

TOWN OF HAMDEN, CONNECTICUT

LEGISLATIVE COUNCIL

MINUTES OF MEETING

January 17, 2023

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https://hamden.zoom.us/rec/play/Hlax_0czDXFm4q2D0sT5mncKw3WGVsBRlimk0fSafed-kuG0KV_nC0wYUGwdt58MYLABlcOxVZP2we_gksI91Q8-FZn3rzO?continueMode=true&_xzm_rtaid=-cGw5D3sQzygIw8Wq_3kLg.1674067155803.eb4dd95e78840dc6293b2caaff324ff4&_xzm_rhtaid=462

**** 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 and click the MEDIA link found next to this agenda under the meeting date OR download the digital version of these minutes and click the link above.**

A meeting of the Legislative Council was held on Tuesday, January 17, 2023. This was a hybrid meeting held both in person and electronically via Zoom, due to the Covid-19 Pandemic. The meeting was called to order at 7:25 P.M. by Council President Dominique Baez. The Clerk took the roll followed by the Pledge of Allegiance. Ms. Sweet then read the Land Acknowledgement followed by a moment of silence.

Z= On Zoom P= In Person

MEMBERS PRESENT:

Dominique Baez (P)	Abdul Osmanu (P)
Katie Kiely (Z)	Jeron Alston (Z)
Lesley DeNardis (Z)	Ted Stevens (P)
Sarah Gallagher (Z)	Paula Irvin (Z)
Laurie Sweet (P)	Adrian Webber (Z)
Bob Anthony (P)	Cory O'Brien (P)
Kristen Zaehring (Z)	Justin Farmer (P)

MEMBERS ABSENT: Betty Wetmore

PRESIDING: Dominique Baez, President

ALSO IN ATTENDANCE: Sean Grace, Chief of Staff; Curtis Eatman, Finance Director; Brendan Sharkey, Assistant Town Attorney; Steve Mednick, Counsel to Council; James Nytko, Managing Director and Principal of Local Government Solutions

PUBLIC INPUT SESSION: There were 4 speakers in person and 10 speakers on Zoom. There were no written comments submitted. All speakers were in favor of the amendments to the Fair Rent Ordinance.

(Written comments can be sent to LCpublicinput@hamden.com)

CORRESPONDENCE: None

REPORT OF THE PRESIDENT: None

REPORTS OF COUNCIL LIAISONS: None

EXECUTIVE SESSION: None

APPROVAL OF PREVIOUS MINUTES: Ms. Baez requested a motion for approval of the January 3, 2023 minutes. Moved by Mr. Anthony, seconded by Mr. O'Brien and approved with 2 abstentions (Zaehringer) (Farmer)

CONSENT CALENDAR: Mr. Farmer requested items 1, 2, 3 and 7 be pulled from consent. Ms. Baez requested a motion for approval of the consent calendar without those items. Moved by Mr. Farmer, seconded by Mr. O'Brien and approved unanimously.

4. **Order to accept and expend grant funds from Connecticut Humanities Council, Inc. - (\$10,600)**
5. **Order authorizing interdepartmental transfer 2022-2023 Fiscal Year Budget – Community Services Department (\$150,000 - from E&C)**
6. **Order approving agreement, amendment #1 and Memorandum of Understanding and authorizing the execution of such agreements with Connecticut Violence Intervention Program - Hamden Youth Services Bureau – Juvenile Review Board**

REGULAR AGENDA:

(items pulled from the Consent Calendar)

1. **Order authorizing intradepartmental transfer 2022-2023 Fiscal Year Budget -Police Department - \$36,842.92 (from Reg. Salaries to Professional/Technical)**

-- Moved by Mr. Anthony, seconded by Mr. Webber. DISCUSSION: Acting Chief Wydra explained how this officer came from Hartford with less than 2 years there and because of a Connecticut Statute we have to pay Hartford to cover the training and certifications he comes with. A vote was taken and the item passed with 3 opposed (Sweet) (Farmer) (Osmanu)

2. **Order authorizing intradepartmental transfer 2022-2023 Fiscal Year Budget – Hamden Police Department (\$30,000)**

-- Moved by Mr. Anthony, seconded by Mr. Alston. DISCUSSION: Acting Chief Wydra explained this covers specialized training for active officers and there has been a high influx of promotions. There was then some discussion on patrols. Mr. Farmer stated he would like to have a future conversation on restructuring. A vote was taken and the item passed with 3 opposed (Sweet) (Farmer) (Osmanu)

3. Order authorizing a temporary construction and access to the Farmington Canal Greenway – 414 Mather Street

-- Moved by Mr. Farmer, seconded by Mr. Anthony. DISCUSSION: (Mr. Farmer's audio couldn't be heard). Mr. Stevens mentioned he spoke with the Chair of the Farmington Canal Commission who said it wasn't necessary for this to go through their commission but they support it. A vote was taken and the item passed unanimously.

