

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

February 17, 2021

A meeting of the Charter Revision Commission was held on Wednesday, February 17, 2021 via Zoom due to the Covid-19 Pandemic. The meeting was called to order at 7:00 P.M. by the Chair, Mr. Dixon and roll call was taken.

MEMBERS PRESENT: Frank Dixon, Chair; Jackie Downing, Vice-Chair; Lamond Battle, Secretary; Jay Kaye; Joshua Sprague-Oliveira; Frank LaDore; Tom Figlar; Myron Hul; Sarah Gallagher; Jeff Cohen; Todd Berton (after roll call)

MEMBERS ABSENT: Tiffany Artis-Wilson; Marnie Hebron; Todd Moler; Nancy Olson

ALSO IN ATTENDANCE: Steve Mednick, Counsel

APPROVAL OF PREVIOUS MINUTES – February 3, 2021

Moved by Mr. Kaye, seconded by Mr. Sprague-Oliveira and approved unanimously.

PUBLIC INPUT SESSION: None

CRC Action on Budget Revisions

Mr. Mednick said rather than go through this whole document he'll try to go through section by section. He went over the premise quickly saying from the base of all of our meetings using testimony and public comments is what this premise has to do with. He said he wants to point out when you get to the end of the document there is not much that changed at the back end of the Finance section and that's because once they determine if there will be a Board of Finance one of the issues they need to think about is the issue of transfers and whether or not it's appropriate to split transfers to have intradepartmental transfers at the Board of Finance and interdepartmental transfers at the Legislative Council. He said so that issue is punted until we decide what we're going to do.

Mr. Mednick said in §7-2.A (1) we establish a Board of Finance. He said the reason that we say this is grounded solely in the charter and ordinances and that the Legislative Council remains the budget authority in this community is because under State law and under the Towns statutes the Finance Board has different roles and this Board of Finance is more kin to the one we saw in the City of Stamford with the difference being that this is not going to be an elected body but an appointed body. He said the role of the Board of Finance is laid out as well in that section. He then went over that page with them.

Mr. Mednick said if you go to (7-2 A.1.a) here they have a role in budget preparation and oversight but he won't spend a lot of time right now because that's the essence of what they do when the budget is presented by the Mayor to the Board of Finance on its way to the Legislative Council. He said they also have a reporting function in (7-2 A 1.b) and that function is to provide an annual financial report based

on their continual work throughout the course of the year working both with the administration and LC on budget matters. He said the third function they would have is (7-2 A 1.c & d) where he found a provision from Stamford where the Board of Finance plays a role with both the BOE and Mayor who are required to keep the Board informed of the status fiscal impact of collective bargaining negotiations prior to completion of the negotiations. He said him and the Town Attorney ran this provision by the Labor Attorney to make sure this provision works and he thinks it works. He then went over the Pensions provision (d) and said the idea here is to make sure the Mayor and Board of Finance are required to propose funding policies to assure that the defines benefits and OPEB are properly measured and reported and a whole series of requirements that a Board of Finance should be looking at.

Mr. Mednick said the final element here in their role is the Long Term Financial Planning. (7-2 A.1.e) which requires them to look on a regular basis, not less than every 2 years, to look at long term planning taking into account the next 5 to 10 years they can make a decision into the future. He said it also indicates that they should take into account a POCD which is required by the C.G.S. but very often ignored.

Mr. Mednick then moved on to the next provision of Appointment and Membership and said here we are looking at a 5 member body with 6 years terms and creating a stagger which allows for 2 members to be appointed for 6 years, 2 for 5, and 1 for 4 and as they are reappointed the stagger will be created. He also mentioned how in an earlier provision they say if you are a member of this Board you cannot have been in politics as a public official role or a political role for 5 years prior to your appointment.

Mr. Mednick then read through the next few brief sections quickly and went to subsection (e) Qualifications. He said here we tried to establish where a majority of the members of the board would have professional business experience and we tried to keep it as broad as possible and he went over some of the provisions in that section. He said in subsection (f) what we say here is similar to the Ethics Board that we are hoping and expecting that if you are appointed you will be attending at least 1 annual training session and if you do not do it you could be subject to removal from the Board of Finance.

