

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

May 15, 2022

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A meeting of the Charter Revision Commission was held on Sunday, May 15, 2022 via Zoom due to the Covid-19 Pandemic.

1. Call to Order: 9:38 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,

Also in attendance: Steve Mednick, Counsel to Commission,

3. Approval of Minutes: 30 April, 2022 - Motion: Kaye, Seconded: Santino Approved

Agenda:

4. Public Testimony: Written comments submitted can be read here:

<https://www.hamden.com/DocumentCenter/View/6083/05-15-2022>

- Sarah Clark - 1) New charter include e-format all Boards and Commission signed by 50 signatories. Ms Clark believes hybrid access to Board and Commission meetings is essential to achieve participation of citizens watching and speaking from distance despite obstacles (please see recording for details). Makes gov't more transparent, and zmore accessible, professional, equitable, and accountable (please see recording. Supports equity allowing those who might otherwise be able to attend in person. (Please see recording for excellent speech)
- S. Clark 2) Charter to include FOIA and Roberts Rules (or similar as relevant) be distributed to all Commission and Board members to ensure said members have a

background in meeting propriety. Given recent events FOIA debacle this is very essential. FOIA info be annually distributed to Police Dept as well.

- Downing - see 7.1.k for rules of Town Clerk for appropriate distribution process.
- Mednick reads that section for our edification.
- Diane Hoffman - Supports Clark's comments. P & Z held meeting which only allowed in-person. After 2 years of hybrid, could not believe the irresponsibility of this commission especially given raising levels of covid. This demonstrates that commissions can't be relied upon to choose the most responsible behaviors on their own (please see recording for excellent speech).
- Gustav Spohn - Reads 2 letters into record. Already submitted? Dan Dunn's letter: full support for all B and C to have online component for transparency and participatory gov't. Phil Cronin - need to conduct town meetings electronically. In today's world it is a disservice to only hold in-person meetings. Lists reasons why people might not be able to attend. Elucidates further. Recording minutes allows people who could not attend at all to be able to view the meetings.

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

5. Chapter VIII: Discussion and Action on Background Item #6 – Police Commission

- Item relating to recruitment - pg 69 - things are unsettled wrt questions Steve had no success getting answered by dept. Meeting with temp chief upcoming.
- Downing - We can't know if we are recruiting people with skills. We should leave in that we are actively working to attract people from town residents (if permitted) and we have to attempt to recruit a diverse police - and fire - force. Believe that training needs interpersonal skills and etc. Why would we turn away someone untrained but local for trained non-local when ultimately there would still be training given?
- Mednick - Downing wants to leave residency and diversity in recruitment - can rewrite.
- Dixon - Agrees with majority of Downing's input but is equity in hiring an overall (whole document relevance) or specific (to this section) requirement or can it be both?
 - Mednick - can be in this section for reasons of robustness even if also more generally applicable.
- Vener-Saavedra - reiterates background checks importance.
- Santino - (point of order) could we make the motion before discussing? This is what's normally done.
 - Gallagher - we are just discussing beforehand and it is acceptable to do so.
- Santino - don't we already have comments about requirements somewhere else. do we need it everywhere?
 - Downing - this section is not about the police commission but about the police force itself. Nothing says we have to have diversity in force. This is recruitment not hiring, training, or promotion.
 - moves: working with personnel and civil service commissions and chief of police there should be a development of recruitment strategies with a focus on residency in town and if legally permissible, diversity in accordance with nationally accepted best practices.
- Mednick notes that recruitment is not covered by collective bargaining.
- Gallagher - supports and I think may have been the second but I am not sure.
- Vote - passes. (note all votes were taken by roll call)

- Vener-Saavedra - moves to add verbiage about background checks and psychological testing to appointment . No second. (Mentions having had background checks for several different functions: NASA, HIAS Volunteer, Substitute teacher in MD)
- Downing wants to know more about civil service procedure because that's part of the hiring process. Gallagher agrees.
- Santino - understands what Vener-Saavedra is saying but because we are not getting information from town/admin we should put this on hold. She, too, has had background checks but they do need to be specific.
- Gallagher - this is not the personnel manual but the charter we are working on. It's not our job to assess the personnel manual.
- Santino - began to address questions from the Chat area until Mednick reminded us that we should refrain from commenting on these except during Public Input time. (Generally this function is not active during meetings. PCVS is not sure they are even being recorded.)
 - Mednick - this section is probably one of the most robust in the state. But we should not get any deeper in the rabbit hole than we already are. Need to be cognizant that we have outside forces that impact these issues as well.
 - Gallagher reiterates Mednick's comments. We want parameters and flexibility.
- Mednick - at next meeting the CRC will go through chapter by chapter and approve each (or not).

