

TOWN OF HAMDEN, CONNECTICUT
CHARTER REVISION COMMISSION
MINUTES OF MEETING
September 9, 2020

An organizational meeting of the Charter Revision Commission was held on Wednesday, September 9, 2020 via Zoom due to the Covid-19 Pandemic. The meeting was called to order at 7:06 P.M. by Council President Mick McGarry and the Clerk took the roll.

MEMBERS PRESENT: Tiffany Artis-Wilson; Lamond Battle; Todd Berton; Jeff Cohen; Frank Dixon; Jackie Downing; Tom Figlar; Sarah Gallagher; Marnie Hebron; Myron Hul; Jay Kaye; Todd Moler; Nancy Olson

MEMBERS ABSENT: Frank LaDore; Joshua Sprague-Oliveira

ALSO IN ATTENDANCE: Steve Mednick, Counsel

Mr. McGarry talked a little about the charge of the commission then each member of the commission introduced themselves.

Mr. Mednick went over the roles of officers saying the role of the chair as the presiding officer who runs the meetings, open the meetings, order roll call and set the agendas. The vice-chair is second in command and takes over the role of chair in his or her absence. The secretary would work with the clerk to make sure minutes are faithfully kept. He said minutes should reflect motions, debate on an item, whether it passed or failed, and any amendments. He said his general rule of thumb in the modern era is to keep the minutes more as a road map and the public can look at the recording of the Zoom meeting to actually hear what happened at the meeting.

Mr. Hul asked who would act as parliamentarian. Mr. Mednick said you could appoint one but as counsel he'd be happy to be of assistance. There was then a brief discussion about following F.O.I. requirements.

Ms. Hebron asked if there would be any meetings off the record between Leadership of this commission and the Council or elective officials that all members of this commission would not be invited to. Mr. Mednick said that's up to the chair as you go forward. He said the expectation is that all the work of the commission will be in accordance with F.O.I. but he imagines it's possible that the chair may have to call the president of Council from time to time if there's an administrative matter. Mr. Hul said there probably will be and he can almost guarantee that the leadership of the commission will be meeting individually with either Mr. McGarry or other Council members or Mayor's office, but those are going to be more towards an administrative discussion of the work of the commission rather than substance he would hope other than maybe defining items for the agenda. He calls them administrative meetings and said its part of their function and part of their duties and responsibilities.

Election of Chair:

Mr. McGarry asked if there were any nominations for a Chair.

Mr. Kaye nominated Mr. Dixon and it was seconded by Mr. Figlar.

Ms. Gallagher nominated Ms. Hebron and it was seconded by Ms. Artis-Wilson.

There were no other nominations.

A vote was taken and Mr. Dixon won Chair with 9 in favor (Berton) (Cohen) (Dixon) (Downing) (Figlar) (Hul) (Kaye) (Moler) (Olson) and 4 in favor of Ms. Hebron (Artsi-Wilson) (Battle) (Gallagher) (Hebron)

Mr. McGarry left the meeting and Chairman Dixon took over.

Election of Vice-Chair:

Mr. Dixon asked if there were any nominations for Vice-Chair.

Mr. Berton nominated Mr. Kaye and it was seconded by Mr. Moler.

Mr. Kaye nominated Ms. Downing and it was seconded by Ms. Hebron.

Mr. Dixon nominated Mr. Hul and it was seconded by Ms. Artis-Wilson.

A vote was taken and Ms. Downing won with 8 in favor (Battle) (Downing) (Figlar) (Gallagher) (Hebron) (Kaye) (Moler) (Olson)

There was 1 vote in favor of Mr. Kaye (Berton)

There were 4 votes in favor of Mr. Hul (Artsi-Wilson) (Cohen) (Dixon) (Hul)

Nomination for Secretary:

Mr. Dixon asked if there were any nominations for secretary.

Ms. Hebron nominated Mr. Battle, seconded by Mr. Kaye.

With no objection the chair casts one vote for Mr. Battle as secretary.

The nominations were then closed.

Chair: Frank Dixon

Vice-Chair: Jackie Downing

Secretary: Lamond Battle

Mr. Mednick then went over the power point he prepared for the meeting. (Attached hereto)

After the presentation Mr. Cohen asked for any meetings that they have or where they have to public speaking do they do that as a group or break it up, how will that work? Mr. Mednick said this is a bigger commission than he normally recommends but the chair, vice-chair and secretary can make decisions about how things go depending on how many issues that you have to tackle and unless you have a lot of issues he thinks that most of what you do will be in the group of 15.

Mr. Hul said you talked about collaborating with the Council for the final document so what happens if they don't achieve an agreement with the Council, what document if any goes on the ballot? Mr. Mednick said the Council gets the final bite at the apple and whatever they approve finally is the document that gets approved so the objective is to bring your document to the Council by the end of May with minimal friction. Or you go in with a few issues that are important to you that the Council isn't yet convinced of and try to convince them.

Ms. Olson said she just hopes they can all approach this with the vision of Hamden as one Town. She said it's not Noha, it's not Soha and it's not the East side or the West side so they need to approach all the issues with the view that we are a cohesive community and we need to build that cohesiveness up again. Mr. Dixon said he 100% agrees with that and he also thinks it's very important they understand some of the key issues that they have to address in the Charter.

There was discussion on upcoming meetings and the public hearing which will be their next meeting on September 22, 2020 at 7:00pm with a follow up meeting on September 30, 2020 and after that meetings will be held on Wednesday's every two weeks following that one.

They also discussed getting an email account for public input.

There being no further business Mr. Dixon requested a motion to adjourn. Moved by Ms. Olson, seconded by Mr. Kaye and adjourned at 9:35pm.