Mr. Mednick said next he'd like to go to Section 8 - 4 where he said he left a placeholder on government administration and you will see as we go into the document that we are trying to figure out who the players will be because the question really becomes are we going to have any other administrative players here. Are we going to have a Chief Operating Officer or Town Administrator? And since we're going to be jumping into town governance in the next couple weeks I wanted to leave this as a placeholder and reminder.

Mr. Dixon said he thinks that the Commissioners really need to understand the language in the qualifications of their proposed Board.

Miss Gallagher said for the five members versus the nine members she just wanders If budgetary items do impact the different districts differently given that they are so different and so she'd like to revisit that 5 vs 9. Mr. Dixon said he understands where she's coming from, and he thinks 9 is large and he's on board with the 5 and thinks they would just have to come up with how that 5 comes about.

Miss Downing said she's on board with the five. She said she thinks of this Board as different than many of the other commissions. She said many of the other commissions that she does hope they will move to

9 and will be representative of the entire Town. Some are sort of policy implementers and it can be interpreted in a different way, but like the board of Ethics, in finance it's right or wrong and this is not a board that will set up policy around the finances that comes from the mayor and the Legislative Council. She said it's not really representative of a district, it's right or wrong.

There was brief discussion on what some of their recommendations would be with Ms. Downing saying their recommendations wouldn't be based on policy, it would be "this revenue item is not accurate and has no facts with it so we must reduce this". Ms. Gallagher said so their recommendation wouldn't be to reduce this revenue we need to cut an expense like bulk pickup, parks & rec. or whatever, they wouldn't go that far to make that recommendation? Mr. Dixon and Ms. Downing both said right. Ms. Downing continued by saying they would say "this is unrealistic. You tell us where it's coming from and give us a more realistic budget." Ms. Downing said this is why she's advocating for the 5. Mr. Dixon said when you get 9 into that conversation that's a big number.

Mr. Mednick said we should go back to Section 7-2.A.(1)(a) Budget Prep and Oversight because based on that discussion we should make that principle clear in this paragraph. He said he will draft language if that's the general feeling of this commission to make it clear that their budgetary is strictly financial and not policy-oriented, in terms of policy priorities, but financial ethnicity, financial soundness, and those types of things.

Mr. Hul said this paragraph says they're going to review and recommend the mayor's proposal and what that means to him is that say the fire department comes in and says they need three inspectors to cover the work of inspecting the buildings and the mayor only gave them one you're saying that it's a valid number because it cost X amount of dollars to have an inspector but the policy of having one versus three is not part of this Board's responsibility and he would beg to differ with that. He said he believes they should be responsible for not only Identifying overstatement or understatement but talking to the needs that the budget needs to [and in this case having three inspectors](#) versus one that was recommended. He said that's very different than saying the salary of the inspector is \$100,000 and the line has \$100,000 so it's okay, next.

Mr. Dixon asked wouldn't the staff recommend that. The Finance Director and all those people? Mr. Hul said what if the fire chief says he needs three the Mayor reviews it and says I'm only going to recommend one. The Fire Chief then goes before this Board and argues that he needs three and the Board says okay you need three so they put in three and recommend three what we're saying through Ms. Downing and Ms. Gallagher is that no, they say one and one is one and it's \$100,000 in salary so it's good and he disagrees with that.

Mr. Dixon said that's the discussion they're not looking to have them involved in. Mr. Hul said why. Ms. Downing said that's a Legislative Council discussion, this Board is not usurping the financial authority of the Legislative Council. Mr. Hul said and how does the Council get that information that the Chief wants one vs three. Both Mr. Mednick and Ms. Downing responded to public hearings. Mr. Hul said it seems like the Legislative Council will be duplicating the efforts of this Boards work and he doesn't see it working. Ms. Downing said no, the Legislative Council Will take into consideration that the mayor is recommending something other than the department head. If the Legislative Council feels it is important for there to be 3 instead of 1 and the Legislative Council wants to add that \$200,000 into the budget they're going to have to take it from someplace else because they can adjust line to line, but if

they want to add another \$200,000 in expenses they have to come up with a realistic revenue source or they're going to have to take it from a different line.

