
HAMDEN CHARTER REVISION COMMISSION

OVERVIEW OF PROPOSED CHARTER REVISIONS

MAY 2021



HAMDEN CHARTER REVISION COMMISSION 2020 -2021

Frank Dixon
Chair

Jackie Downing
Vice Chair

Lamond Battle
Secretary

Tiffany Artis-Wilson

Todd Berton

Jeffrey Cohen

Thomas Figlar

Sarah Gallagher

Marnie Hebron

Myron Hul

Jay Kaye

Frank LaDore

Todd Moler

Nancy Olson

Joshua Sprague-Oliveira

Steven G. Mednick
Counsel



THEMES RAISED IN PUBLIC COMMENT

1. The need for fiscal stability and reduced budget volatility.

- Concerns related to town financial situation
- History of under-funding of pension
- Lack of reliability in revenue projections
- Need for long term and strategic planning

2. Professional town management and accountability

- “Does Hamden need a town manager?”
- Each board and commission should have an email address
- Habitual absence on boards and commissions
- Qualifications on boards and commissions

3. Ensure transparency in government

- Difficult to participate in town meetings
- Representation on boards and commissions
- Transparency in procurement and contracting process
- Impact of collective bargaining agreements on annual spending

4. Support equity for all town residents

- Representation on Commissions and Boards
- Police Commission and need for Civilian Review Board

CRC FOCUS AREAS TO SUPPORT GOALS

Theme/Goal	Areas of Focus	Desired Outcomes
1. Need for fiscal stability and reduce budget volatility for the town of Hamden	<ul style="list-style-type: none"> • Finance Committee; Budget Process; Budget Liaison 	<ul style="list-style-type: none"> ✓ Long Term Planning and Strategic Planning ✓ Reliability in Accounting ✓ Support Best Practice and Policy Recommendations ✓ Transparency in Budget ✓ Support to Legislative Council
2. Professional town management and accountability	<ul style="list-style-type: none"> • COO • Term of Mayor • Governance • Administration of Commissions 	<ul style="list-style-type: none"> ✓ Improved Management of Town Departments ✓ Interdepartmental Coordination ✓ Transparency to the Public ✓ Strong Mayor = Policy implementation consistent with elected Mayor's vision
3. Ensure transparency in government	<ul style="list-style-type: none"> • Communications Subcommittee • Commission Subcommittee • Electronic meeting and infrastructure • Public participation • Library Commission • Ethics Commission • Civil Service Commission 	<ul style="list-style-type: none"> ✓ Broad public knowledge of and input into town governance process and decisions, including legislative council ✓ Increase ability for public participation and comment ✓ Accountability of Commissions and Boards ✓ Boards and Commissions have the infrastructure needed to function effectively
4. Support equity for all town residents	<ul style="list-style-type: none"> • Equity Commission • District Representation • Police Commission 	<ul style="list-style-type: none"> ✓ Assessment and support of equitable policies and procedures



SUMMARY OF PROPOSED CHARTER REVISIONS



PREAMBLE

- At the conclusion of the opening line of the current Preamble the following historical reference has been added:

“Hamden’s strength, inclusiveness, and innovation are the foundation of our community. In this respect, we acknowledge that the land on which Hamden was founded was part of the Sachemdom of the Quinnipiac Peoples who thrived and prospered here for thousands of years and thank them for their strength, resilience, and vision in protecting and stewarding this land. We further acknowledge the members of the Mount Carmel Ecclesiastical Society, whose founding enabled the establishment of Hamden as a Town. We aspire to always uphold our like responsibilities according to their example of those who came before us.
- During edits of the document, prior to Public Hearing, a Commission member has suggested retaining the current Preamble with a link to the Hamden Historical Society bring attention to salient historical facts about the Town of Hamden.