Respectfully submitted,


Kim Renta
Clerk of the Council

Hamden Charter Revision

2020-2021

Presentation

Attorney Steven G. Mednick
9 September 2020



Purpose of the Home Rule Act

- ▶ To relieve the General Assembly of the burdensome task of handling and enacting special legislation of local municipal concern; and
- ▶ To enable a municipality to draft and adopt a home rule charter “which shall constitute the organic law of the city, superseding its existing charter and any inconsistent special acts.”



A Blueprint for Governance

- ▶ Mayor, as Chief Executive Office, should be able to govern and manage the administration of the Town;
- ▶ Legislative Council, as the legislative body, should be able to adopt ordinances, finance the government, oversee the Mayor and maintain accountability



Goals of a Charter Revision Commission

Review your Charter with an eye on:

- ▶ Clarity
- ▶ Flexibility
- ▶ Accountability
- ▶ Avoid Culture of Disregard or Paralysis



Scope of the Enterprise

- ▶ The periodic review mandated by the last charter revision commission
- ▶ Statutory responsibility to “consider such changes and other items and matters as it deems desirable or necessary to improve the governance of the town”
- ▶ Broad Scope



How Do You Define Your Scope?

- ▶ Statutory Public Hearing
- ▶ Meetings with Mayor, Legislative Council and other Local Officials
- ▶ Start Small: “Red-Line” Exercises with Town Attorney and Commission Counsel
- ▶ Understanding the Functions of Government
- ▶ Micromanagement or Constitution?



A Governing Document

- ▶ *Tricky Assignment*
- ▶ Municipalities Have No Inherent/Implied Powers
- ▶ State Constitution Article Tenth
- ▶ Title 7 of the Connecticut General Statutes
- ▶ Impact of Collective Bargaining Agreements
- ▶ Charter versus Ordinances
- ▶ MERA



The Process

- ▶ Created by Legislative Council under two resolutions required by statutes [C.G.S. §7-188(b) and 7-190(a)].
- ▶ Not envisioned as a partisan activity: not more than one-third of whom may hold any other public office in the municipality; and, not more than a bare majority of whom shall be members of any one political party.
- ▶ Two Required Public Hearings: At the outset and at the conclusion [C.G.S. §7-191 (a)].
 - ▶ Work Plan.
 - ▶ Submission to the Legislative Council: Public Hearing, within 45 days of receipt of Charter Report; and, action by Legislative Council within 15 days following public hearing and [C.G.S. §7-191 (b)].
 - ▶ If no changes the report is Final.
 - ▶ If changes or questions, Charter Commission confers with Council and has 30 days to act [C.G.S. §7-191 (c)].
 - ▶ Final Action by Legislative Council within 15 days of receipt from Commission [C.G.S. §7-191 (d)] and whether the referendum shall be in the General or Special Election [C.G.S. §7-191 (e)]
 - ▶ One or several questions. The common council may submit the proposed charter to the ballot in the form of one or several questions [C.G.S. §7-191 (f)].
 - ▶ Submission of question to the secretary of the state. The city needs to be mindful of the requirement to submit "questions" to the office of the secretary of the state more than 60 days prior to the election [C.G.S. §9-370].
 - ▶ Approval at referendum. If the proposed charter is approved by a majority of the electors who participated in the general election the charter would be effective thirty (30) days thereafter, unless an EFFECTIVE DATE IS SPECIFIED WITHIN THE DOCUMENT [C.G.S. §7-191 (f)].

PROPOSED DOCUMENT



Work Plan: September 2020 – April 2021

- ▶ Organizational Meeting of Commission
- ▶ 1st Statutory Public Hearing.
- ▶ Working Meetings of Commission.
 - Mayor, Council leadership and members, other public officials, and citizens participate in early overview sessions.
 - Commission engages in review, analysis and “red-line” of charter provisions.
 - Subsequent meetings would address substantial issues raised by the public and public officials and involve extensive dialogue and review based upon the specific needs of Hartford and the experiences of other similarly situated municipalities.



Work Plan: May – June 2021

- ▶ Commission prepares draft recommendations for 2nd Public Hearing and final review of recommendations following hearing (last week of 5/11/21).
- ▶ Commission Submits Recommendations to City Clerk (approximately 5/19/21).
- ▶ Recommendations Appear on Council Agenda (approximately 5/24/21).
- ▶ Council Review (5/24 – 6/23/21).
- ▶ Council Public Hearing (6/24/21 – within 45 days of submission to City Clerk).
- ▶ Council Action on Recommendation (6/28/21 – within 15 days of Public Hearing).
 - If approved, this would constitute the final action of the Council with the exception of the approval of questions for the ballot.
 - If not approved, the Recommendations as modified by the Council are returned to the Commission.
- ▶ Council Modifications returned to the Commission (6/27/21).
- ▶ Commission Reviews the Council modifications and prepares a final report (6/27 – 7/23/21).



Work Plan: July – November 2021

- ▶ Commission Submits Final Report to Council (7/23/21 – within 30 days following receipt of Council modifications).
- ▶ Council Accepts or Rejects Final Report, including approval of question(s) for the ballot (7/28/21 or Special Meeting – within 15 days of receipt from the Commission).
- ▶ Newspaper publication of proposed Charter within 30 days following approval.
- ▶ Submission of questions to the Office of the Secretary of the State more than 60 days prior to 11/2/21.
- ▶ The Referendum (11/2/21).



Role of the Counsel

- ◆ **Legal Advice**
- ◆ **Research and Preparation for Workshops**
- ◆ **Facilitate Commission/Council Interface**