The commission discussed this topic of what the Board's responsibilities should be for a short while longer. Mr. Mednick said they should be going through the lines and that it's the whole purpose of having a Board of Finance, to make sure that everything is sound, that the revenues and expenditures line up, and that there's reasonable estimates and assumptions and all that. He said you can go either way on it, it's a policy debate, but he thinks what Ms. Downing is saying basically is that the policy makers are at the beginning of the process and the end of the process and the referee is in the middle of the process and is who will look at the budget with an eye on legality, soundness and ethnicity of the budget proposals. Ms. Gallagher said she really liked the three bullets Mr. Mednick just used of "legality, soundness and ethnicity" and said she thinks those are really helpful to frame the role of the Board and she asked him if he could add that language in there. After a little more discussion and debate on this topic and Mr. Hul saying he thinks this is adding another layer of bureaucratic government management to a process he thinks is already cumbersome. Ms. Downing said she doesn't think their goal is to streamline the process but to add a level of professionalism to the review of the budget who have financial skills to bare to support the Legislative Council as the fiscal authority and give them the background that they need, to give them recommendations and to speak to the ethnicity of the proposed budget. She said this is also a way to make sure we're being transparent to the public and being realistic in the projections and the 6 year term gives us more continuity with a lack of politics.

Ms. Gallagher asked when we talk about accountability and long term planning is there anything we want in there that requires the Mayor or LC to take POCD plan into consideration? Mr. Mednick said it's transmitted to the Mayor and the LC for further action but of course you cannot mandate an elected official to do something (unintelligible) to do something, hopefully the moral imperative of the body would carry weight in terms of financial planning. He said there is a provision for the Legislative Council to set it by ordinance for whatever amount of years they want to and also he would think that as the budget is being developed every year he would assume that the Board of Finance would be following the long term financial plan. Ms. Gallagher asked can we say the Mayor and the Council should take this planning into consideration when making their budgets.

After some more discussion on the POCD Mr. Mednick said he would draft language.

Mr. Hul said he does have some concerns with this section. He said in 7-1 (i) he thinks 5 years is too long and 3 years out of office would be better. He said he's not in favor of a Board of Finance but having said that he recognizes the need for professional assistance for the Legislative Council but he believes it is the Finance Committee's responsibility but they don't have the financial expertise so he would propose that the Finance Committee be augmented with professionals. He also said the Finance Committee should be working with the Audit Committee and an internal auditor. He also expressed his concern for labor negotiations saying this is extremely hard to follow the way it is right now and he expressed concern with the interaction of the pension board saying if the intent of this paragraph is to pay the funding that's required than let's just say that because giving them that responsibility steps all over the Pension Board.

Mr. Hul said for the long term financial plan he thinks that 5 years is more appropriate than 10 years which is way too long, and that 3 years is probably the most appropriate. He said on the qualifications he thinks some of it may be a little too narrow saying he doesn't know if a business degree is appropriate, a business degree could be in marketing which he doesn't think would help us in the intent of this

paragraph and he said it also doesn't talk about a CFA (Charter Financial Analyst).

Mr. Hul said in 7-2-2f Adherence to Best Practices it needs to be cleaned up a little bit saying there's a little bit of inconsistency on the training. Mr. Mednick said yes, he pointed this out in the beginning. Mr. Hul next said there needs to be a process for removing members of all Boards and Mr. Mednick said there is in the Charter, this is just another standard that would be applied in that process. Mr. Hul said it also doesn't say who the Board of Finance reports to. Is it Council, the Mayor, the Finance Committee? He then pointed out a few other issues he thought there was with the language for cleanup.

Mr. Dixon said he thinks it's important for all of them to review the document and language and provide feedback and comment. He then said he thinks what they did here is based on the heavy weight that the public laid on them. He also said he has a business degree and doesn't know anybody with a business degree who hasn't had some type of accounting and economics or something like that, it might or might not be in marketing, but all business degrees for the most part that he knows of you do have some sense of accounting or economics and things of that nature just to follow up on those comments.

