

TOWN OF HAMDEN, CONNECTICUT
CHARTER REVISION COMMISSION
MINUTES OF MEETING

May 25, 2021

*** To view the recording, please click the following link and observe the instructions when/if prompted:**

https://zoom.us/rec/share/cQa0wvjeJaZPK1LVsuLT503TPepUsLfUMzp8fslZJM0tv0eFsNW1b7rjWCv82eMf.F9-pTR6XgLj_FapE

**** If prompted for a password, enter: s3@DwE5Z**

***** 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**

Then, review the recording by downloading the digital version of these minutes and following the instructions above.

A meeting of the Charter Revision Commission was held on Tuesday, May 25, 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, Thomas Figlar, Jeffrey Cohen, Frank LaDore, Nancy Olson, Myron Hul, Sarah Gallagher, Jay Kaye, Joshua Sprague-Oliveira, Todd Berton, Marnie Hebron

MEMBERS ABSENT: Todd Moler, Tiffany Artis-Wilson

ALSO IN ATTENDANCE: Steve Mednick, Counsel

APPROVAL OF PREVIOUS MINUTES: April 6, 2021, April 17, 2021, April 24, 2021.

Mr. Kaye motioned to approve the April 6, 2021 minutes. Ms. Hebron seconded. The minutes passed with 2 abstentions. Mr. Cohen abstained. Mr. Battle abstained.

Ms. Gallagher motioned to approve the April 17, 2021 minutes. Mr. Kaye seconded. The minutes passed with one abstention. Mr. Cohen abstained.

Ms. Downing motioned to approve the April 24, 2021 minutes. Mr. Figlar seconded. The minutes passed with one abstention. Mr. Cohen abstained.

Mr. Dixon directed to Mr. Mednick to begin review with **Agenda Item 3. Action Items from Public Hearing.**

Action Item #10 – Preamble discussion (i.) historical references; and (ii). Addition of accountability and transparency. Mr. Mednick said there was language that came in from the public on transparency and accountability.

Ms. Olson motioned that the original language of the Preamble be re-affirmed as written. Mr. Berton seconded. Mr. Dixon asked for questions or discussion. Discussion followed. Mr. Kaye said he is in favor of adding “accountability and transparency” to paragraph 2 of the Preamble. Ms. Olson said she would accept

an amendment to her motion. Mr. Kaye motioned to accept Ms. Olson's motion and add "in a framework of accountability and transparency" to the second paragraph. Ms. Olson seconded. Mr. Hul asked for discussion. **A Roll call vote was taken as follows:** Mr. Figlar, YES, Mr. Cohen, NO, Mr. LaDore, NO, Ms. Downing, YES, Ms. Olson, YES, Mr. Hul, NO, Ms. Gallagher, YES, Mr. Dixon, YES, Mr. Kaye, YES, Mr. Sprague- Oliveira, YES, Mr. Berton, NO, Ms. Hebron, YES, Mr. Battle, YES. The amendment passed with nine YES and four NO.

Ms. Gallagher motioned to revise the current motion and remove the reference to the Ecclesiastical Society and replace it with "all of the residents and neighborhoods that contributed to Hamden's rich history", Ms. Hebron seconded. Discussion followed. Wording was displayed on the screen which was the actual wording submitted prior and placed into the paragraph for consideration prior to this meeting which was slightly different as follows: We further acknowledge the contributions of the diverse residents and neighborhoods who have built Hamden into the thriving community it is today". **A roll call vote was taken to call the question:** as follows: Mr. Figlar-NO, Mr. Cohen-YES, Mr. LaDore-YES, Ms. Downing-NO, Mr. Berton-NO, Ms. Olson- NO, Mr. Hul -NO, Ms. Gallagher YES, Mr. Dixon- YES, Mr. Kaye-YES, Mr. Sprague-Oliveira-NO, Ms. Hebron-YES. Mr. Mednick said the final vote was 7 to 6, "the motion to end debate passes you will now proceed to the vote on the Gallagher amendment". **A roll call vote was taken as follows:** Mr. Figlar-NO, Mr. Cohen-NO, Mr. LaDore-NO, Ms. Downing-NO, Mr. Berton-No, Mr. Battle-YES, Ms. Olson-NO, Mr. Hul-NO, Ms. Gallagher-YES, Mr. Dixon-YES, Mr. Kaye-NO, Mr. Sprague- Oliveira-YES, Ms. Hebron-YES. The motion failed 8-NO, 5-YES.