DEFINITIONS: CHAPTER I

The following definitions were added or modified in the proposed Charter:

- Section I-4.Q: “Meeting” is defined to take into account the meaning under state law and to include “meetings by means of electronic equipment” to the extent permitted by law.
- Section I-4 GG: “Where reference is made to the word “shall” the legislative intention is to make the function a mandatory or imperative obligation for the official or entity charged with an obligation under this Charter or under the Code of Ordinances of the Town. It is recommended that to avoid any doubt the word “must” should be used in order to impose clarity on the concept of obligation.”

INCORPORATION AND GENERAL POWERS: CHAPTER II

- No recommended changes

GOVERNANCE: CHAPTER III

- Increase Mayor Term to four (4) years Section 3-3.C(1)(b)
- Residence Requirement for Elective and Appointive Office Section 3-4
- Clarification of Reapportionment Process Section 3-7 F + G
- Rule for Defining Habitual Absence for removal from elected office Section 3-10 D

LEGISLATIVE COUNCIL: CHAPTER IV

- No recommended changes

THE MAYOR: CHAPTER V

- Clarification and expansion of the scope of the Mayor's obligation to reporting all contracts to the Legislative Council - Section 5-2.D(1)
- Revision an expansion of accountability under the “Emergency Powers” provisions of the Charter:
 - Clarification about status of emergency as a public health or civil preparedness emergency – Section 5-4.A(1)
 - Enhanced notice requirements – Section 5-4.A(2)
 - Procedures for emergency appropriations and expenditures - Section 5-4.C; emergency meetings of the Legislative Council – Section 5-4.D; and, emergency orders, ordinances and measures – Section 5-4.E
- Creation of Chief Operating Officer – Section 5-6.

PROFESSIONAL MANAGEMENT: THE CHIEF OPERATING OFFICER

The Commission carefully reviewed the numerous calls for Town Manager form of government. We conducted a number of panel discussions, reviewed background documents and inquired about the conduct of such governments in Connecticut, where partisan elections are the rule. While there are many communities that operate well under the town manager form of government, the testimony was clear that the culture of the community was an essential element of the success of such a system. West Hartford has succeeded for generations, while the City of Hartford, once a model for city management, watched the erosion of that model when it moved to the Mayor/Council form of government twenty years ago or so. There many compelling cited by the proponents of town manager system reasons; yet, there was no guarantee that in a continuing partisan election environment that the call for depoliticizing the government would come to pass. Instead the Commission took a different approach: a three-pronged approach: (1) Professional Management: Chief Operating Officer; (2) Robust Financial Review: the Finance Commission; and (3) Enhanced Legislative Oversight: Budget reform.

- Appointed by Mayor with Council approval (coterminous with appointing Mayor) and removal for cause only - Sections 5-6.A and 3-10
- Minimum Qualifications: The Chief Operating Officer shall be appointed on the basis of education and experience in the accepted competencies, practices and credentials of local government management in accordance with best practices as set forth by the International City/County Management Association (“ICMA”), National League of Cities (“NLC”), Connecticut Conference of Municipalities (“CCM”), United States Conference of Mayors National Association of Counties (“NACO”); or, Government Finance Officers Association (“GFOA”) or any successor organizations - Section 5-6.B

POWERS AND DUTIES OF THE CHIEF OPERATING OFFICER

The Mayor is the chief executive officer while the COO is the chief operating officer of the Town. As in the corporate and nonprofit setting the COO may assume a variety of task. In Hamden it is the expectation that the COO will play a pivotal professional management role supplementing the chief elected official in the task of running the Town:

- Administrative and supervisory responsibilities within the authority and under the supervision of the Mayor in respect to all personnel and management functions provided for in the approved budget – Section 5-6.C(1);
- Management of the operational municipal functions related to, but not necessarily limited to, public works, traffic, parks and recreation, planning, zoning and environmental protection – Section 5-6.C(2)(a);
- Supervision of the police, fire, health, social services, rescue, emergency medical service and emergency management and, unless otherwise provided by state or federal law, shall be responsible for the oversight of all municipal functions related to the abatement and management of environmental contamination. In doing so, the town Administrator shall be responsible for the supervision of the activities of the Chief of Police and the Fire Chief, and, unless otherwise prohibited by state law, shall be responsible for the functions of the Fire Department and the Office of Emergency Management – Section 5-6.C(2)(b); and,
- Oversight of all municipal functions related to, but not necessarily limited to, finance, tax assessment and collection, economic development and information technology – Section 5-6.C(2)(c).