Mr. Mednick moved on to Chapter 10 saying 10-1 is like a preamble to the budget process and talks about all the roles of the players (as he read through the paragraph). He said next go to 10-2 (c) kind of goes to Mr. Hul's question on who the Board of Finance is accountable to and what we're trying to do with this provision is we require the Mayor to assign an employee of the department of Finance to assist both the Board of Finance and the Legislative Council (he then read through the section). He said the reason that language is written in that way is to make sure that employee is not getting inundated with 15 members of the Council and 5 members of the Board of Finance with questions, they'd have to run the questions through leadership of both bodies throughout the year.

Ms. Gallagher asked if this would be done by a current staff member or a new position and asked if they have the ability to put a position in the Charter. Mr. Mednick said it he doesn't know what the present staffing is like but it could be the Finance Director, the Deputy Finance Director or a new hire and that's why his language says "the Mayor shall assign" and if they have to hire somebody that becomes a budgetary decision.

Mr. Hul said he can't see anyone doing this on top of their already job and doesn't see how this could not be a separate individual. He said he's not saying it should be 40 hours, but maybe it's a 20 hour work week, but he doesn't think it's somebody already on staff. Ms. Downing said she would love to see this as a new position in the Legislative Council office with full access to the Finance Dept. but responsible to the Legislative Council. Mr. Mednick asked who she thought should then assign because it's no longer the Mayor. There was some discussion on the Council assigning with Mr. Hul saying the wording should say they should be doing this and leave it as their decision but put it in the Charter to give them the authority to do this and create that role that reports to them. Mr. Hul said we talked about a COO or a CAO and that would be a created position as well so if we're talking about creating a position on one we should be able to create another. Ms. Downing said exactly, and to have a COO and this liaison would be redundant. Mr. Mednick clarified the language for draft and moved on.

Mr. Mednick went back to §10-2 saying there's not a lot of changes in A or B (saying the highlighted language is anticipatory on the outcome of a future discussion) and that nothing changes until you get to B-3 where they added Capital Projects saying right now there is no language like number 3 & 4 in the Charter for Capital Projects which talk about now having a capital side during the budget process and identifying special revenue funds and enterprise funds as well. Ms. Gallagher talked about a Baltimore

Charter provision of an Equity Fund which allows them to put away funds for issues related to equity in the Town and she thinks it's a really good idea based on some of the feedback they've received on the equity issues around Hamden and thought maybe it's something they could consider. She said she doesn't think budgets are just money but are also directed to equity in what gets funded and not funded as money is moved around and it may have a direct impact on our low income and communities of color in Town. Mr. Kaye said when we get to section E it is brought up and he's made his own notes as well on this. He said he doesn't know if by Charter we can say you have to have an equity fund or how it is funded if it's a percentage of xyz set up by ordinance but agrees it's language that should be in there.

Mr. Hul said in number 3 he thinks that is a statutory requirement and if so is there any way of tying this into the statute saying the Town will provide a 6 year Capital Plan. Mr. Mednick said sure, we could say as required by general statutes and said he'd take a look at the current statute.

Mr. Mednick continued reading through the next few sections saying the 3 new requirements were disclosure of the maturity date of bond issues, list the amount that's required for the interest on the debt, and the amount required to meet contractual obligations of CBA's requiring workforce requirements. Mr. Hul stated the Town does those things by ordinance and Mr. Mednick said now where are establishing a standard that's not in the Charter to make sure it's done going forward and so now the Charter will comply with practice.

