

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

August 6, 2022

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A meeting of the Charter Revision Commission was held on Saturday, August 6, 2022 via Zoom due to the Covid-19 Pandemic.

1. **Call to Order: 10:36 AM**

2. **Roll Call**

Present: Sarah Gallagher, Chair; Jackie Downing; Jay Kaye; Y’Isiah Lopes; Patricia C. Vener - Saavedra, Secretary

Also in attendance: Steve Mednick, Counsel to Commission, Dominique Baez (LC Prez)

Agenda: Continuation: Confer with the Legislative Council regarding Resolution of the Hamden Legislative Council Recommendations to the Charter Revision Commission, Pursuant to C.G.S. § 7-191 (b)

3. **Public Testimony:**

- none

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

4. **Agenda** - we go through more Legislative Council, (LC), recommendations for discussion and possible voting. But first some finagling with file formats and screen sharing.

- Started with simple edits
 - Rec 3 - Chapter III, §3-4 and §3-10.D (but see also Chapter VII §7-1E and F) - LC requests the addition of language to clarify that residence in a district is an eligibility requirement for holding district office (both elected and appointed).
 - Rec 4 - Chapter III §3-5.A LC requests clarification that successor succeeds to office "for remainder of the term."

- Rec 5 - Chapter V §5-2.D(1) - last clause change to "unless prohibited by law"
- Rec 9 - Chapter VII, §7-1.B (3) - asks for wording change such that failure to obtain a quorum will "not be considered to be a violation of the meeting frequency provision."
- Rec 10 - Chapter VII, §and §7-1.K (1) (c) asks for addition of wording, "or other designee" to the assignment of clerk provision.
- Rec 13 - Chapter VII, § 7-1.I, asks to consider making it clear that the limitation on municipal services is solely pertaining to the Town of Hamden.
- Rec 15 - Chapter VII, §7-2.A, asks for clarification that the Finance Commission has a reporting obligation to the Legislative Council.
- Then moved on to more complex items
 - Rec 18 - Chapter VII, §7-2.D asks for a review of (a) CGS §14-297 as it relates to PC also deemed to be traffic authority CGS §7-276 which law might change and this could necessitate flexibility. Note that footnote 353 cites CGS §7-279 (references subpoena authority at request of an LC member) Mednick explains again how the reference for the creation of Police Commission refers (from the 1980s) to a statute but this statute is not the source of the authority of the provision. Rather the section of the Home Rule Act is the source of Charter authority. As a Home Rule based Charter, we may not necessarily be allowed to authorize a subpoena authority. *If* the PC is named to be Civilian Review Board *then* they can/may have subpoena authority. It's complicated. We had to discuss this and are asking for more clarity. All powers we propose are elements of CGS §7-276, which by itself does not apply to Chartered municipalities. Ergo we are using 276 as our model/reference/template. The CRC, doesn't need 276 for our authority but we are using it as a referent structure. Civilian Review Boards do not automatically get subpoena authority; this would have to be granted by the LC. The CRC did discuss at earlier meetings the benefit of CRB being the PC, but it up to the LC (and the residents/citizens/electors asking for it).
 - Rec 20 - Chapter VII, §7-1.B (2) (f), §7-2.D.3 (j) (iv) (Police) and §7-2.E (4) (b) Fire and Police Chiefs inform respective commissions of civilian complaints; and complaining parties "upon receipt" of complaint; this can be granted to all departmental related commissions.
 - Kaye - should include "resolution of complaints" and suggests wording for appropriate Charter section.
 - Mednick also suggests "any decisions pertaining to the complaint."
 - Downing - does "upon receipt" actually make sense? Isn't there a process of or mechanism of receipt? Also does this include interim decisions in an ongoing complaint process?
 - Mednick - we need to leave some things for the LC to decide. This isn't meant to be a rule book. The LC and PC are perhaps best for deciding this. As for resolution maybe leave it to PC to determine final disposition of a complaint.
 - Downing - "upon receipt" should include "as established by commission."
 - Mednick - "as determined by X commission" will be specific enough.
 - Downing - All the Charter needs to do is create the ability for the LC to set standards as needed. More specificity for Police and Fire makes more sense because they will get more complaints
 - Rec 21 - Chapter VII, §7-1.B(5), §7-2.D(3)(d) and §7-2.E(1) consider provision to require department heads to obtain approval of department related Board or Commission before the destruction of documents - Mednick reads the general provision and mentions specific provisions wrt Police and Fire.

