, how much can be spent. All expenditures by the town would sum to this amount and no overages allowed.

A reasonable mill rate should reflect our “competition” in other CT towns that seem to get things done efficiently- this could be based on a quick sampling from e.g. Milford, Cheshire, North Haven, etc.
- 2- Allocate the total budget amount, and make all departments and potential expenditures justify their budgets and live with the allocation they are given. Focus on value-added activities and minimize/eliminate administrative and supervisory activities.
- 3- Whether a mayoral or city manager type government, there should be incentives for the person(s) in charge to be efficient and to hold down costs so that Hamden might regain its reputation as an attractive place to live. Incentives do not include getting re-elected.
- 4- It seems evident that our current mayoral systems can be influenced by political considerations, not the common good of the town. Where is the transparency?

Thank you,

Arven Saunders

Taxpayer, Neighborhood 40

xxx Blake Circle