7. Order approving agreement and authorizing the Mayor to enter into an agreement with Connecticut Violence Intervention Program – Hamden Police Department

-- Moved by Mr. Farmer, seconded by Mr. Anthony. DISCUSSION: Mr. Farmer asked about the back date of 2022. Mr. Grace said he has to take a look and see what he's talking about. Mr. Farmer said it's a 3 year contract that starts in 2022 and we're in 2023 and asked if the scope of work has already been done and if so what's the price tag? Mr. Grace said he doesn't have the answer to that right now but will get that for him. Mr. Farmer said if he could share that with the whole Council he would appreciate it. A vote was taken and the item passed with 3 abstentions (Sweet) (Farmer) (Osmanu)

REGULAR AGENDA

1. Ordinance amending and restating sections 33.70 to 33.88 of Hamden Code of Ordinances – Fair Rent Commission

-- Moved by Mr. Farmer, seconded by Mr. Anthony. DISCUSSION: Ms. Gallagher gave the background of this ordinance and briefly went over some of the amendments saying they added definition of tenants union, increased membership from 5 to 7, includes abilities to consolidate complaints upfront, puts into place monthly reporting, and also provides translational services. Mr. Mednick reminded her of the transitional language he sent them. Ms. Gallagher then thanked all those who came out to speak and support this.

Ms. Baez then read the amendments the administration sent and **moved a motion** for the following amendments:

1. Add to Section 33.71 Definitions:

“TENANTS’ UNION REPRESENTATIVE” means the person designated by the members of a tenants’ union to represent it in connection with any studies, investigations, and hearings involving that union or its members. Such person is not required to be a tenant or resident of the housing accommodation.

2. Revise language to Section 33.76 to read:

Following an investigation or hearing for a consolidated complaint, the Commission **and/or the Commission's designated staff**, on its own motion or the motion any party, shall have the discretion to sever a party from the consolidated complaint for the purpose of issuing orders based on the particular circumstances of individual parties.

3. Section 33.72 Membership:

Add an effective date of March 1, 2023 for the provision increasing the membership to 7 members.

4. Section 33.73 Terms of Office:

Add Transition Provision:

- One of the members for a new position shall be appointed to a partial term that concludes on June 30, 2024 and, if reappointed thereafter, to a term of three (3) years commencing on July 1, 2024.
- One of the members for a new position shall be appointed to a partial term that concludes on June 30, 2025 and, if reappointed thereafter, to a term of three (3) years commencing on July 1, 2025.
- One of the alternates for a new position shall be appointed to a partial term for term that concludes on June 30, 2023 and, if reappointed thereafter, to a term of three (3) years commencing on July 1, 2023.
- Another alternate to fill a current vacancy shall be appointed to a partial term that concludes on June 30, 2023 and, if reappointed thereafter, to a partial term of one (1) year commencing on July 1, 2023; and thereafter to a term of three (3) years commencing on July 1, 2024.
- Another alternate to fill a current vacancy shall be appointed to a partial term that concludes on June 30, 2023 and, if reappointed thereafter, to a partial term of two (2) years commencing on July 1, 2023; and thereafter to a term of three (3) years commencing on July 1, 2025.

The motion was seconded by Mr. O'Brien.

Mr. Farmer **moved a motion** to divide the question, seconded by Mr. Osmanu. The motion failed with 3 in favor (Farmer) (Osmanu) (Sweet) and all others opposed.

DISCUSSION on the motion made by Ms. Baez: Mr. Grace said it looks like there are 3 alternates in addition to the 2 already there. Ms. Gallagher clarified that there are just 3 alternates in total. Mr. Mednick said he wanted to point out for the record there's 2 new members and they're the only members recited in this list of 5, the current 5 members are already staggered, and the way we develop this is we built off their stagger to make sure that the 5 members stagger in a fruitful way, in an orderly way, and since there are no alternates

on the body right now, we restructured the stagger for the alternates and that's why you have the odd partial term provisions for 2 of the 3 alternates at least, so it's 5 members and 3 alternates.

Mr. Sharkey asked if we changing the additional members from 5 to 7 changes the quorum requirements for conducting a meeting. Mr. Mednick answered instead of 3 of 5 it is now 4 of 7.

Mr. Grace asked for the tenants, landlords, and citizens requirements how is the new makeup composed? Mr. Mednick said §33.72 of the underlying reform ordinance has 7 members, 2 that will be landlord members, 2 tenant members, and 3 elector members who are neither landlords nor tenants. The 3 alternates will be one landlord representative, one tenant representative, and one elector other than a landlord or tenant. There was some discussion on the composition of the body. Mr. Grace then asked if political affiliation is relevant for alternate appointments. Mr. Mednick said the overall body needs to comport to the minority party representation rule so when you take a look at the 10 members, which includes the alternates, you need to comply with minority party representation rules.