Mr. Mednick said "what you have before you now is the Olson motion as amended by the Kaye Amendment"

Mr. Hul motioned to amend the motion on the floor to include a footnote that references or leads back to the Historical Society. Mr. Kaye seconded. Mr. Dixon asked for discussion. **A roll call vote was taken as follows:** Mr. Figlar-NO, Mr. Cohen-YES, Mr. LaDore-YES, Ms. Downing-YES, Mr. Berton-YES, Mr. Battle-YES, Ms. Olson-YES, Mr. Hul-YES, Ms. Gallagher-Abstain, Mr. Dixon-YES, Mr. Kaye-YES, Mr. Sprague-Oliveira-YES, Ms. Hebron-Abstain

The motion passed with 10-YES, 1-NO, 2 abstentions.

Mr. Dixon asked if there was any discussion of the motion on the floor before a vote is taken. There was some discussion. Mr. Mednick explained that the vote to be taken is on the Olson motion, with the Kaye Amendment and the Hul Amendment.

A roll call vote was taken as follows: Mr. Figlar-YES, Mr. Cohen-YES, Mr. LaDore-YES, Ms. Downing-YES, Ms. Olson-YES, Mr. Hul-YES, Ms. Gallagher-NO, Mr. Dixon-NO, Mr. Kaye-YES, Mr. Sprague – Oliveira-YES, Mr. Berton-YES, Ms. Hebron-NO, Mr. Battle-NO.

The motion passed with 9-YES, 4-NO.

Mr. Mednick went to **Subparagraph Gg, Re: the word "shall" being defined** as it is a requirement to do something.

Next, **Agenda Item 3-c, Action Item #12. Can Electors vote for up to six at-large candidates?** A question was raised by Councilman Macdowall as to the legality and constitutionality of the provision .Mr. Mednick checked the Statutes, and checked with the Secretary of State office. The provision in the Charter is entirely legal and is a common provision which limits the number of people a party may nominate to the maximum number that can serve from that party. In Hamden both parties can nominate up to four, the voters vote for four.

Agenda Item 3d-Action Item #13. (i) Public comment required at all Board and commission meetings.

Mr. Mednick indicated that he had language to be responsive to Public comment that wanted clarification on – public comment should be required at all Board and commission meetings, comments on Agenda items and matters of general interest. Mr. Mednick said all of this is broken down and addressed in subsection 7-1, B 7 2 under Public Access, Comment and Interactions. Public Comment at Meetings; “Meetings of Boards and commissions shall be open to the public in accordance with the General Statutes. There shall be a public comment session prior to the commencement of all regular and special meetings of a board or commission...” It is the same as the language for Legislative Council. If an Item is added to the Agenda, the meeting must be opened up to public comment in the middle of the meeting (subsection c).

There was a discussion of **sub section C-Adding Items at Regular Meetings Agendas.**

Mr. Hul motioned to amend the language in this section- he said, the concept being-prior to a meeting, one third of the members of the body can petition the Chair to add an Item to a regular or special meeting and under section (ii) to change the two thirds to a simple majority to modify the Agenda during the meeting. Ms. Downing seconded the motion. Mr. Dixon asked if a roll call vote was needed or if the group was good with consensus on this motion. Consensus was agreed upon. He said motion to approve. Mr. Dixon indicated it was approved by consensus.

Mr. Kaye motioned –regarding the language at the end of Item B which reads, “Members of the public shall be afforded opportunities for public comment pertaining to matters concerning the town that are within the prevue of the Board or Commission electronically or in person at least quarterly, unless otherwise set forth in this charter”.... to place the period after “electronically” and remove “at least quarterly unless otherwise set forth in this Charter”. Ms. Hebron and Mr. Hul seconded. Mr. Mednick said if it passes he will combine a and b so any meeting can be addressed on matters before the body or before the prevue of the body, so the language is not repeated twice. Mr. Kaye said “so the motion would be to combine a and b”, Mr. Mednick said ”correct”, friendly amendment was stated by someone, Mr. Hul and Ms. Hebron seconded this. Mr. Dixon asked for discussion. The motion passed with one NO, from Ms. Downing.

Mr. Mednick clarified, in response to a public question, the transition provision in the **Limitation of Service Provision, 7-1, C-4**, the Grandfather language, which indicates that if this charter is adopted an a commissioner is in a 12 consecutive year scenario, they can remain on the Board until their term ends. There will be some at large members who will continue until their term ends. For boards with District representation, the Board will expand through the transitional period. There was discussion of whether the grandfathered person should be a voting member. Mr. Mednick indicated they cannot be if it will have an impact on minority party representation. If they are non-voting members it will not have an impact on minority party representation. Ms. Olson motioned, to the effect of (difficulty understanding wording in video at this part) that the at large members can vote only if it does not affect minority party representation or geographic representation. Ms. Downing seconded. Mr. Dixon asked for discussion. Mr. Dixon asked for a roll call vote. **Roll call vote was taken as follows:** Mr. Figlar- NO, Mr. Cohen-NO, Mr. Lador-NO, Ms. Downing-YES, Mr. Battle-YES, Ms. Olson-YES, Mr. Hul-NO, Ms. Gallagher-NO, Mr. Dixon-YES, Mr. Kaye-NO, Mr. Sprague-Oliveira-NO, Mr. Berton-NO, Ms. Hebron-YES. The motion failed -8-NO, 5-YES.