6. Chapter IX – Board of Education (Background Item #9)

- Mednick - LC members address BoE budget in budget deliberations how much authority town does have over BoE. As with Mayor and LC, BoE does not have ability to enter into multi-year contracts. Need to be sure that there is no abuse in contracts, (e.g., accepting an option contract which allows option to renew contracts. That's an abuse). Applies same standard to BoE as to LC and Mayor.
- Gallagher - asks for motions.
- Vener-Saavedra moves to accept as written, Downing seconds. Vote - passes.

7. Action on Chapter X – Budget (Background Item #10)

- Mednick review the substantial changes last time. 10-1.A a cooperation, B LC wanted to repeal this concept of Finance Liaison between LC and Finance. While LC is overwhelmed by budget from Mar to May, but budget is a work in progress all year round. Developed a linear process. Section 10-3 includes items that may be influenced by collective bargaining and other outside agreements. Section G adds availability of budget materials to public by remote access. Mentions that the addition of the Capital Budget making it mandatory to be evaluated. Definition of Public Notice placed in one place so people can go and look at this to see how this works.
- Santino - Does not recall why LC did not want liaison. Could someone explain?
 - Dixon - maybe they did not really understand it as a Liaison to make discussion more efficient and LC was more concerned with, "how do we pay for this" and their efficiency.
 - Downing - also not sure what the thinking was. Is this a new position or does someone already in finance get tagged? LC could get information in timely fashion from someone in the finance dept who does not have a political link to the council. Could be someone in the Finance office then become Liaison in LC office. It was the funding of a new position LC did not like.

- Dixon - we tried to let them know that they could just tag someone. Last Charter importance was accountability, finances, etc. But liaison answers that (though LC did not really understand that).
- Santino agrees that we need something like this. Maybe tweak this to say "liaison from finance dept." We don't need new staffing as this is not such a huge undertaking.
- Mednick - instead of having it as appointment by LC prez. Can say Liaison can be assigned by Finance director. If this didn't work out LC could appoint someone.
- Kaye - originally we did feel this was important because LC needs to be able to get info from various depts. Especially ongoing and not just during budget season. Give all the info they need. It didn't make sense to turn this down.
- Vener-Saavedra - supports this requirement after noting obvious need when LC members asked for information that was not forthcoming.
- Kaye - Liaison should have V-S's accent LOL
- Gallagher - any language changes? - We discuss and
 - Mednick composes "The finance director may assign a person..." change "A budget liaison shall be..."
 - Downing - if we give new work to a collective bargaining employee it may come back as a difficulty.
 - Mednick - is it within the scope of the director to make this assignment? If so, LC would have to create a new position. It would be a confidential position.
 - Vener-Saavedra asks for explanation of the term "confidential position" - and Mednick explains. (refer to recording) Basically a position that is uninfluenced by any thing other than Town need. A union member can have a confidential position but a Union Officer cannot as there could be two opposing needs at the same time.
- Kaye - going back to language - give the finance dept "may" and "shall" to LC president if Finance doesn't come through. Could it be a member of public? Or Finance commission? Mednick - 3rd party contractor? Interesting idea.
- Downing - an outsider will be reliant on someone in the dept which negates any cost savings anyway.
- Gallagher moves "a budget liaison shall exist and the finance director may assign someone or if not, LC prez shall appoint." I did not catch the second.
 - Mednick will clean up sentence.
 - Santino points out that someone in office already has familiarity.
 - Dixon - likes "shall" on commission side in consultation with LC prez.
 - Mednick - relationships between LC and admin vary. If the relationship is good it's easier but this gives LC a certain amount of input.
- Vote - to the effect that "shall be budget liaison" assigned by director of finance after consultation with LC prez or in lieu (if finance director does nothing) appointed by LC prez.
- Vote - Passes
- Kaye - section 10.F.1 Fund balance ordinance - does "level" refer to amount? Mednick missing word at start "establishing/defining - the level of unrestricted" (corrects a typo of missing verb. Section 10.6.c(1) on page 130. Why does Mayor fix tax rate if mayor's veto was overridden? Mednick - here "fix" means "publish." Also will reduce sentence lengths by separating run on sentence with period. 10-7.A. is unclear and Mednick will ascertain meaning.