Mr. Mednick said next is the Capital Budget Process in subsection C and all of these are relatively new requiring having more specificity in line item budgets on the Capital side of the Town budget. He went on to say we defined contingency appropriations, we define Special and Enterprise Funds, and probably the place to put the Equity Assistance Fund. After a little discussion on this about drafting language Mr. Mednick said he would recommend adding it as a third fund in subsection E and he would also add in F where there is the requirement to come up with the fund balance, etc, and establish an Equity Fund ordinance determining how and when to determine an Equity Assistance Fund and establish it to be done by a date certain. Mr. Kaye said he likes and agrees with that. Ms. Gallagher offered to write a few sentences of language to send to Mr. Mednick to play around with and make Charter worthy. Mr. Cohen said he'd also draft some language to add to it. Mr. Mednick suggested maybe the two of them pull something together and get it to him in a couple days.

Mr. Mednick said the next section is 10-4 and there aren't a lot of changes but the only other thing he would suggest is when you look at the dates, which he noticed when reviewing, but he thinks maybe the Board of Finance has this budget longer than it should and cuts down the Council's consideration to about 3 to 4 weeks and he's thinking maybe we should shorten the time frame with the Board of Finance by about 10 days and give another 10 days to Legislative Council. He said he just wanted to give them that thought and he's going to talk to the finance people about it as well for their thoughts.

Mr. Mednick said in 10-4.A is where we have the joint public hearing of the Board of Finance and Legislative Council right after the Board gets the budget from the Mayor and the reason he thought there should be a joint hearing is because this is how it's done in several other communities and brings the Council in for the first round of public discussion. He said it's something previously discussed and something for them to think about is should there be a public hearing for the Board of Finance because if they're to look at the numbers then the public hearing should probably take place at a later point in the process. Mr. Kaye asked him why the date change. Mr. Mednick said if the transmittal is from the Mayor to the Board of Finance who is like a referee, why should we allow the crowds to impact the referee is

what it comes down to and he only raises it because of a discussion they had earlier. Mr. Kaye said regardless he thinks you got to air on the side of the public because they're the ones ultimately footing the bill and he's inclined to have more public hearings than we need. Ms. Downing said if this is going from the Mayor to the Board of Finance she thinks a public hearing at this point is okay because the public can not influence the right and wrong of the ethnicity of the financial management.

After some more discussion on public hearings there was also discussion on whether or not the Finance Committee should be part of the Board of Finance process and monitor the process. Mr. Hul said he likes that idea but would flip it around and instead of initiating with the Board of Finance initiate it with the Finance Committee and let them take public input. Mr. Mednick said what he would suggest based on that concept was when the budget hearing comes once the Mayor submits his budget does the full Legislative Council hear it or should the Finance Committee hear it since they're going to be monitoring the process with the Board of Finance. Mr. Dixon said he doesn't know why the full body would need to hear it when the committee could report back to them.

After more discussion on who holds a public hearing Mr. Mednick said okay so it's a Legislative Council public hearing and asked does he put into the budget approval process the Board of Finance that the Finance Committee or Committee of jurisdiction (in case they change the name of the Finance Committee) for budgetary approval of the Legislative Council and have them playing a monitor role, an observer role, a participant role during the Board of Finance period and it kind of upgrades the role of the Finance Committee during that period of time.

Mr. Mednick said the last section is in the Mayor's Budget message and read through some of the section saying this is where we would add the long term financial plan that they talked about earlier. He said the Board of Finance would also issue a statement on the financial viability of the estimates and assumptions and that's what the Council really wants to hear and that it's sound. There was then some discussion on the BOE's role.

Mr. Mednick said for the rest of it there were really no changes except for a new definition of lapse funds in 10-5.B 3 b. He said we don't have a section for this right now in the charter and he asked everybody to take a look at the language he came up with is similar to several municipalities in Connecticut.

Mr. Hul asked in the capital funds paragraph are you talking about funds that are already bonded or projects that are approved for bonding but not initiated for a 3 year lapse. Mr. Mednick said it should be for projects that are funded and in the field. Mr. Hul said he would suggest that they review authorized but not bonded. Mr. Mednick said this speaks of appropriation and you can't appropriate unless it's bonded.

The commission then went over the upcoming schedule

There being no further business Mr. Dixon requested a motion to adjourn. Moved by Ms. Downing, seconded by Mr. Kaye and the meeting adjourned at 9:51 P.M.

Respectfully submitted,

Kim Renta
Clerk of the Council