Mr. Sharkey said this is why he was asking the question about a quorum earlier and questioned having 2 landlord members and 2 landlord alternates filling in. Mr. Mednick said §33.72 B takes that into account notwithstanding the foregoing at no time should more than 2 landlord or 10 representatives be present on a panel so you max out at the maximum number of people in the representative classes. Mr. Sharkey said he heard it being said that the alternates can fill in which isn't entirely true, the alternates can fill in but if you have 2 landlord representatives then you can't have a landlord alternate. Mr. Mednick said you cannot have a 3rd landlord alternate or a 3rd tenant alternate, it would have to be the elector.

Ms. Zaehring asked if the maxing out of people of a political party still works with the new numbers of 5 to 7. Mr. Mednick said you would just have to consult the State Statute to see what the ratios are in a 10 member body.

Mr. Farmer thanked the tenants who brought these concerns giving them the opportunity to legislate and said this is the first step to more work that needs to be done. He thanked the Yale students as well as their partners, and our attorneys who worked on this to get this done and get it done right in a way that makes sense.

A vote was taken on the amendment and it passed unanimously.

Ms. Sweet went over the background of this and told of how she visited some of these complexes and saw with her own eyes the living conditions of some people and how things lead up to this. She then thanked Sarah Enrathy (unsure of spelling), Attorneys Mednick, Gruen, and Sharkey, especially her colleagues Justin Farmer, Sarah Gallagher, President Baez and Cory O'Brien. She said most of all she's thankful for the tenants and the organizers who got them here tonight.

Mr. Osmanu said he wants to piggyback off his colleagues and said he's excited to pass this and to really say clearly that if you are a tenant in this Town you are a valued member of our community no more than any other person that calls himself a resident of this Town. He said he looks forward to voting in the affirmative to take this first step of housing issues that exist in our Town.

Ms. Baez also thanked all those who came and spoke on this, as well as the Council members and the attorneys for all their hard work on this. She said the fair Rent Commission has existed for a very long time but some residents have not been empowered to use it, and some landlords have not been educated that they need to abide by it, and this helps both parties to get on the same page that we respect and to live a good life.

A roll call vote was taken and the item passed unanimously. (Ms. Wetmore was absent)

Ms. Baez called for a break at 9:05pm. Back from break at 9:12pm.

REPORTS OF BOARDS AND DEPARTMENTS:

Mr. Eatman introduced James Nytko who gave the following presentation:

<https://www.hamden.com/DocumentCenter/View/7604/Twn-of-Hamden---ARPA-101-Presentation-011223>

Mr. Anthony said one of the slides say that we can use this money for infrastructure. Roads, existing buildings, bridges, etc. and asked if that's under the purview of what we can do with the allocated money? Mr. Nytko said you need to look at it as a project by project basis, some projects may be eligible on their own, however, if they're not they could typically fall into something that's called a revenue loss category which is a formula driven allocation, or you could take up to a 10 million dollar kind of standard allocation and you can utilize the money typically for anything that would relate to the provision of government services. Certainly roads, capital improvement programs, structures, things of that nature would certainly fall within that or if it would have to be allocated to your own revenue lost monies.

Ms. Zaehring thanked Mr. Nytko for his presentation and then said it sounded like from looking at the slides that the interim report would have happened back in August the 2021, and then we would be filing quarterly reports with the Treasury thereafter. Is that right? Mr. Eatman said yes, and all the reports have been up to date for the Town with the assistance of local government solutions. Ms. Gallagher asked if those reports are online or how they can access them. Mr. Eatman said the reports have not been posted online and are being kept internally but can make them available to Council if they wish. He said because there's been no movement they're not a lot in nature because they haven't done much. Ms. Gallagher said she sees they've reviewed the interim and final rule, but didn't see a review of Treasury guidance in the presentation and asked if that could be added as a resource, or if you're reviewing Treasury guidance, and then specifically, they've put out guidance on how to use ARPA funds for affordable housing and have prioritized that as a use of funds. She said she just wanted to see that it's going to be part of the work and the analysis, and if we'll get those resources as part of the presentation. Mr. Nytko said he could certainly get those too her and then pointed out that if you go into Google and you type ARPA Treasury they have a primary page where they put everything, and they put a lot of guidance out, and what you should keep in mind is, and you should check it frequently, because from time to time they will update that. He then went over a list of things you may find there.

There was then some timeline discussion. Ms. Baez then asked the public to send in ARPA program suggestions and what they'd like to see the money used for at their next meeting of

January 23rd. She said nothing is guaranteed but they'd like to hear any and all suggestions. She said they will hold a second meeting within the first two weeks of February.

Mr. Eatman said he just wanted to stress how important that this is for our funds to be leveraged for potential state grants and that Mr. Nytko can also talk about that at a later time about.

There being no further business Ms. Baez announced the meeting closed at 9:49 P.M.

Respectfully submitted,

Kim Renta
Clerk of the Council