8. Chapter VIII – Department and Department Heads: Alignment of Police Chief with Police Commission Reforms

- Mednick - received departmental request to change "Personnel and Human Resources" to "Human Resources" pg 104 (so as to keep up with current language usage).
- Sec 8-5.pg 107 chief of police: some non-drastring word changes.
- Lopes - Community Services is very vague. Most other dept heads are appointed. Wants a less watered down description of head/supervisor so as to specify accountability.
- Kaye - Does "community services" include Keefe Center?
- Lopes - I am a dept head and Keefe is built into my job description but there are other depts contained in Keefe. We should identify services needed and who needs them. We need someone to address services for the homeless, for example.
- Kaye - there already exists ordinances for these departments.
- Mednick explains that this section and a catch all at end of the chapter were created 2011. so is probably out of date. There is a dept not mentioned except in one subsection and only in passing. We should specifically indicate that all departments are subject to all requirements even if not specifically named. Last commission has not yet addressed moving most of departments to vague category so they can be created by Ordinance. This give flexibility of town departments creation to admin. this way they can change titles and so forth without having to refer to Charter. 8.2 applies to both entities
- Dixon asks Lopes - wrt to updating - are you referring to adding more qualifications?
 - Lopes - yes, we need to have some qualifications so it's not just a "who knows whom."
 - Dixon agrees.
 - Mednick -notes that 8.2 refers to qualifications in general.
 - Downing - I think keeping it general in 8.2 is important. But these are members of the Supervisors Union and we don't have that much influence as we do Mayoral appts bec. they have standards according to their union. Also things may change in future. If we pay more attn to "homeless" we might leave people out, eg, "mental health." However, agrees it should be a "Department."
 - Lopes - Union requires undergrad degree. Are you saying there should be a non-union manager above the present director/managers?
 - Lopes - it is possible to have (I did not catch this question)
 - Gallagher - this section is in public safety, health etc section separate Fire and police have very specific requirements for their positions. Does it make sense to change Community Services to department and have a director who has qualification with best practices and so forth? How do lift this up without going overboard.
 - Mednick asks if there is in the budget a Director of Community Services?
 - Gallagher - sort of. The new position of Arts Culture Recreation Wellness.
 - Lopes - the mayor's appointment doesn't have to be a competitive appointment but without qualifications the decisions could be suspect.
 - Gallagher suggests a qualifications section.
 - Mednick - why is there not an equivalent dept that covers these. I think I can delineate qualifications by removing a section
 - Mednick - community services - need to be treated as if they are charter depts. Where there is a coordinator that person must have relevant qualifications. Will create wording to correct this. Council should review this.

9. Removal of Boards and Commission Members

- 7.1.(E) pg 51 - Mednick refers to ordinance just passed addressing board/comm members with mayor adding new categories. Mayoral process was changed but where does it go? Created situation where mayor makes decision to toss someone and only by going to

superior court can the person appeal. This does not seem right. Rather should be appeal to LC. We cannot create a cause of action in Law or Charter. Charter procedure would be clear. Procedure should be sound and Mayor can initiate and appeal should be to LC.

- Discussion ensues with a lot of questions. Can the Mayor simply remove? Does there have to be a procedure? How about appeal procedure. Mayor should be able to recommend removal or chair can recommend to Mayor and then it goes to LC. Kaye asks if new Ordinance is based on old Charter/ (Mednick "I hope they looked at it.") Mednick will write a clearer statement.
- Electronic hybrid meetings and time frame of posted materials
 - Mednick - electronics is amazing and should be the standard but given a special circumstance a non-hybrid should be available (e.g., tornado). How is the city in a place now or in future in a position to suddenly implement this? Need an effective date for initiating. Mednick will talk to someone to find out when it can start.
 - Lopes - if going to make it 7/23 at least in interim require half meetings be hybrid to give them practice to get used to doing it. It's being used in courts and is a new standard.
 - Mednick - would default meeting be remote? Challenge is hybrid not the remote.
 - Lopes - yes.
 - Mednick - so default public meeting would be remote - because more people could participate.
 - Downing - We shouldn't wait too long. This Charter doesn't get passed until November. If there are fiscal needs then LC needs to fund by another fiscal year. Hybrid may be costly but remote has already been made a habit. But with a lot of people it could be hard to get business done.
 - Gallagher - understands that everyone likes remote and we don't want to do only remote because not everyone has internet. Diff audience for remote vs in-person. How specific should be get? Wants the broadest range of accessibility for more people.
 - Mednick - we don't have a requirement for "all meetings should be open to the public." There we can address access.
 - Vener-Saavedra - tries to summarize needs and difficulty.
- Meeting cuts out when host forgets he is host and changes access computer. We return quickly. (Except for Santino who could not get back in. Private communication later hints that she may have lost her connection even earlier.)
 - Gallagher - we've gotten very deep, perhaps too far?
 - Mednick - we've gone much deeper than expected. Charter should not try to answer every question to every person. The standard can be "maximizes best practices" rather than mandating specific actions. Let ordinances be specific. Rules of Council can be waived, but not rules of Charter. We do provide ways around some of these rabbit holes, at least. Need openness and access standards but those standards should come from boards and commissions.
 - Gallagher favors meeting accessibility but not so much the details.
 - Mednick will compose wording for earlier in the chapter.
 - Get to clerk by 2nd June for LC 6th of June (public hearing 26th May)

Time adjourned: approximately 2:30 PM, Motion: Kaye, Second: Gallagher

Next meeting: 18 May 2022 7:30 PM

Minutes submitted by Commission Secretary Patricia C Vener-Saavedra