Re: Action Item#13, d - post action public comment sessions, Mr. Hul said/motioned “I would support an addition to the Charter that says final comments at the end of the meeting are appropriate and encouraged by the public”. Mr. Kaye seconded. Mr. Dixon asked for discussion. There was no discussion and a general consensus to approve this.

Action Item #14, f-monitoring Boards and Commissions Mr. Mednick said in public comment it was mentioned re: The Mayor shall publish and the Mayor provides notice of openings on Boards and

Commissions in a conspicuous location in the office of the Town Clerk. Mr. Mednick said the question in public comment was shouldn't the Town Clerk really give the Mayor notice of the openings. He said they had taken the Town Clerk out if this. How do they wish to proceed? Ms. Gallagher motioned to revert to the original language of having the Town Clerk have a role in monitoring Boards and Commissions. Mr. LaDore and several commissioners seconded. Mr. Dixon asked for discussion. Discussion followed. Mr. Kaye pointed out that in Section 3 d it actually says Town Clerk shall forthwith send notice of any vacancy to the Mayor 24 hours... of receipt of knowledge." The Town Clerk is already responsible for watching vacancies. Mr. Kaye said he does not know that it is necessary to add any language. After discussion it was requested that the original language be displayed on the screen. After discussion, **a roll call vote was taken as follows:** Mr. Figlar-YES, Mr. Cohen-NO, Mr. LaDore-YES, Ms. Downing-NO, Ms. Olson-NO, Mr. Hul-NO, Ms. Gallagher YES, Mr. Dixon-YES, Mr. Kaye-NO, Mr. Oliveira-YES, Mr. Berton-NO, Ms. Hebron-YES, Mr. Battle-YES. The motion passed with 7-YES, 6-NO.

Action Item #16d, the issue of Traffic Expertise- pertains the Commission having put in the Charter having someone with Traffic Expertise on the Police Commission because they run the Traffic Commission. Public comment suggested that not only one individual, but multiple individuals on the commission have Traffic background. Mr. Hul pointed out that historically the Police/Traffic Commission has hired experts through a purchase order, to advise on Traffic issues and the requirement for a commissioner or commissioners to have traffic background can be removed altogether based on this procedure. Discussion followed. Mr. Hul motioned to remove the requirement of specific expertise in Traffic considerations from the Police commission. Discussion followed. Mr. LaDore seconded. Mr. Dixon asked for discussion. After discussion Mr. Hul withdrew his motion and Mr. LaDore withdrew his second to Mr. Hul's motion. Mr. Hul motioned to eliminate the requirement of the position being mandatory. Mr. LaDore seconded. Mr. Dixon asked for discussion. After brief discussion, **a roll call vote was taken as follows:** Mr. Figlar- YES, Mr. Cohen- YES, Mr. LaDore- YES, Ms. Downing-NO, Mr. Battle-NO, Ms. Olson-YES, Mr. Hul-YES, Ms. Gallagher-NO, Mr. Dixon-YES, Mr. Kaye-NO, Mr. Sprague-Oliveira-YES, Mr. Berton-ABSTAIN, Ms. Hebron-NO. The motion passed with 7-YES, 5-NO, ABSTAIN-1.

Action Item #17a regarding the purpose of the Police Commission, It has been suggested to replace the word "ensure" with the words "promote" or "advance" in the sentence-"The role of the Hamden Police Commission does not administer the day to day operations of the Police Department, but rather to provide civilian oversight of the same to "ensure".....Mr. Hul explained that the word "ensure" suggests a guarantee and he is in favor of changing the word. Discussion followed.

Mr. Hul motioned to adjust the language in this section to read "The role of the Hamden Police commission does not administer day to day operations of the Police Department but rather to provide civilian oversight of the same in order to ensure the creation of a platform for residents and civilians to speak and obtain greater understanding of public safety and law enforcement through dialogue and interaction, furthermore, provide civilian oversight of the same with the ultimate goal of ensuring the safety and security of the Town..." Ms. Hebron seconded. Mr. Sprague-Oliveira offered a friendly amendment to put in the words "and maintain" after "creation of a platform" Mr. Hul and Ms. Hebron accepted the friendly amendment. Mr. Hul re-stated the motion as follows: "...in order to ensure the creation of a platform and its maintenance, for residents and civilians to speak and obtain greater understanding of public safety and law enforcement through dialogue and interaction, furthermore, provide civilian oversight oversight of the same with the ultimate goal of ensuring the safety and security of the Town..." Mr. Dixon asked the commissioners if all were in favor. All were in favor, no abstentions.