- Rec 22, Chapter VII, §8-5.A(c)(iv) and §8-5.B(2)(c)(vi) and Rec 25 Chapter VIII, §8-4.A(1)(d)(iv) - were moved to Dept. Head section because they are dept. head requirements. Finance Director to provide reports to LC (refers to police and fire monthly reports for overtime, reasons for same, and for specifically the fire dept., also inspection reports) Gallagher - mentions overtime reports from all other dept. heads as well.
- Rec 24 - Chapter VII, §7-2.J (4) - adds the Library Board to the list of Boards and Commissions with required training sessions to be paid for by the Town.
- Rec 26 - Chapter VIII §8.5 - change section title to Public Safety, Health, and Human Services" from "Public Health, Safety, and Community Services."
- Rec 27 - Chapter VIII, §8.5.C and D - name changes of these sections to "Health and Human Services and include current sub-section C as a paragraph under that title.
- Rec 29 - §10-3.(1)(f) - add word "itemized" to "average annual income"
- Rec 30 - Chapter X, §10.3B(1)(f) add 5 year standard
- Rec 33 - Chapter X, §10-4.D (now 10-3.H) transfer of line/section from one place to another in Charter.
- Rec 31 - Chapter X §10-3.F (1) and (2) - "Ordinances shall be adopted..." consider extending this from 2 months to something longer. 6 months would be within Budget season. 4 months would be April. Mednick suggests "by Feb 1st." We agree
- Rec 32 - Chapter X §10-4.A (1) and (3) - continue to use (or add as needed) phrasing, "designation of committee of jurisdiction."
- Rec 1, Chapter 1, §1-4 is still under construction and we will review on another date.
- Downing moves - moves to approve LC recommendations as reviewed today with submitted language and amendments agreed upon today LC recommendation 3, 4, 5, 9,10, 13, 15, 21, 22, 25, 24, 26, 27, 29, 30, 31, 32, 33. - Kaye 2nds
 - Vote - Passes U.
- Rec 8 - Chapter VII, §7-1.A (2) Downing - wants us to change language but Mednick says all we can do is add the language suggested.
 - Baez - says that intent is to engage both in-person and hybrid interactions. Problem is what Downing is saying is that some people won't move themselves to get to hybrid. Downing's suggestion is therefore acceptable.
 - Mednick - points out that the Town Attny. would say that "shall" means "use it now immediately." We discuss the word "available."
 - Gallagher - asks what is our goal? She thinks it's to ensure increased accessibility for all residents in-person as well as remote. How do we address this in the Charter?
 - Downing - we are trying to establish that for now we want the town to use all tech they have now and we want town to migrate toward empowering every B and C to have all possible tech over time as things develop. Downing and Mednick work on verbiage. Kaye - asks for the word "public" in the otherwise well-crafted phrasing. And there was more composing until we got something that addresses what is wanted and what is legal. Vote - later
- Rec 12 - Chapter VII, §7-1.C (4) 12 year limit no carve out. Do we delay for a couple years, do we create a path of participation non-voting,
 - Gallagher - maybe a year to build up the pool
 - Kaye - inclined to leave as is. Seems like we are trying to accommodate for a few but without doing so. Adding more and more complities - alternates, ex-officios, etc. - is messy.

- Downing - Every member of the public is an ex-officio member of every board. We have to give people on the board have the power of their vote. Could see adding in something that says "if a replacement cannot be found after a certain period of time an earlier/former member can be re-invited to serve. Seasoned members on the commission are good when new people come on to help teach but new people should be welcome. With remote/hybrid there is more possibility of participation.
- Kaye - analyses of members serving - where did the 18 years come from? Baez P & Z has 6 year terms and they want 3 term possibilities which would be 18 years.
- Gallagher - given anxiety to some B and C, recommends giving a transition of a year to go in effect to increase education and outreach. So Dec 1 2023 ~~or Jan 1 2024~~ go into effect.
- Kaye - Newly created (in this Charter) DEI commission may also need time to plan their structure.
- Gallagher moves to add effective date of Dec 1 2023 for 12 year limitation; Downing seconds;
 - Vote- Passes Unanimously.
- Rec 13 - Chapter VII §7.1(E) - adding a standard to the removal provision pertaining to falsification of qualifications set forth prior to appoint to serve on a Board or Commission.
 - Downing - could we add this as another bullet?
 - Mednick - yes. But it's not "in performance of their duties."
 - Kaye - I know this is specific to this chapter but perhaps this should be in the Mayoral appointment area.
 - Mednick - no, this is after they've been on the board.
 - Baez - not going for broader standard, really it is only for the case where qualifications are necessary. So "in the case of" where qualifications are necessary and were what brought the person the position.
 - Gallagher is uncomfortable with this.
 - Baez agrees with Gallagher that this opens up people to being targeted.
 - Kaye - moves to not change this; Vener-Saavedra seconds
 - Vote - Passes Unanimously
- Logistics - We have to be finished by end of this week. Sat 13th with hard stop at noon, start time 9:30 (I will miss half hour); Sunday 14th - 8:30 AM - 11 AM; W 10th 4 PM
- Rec 14 - Chapter VII, §7-1.E Mednick will have all Town Clerk related items for Wed; wrt 4 yr term and effective term Mednick has looked at voter turnout if Mayor or 1st selectmen are at top of list you get more turnout. Issue is whether a Mayor should have impact on BoE. If yes, then go with slate of 6 (mayor has control)
 - If BoE is separate entity then put slate of 3 on the mayoral term.
 - Kaye - asks about mentioning changing 6/3 to 5/4 BoE split as a possibility the BoE can take.
- Gallagher moves to adjourn, Kaye seconds.

Time adjourned: 1:59 PM

Next meeting: Wednesday 10 August 2022 4:00 PM

Minutes submitted by Commission Secretary Patricia C Vener-Saavedra