Next, Mr. Mednick **referenced Subsection L**, regarding Diversity Equity and Inclusion (DEI). Mr. Cohen raised some questions about training issues and curriculum. Mr. Cohen expressed concern about mandatory training to be on the commission. There was a lengthy, robust discussion.

Next, Mr. Mednick **referenced Section 8-2 ... regarding appointment and removal of Department Heads**. Mr. LaDore raised questions and concerns about this topic with regard to: certain Department Heads who are appointed can be dismissed by the Mayor at will. There was a lengthy discussion.

Next, Mr. Mednick **referenced Section 9-3 regarding the BOE**. Mr. Mednick this was raised in public testimony and he was instructed to add language; “The BOE and Department Heads shall cooperate with the Mayor, the Legislative Council, the finance commission and other departments, Boards and Commissions in the Town as set forth in the Charter and as otherwise set forth by law.” Mr. Mednick said someone stated that it should be made clear in this section that the BOE is part of the Town. He said 10 years ago it was made very clear that they are a Department of the Town. That is what this section does. Mr. Kaye suggested adding references to the sections in case people were looking at the Charter and wanted to see specificity- to note where else they (BOE) appear in the Charter to show they have interaction and cooperation with other departments. Mr. Dixon asked if consensus would be okay to use for this suggestion. Discussion followed. After discussion Mr. Mednick said he would be happy to add references. Mr. Dixon asked if there was more discussion. Mr. Dixon asked if there was consensus on this. There seems to have been a consensus.

Next, Mr. Mednick **referenced Section 10-4-Deliberations on the Proposed Town Budget**. He said ‘we’ added language to require a final public hearing before final approval. Mr. Hul motioned to add into the Charter- the requirement that the Finance Committee/Commission review the budget output of the Legislative Council to evaluate their assumptions in the same way they evaluate the proposal from the Mayor’s office after Council approves their budget. Ms. Downing seconded. Mr. Dixon asked if there was any discussion. There was discussion and Mr. Dixon asked if there were any questions before ‘we’ do a general consensus for language. There was consensus. Mr. Mednick noted it was the last meeting, so he will get a redline version of the language out to them ASAP, hopefully tomorrow, for review. Mr. Mednick confirmed that everyone was in support of the original topic of the final public hearing before final approval.

Mr. Hul asked Mr. Mednick about a prior discussion regarding to language used for protected classes. There was some discussion and Ms. Downing suggested “including the following protected classes and others as set forth by law”, removing the words “at the time of the adoption of this Charter” this Charter Wording was displayed on screen: ‘There shall be a Diversity, Equity and Inclusion (DEI) Commission which shall have the task of shepherding equity for all residents of the Town particularly those who belong to marginalized and/or underserved communities, including the following protected classes (and others) as set forth by law’. This seemed to be agreed upon.

Mr. Dixon asked for a motion from the floor on finalizing the current Charter subject to final edits and submissions. Ms. Downing motioned that we accept the Charter as amended, given the edits that are yet to be done by Attorney Mednick as we discussed this evening, for transmittal to the Hamden Legislative Council. Mr. Kaye Seconded. Mr. Dixon asked for discussion. **A roll call vote was taken as follows:** Mr. Figlar- YES, Mr. Cohen- YES, Mr. LaDore- YES, Ms. Downing – YES, Ms. Olson- YES, Mr. Hul- YES, Ms. Gallagher-Yes, Mr. Dixon-YES, Mr. Kaye-YES, Mr. Sprague-Oliveira-YES, Mr. Berton-YES, Ms. Hebron-YES, Mr. Battle-YES.

Mr. Dixon said “the YES have it and the 2021 Charter Revision has been adopted and passed for submission to the Legislative Council”.

The group made closing remarks and thankyou's. Mr. LaDore motioned to adjourn. There were many "seconds" audible in the recording. The meeting adjourned at approximately 12:13 AM on May 26, 2021.

This meeting had no clerk. Meeting starting/ending times and attendance were best guessed while viewing the video.

Discussion summary typed while viewing the video and submitted by Rose Lion, Secretary to the Legislative Council

Ms. Renta, Legislative Council Administrator/Clerk reviewed the minutes and added the video link before filing.