The Mayor remains the chief executive and the Legislative council remains the final fiscal and contractual authority for the Town; however, there is no precedent in Hamden for the hiring of a professional manager.

ADDITIONAL POWERS AND DUTIES OF COO

In addition to the other powers, the COO is **mandated** by the Charter to:

- Recommend to the Mayor adoption of such measures as he or she may deem necessary or expedient – Section 5-6.C(3) ;
- Assist the Mayor in the submission to the Council of the Proposed Town Budget as by this Charter required – Section 5-6.C(4);
- Perform such other duties as may be prescribed by this Charter or required of him or her by the Mayor or by Ordinance – Section 5-6.C(5);
- Assist the Mayor and Board of Education in all aspects of labor negotiations, personnel issues, financial management, and any other field of public administration commensurate with his or her knowledge and experience – Section 5-6.C(6).

OTHER ELECTED OFFICIALS: CHAPTER VI

- No recommended changes

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART I

- **The Primary Role of Boards and Commissions:** To serve the residents of the Town in carrying out the policy, advisory and/or quasi-judicial or regulatory functions under its charge...a conduit for citizen participation and input by gathering, analyzing and acting upon such information in order to meet the specific objectives as set forth under this Charter, Ordinances or other source of legal authority – Section 7-1.A(1).
- **The Public Interest and Functions of Commissions:** Members of Boards and Commissions are required to understand the role and scope of responsibility and be informed of the objectives, scope of responsibility and operating procedures of the Board of Commission to which they are appointed. Members should represent the public interest and not special interest groups and seek to render decisions on the basis of what is best for the residents of the Town. Furthermore, members should take care that deliberations include thorough research and review of all alternatives on an issue prior to making a recommendation – Section 7-1.A(2)
- **Defining the regulatory and policy or administrative functions** of Boards and Commissions – Section 7-1.A(2)(i) and (ii)

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART 2

- Required public speaking and comment requirements – Section 7-1.B(2)
- Meeting Frequency Requirements – Section 7-1.B(4)
- COO to assign Clerks for each Board and Commission – Section 7-1.B(5)
- Electronic Access, email addresses and continued virtual meetings (if permitted by state law) for Boards and Commissions – Section 7-1.B(7)
- Mayoral and Legislative Council Appointment Authority: tie-frame for Appointment and Limitations: ability for Legislative Council and/or current commission members to recruit and recommend if the mayor does not recommend someone within a required time-frame – Section 7-1.C(1)
- Twelve-year time limit for service on Boards and Commissions – Section 7-1.C(4)
- District/Geographic Representation and Diversity Requirements – Section 7-1.G
- Outreach and recruitment of Board and Commission Members – Section 7-1.K

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART 3 (DIVERSITY)

- **Diversity.** Boards and Commissions should reflect the diversity, including the race, color, ethnicity, religious creed, age, sex, national origin, ancestry, status as a veteran, socio-economic status, sexual orientation, gender identity or expression, familial and marital status, pregnancy, or physical and mental disability and cultural make-up of the Town in order to achieve a representative balance of its residents. – Section 7-1.G(1)
- **Geographical Areas of the Town.** Hamden is committed to ensuring fair representation of all voting districts on local boards and commissions. The Boards and Commissions of the Town should include balanced representation from throughout the Town. Accordingly, no Board or Commission should be comprised of more than one member from the same Legislative Council District. This Charter may establish some Boards and Commissions on the basis of the Legislative Council Districts; however, in all cases each portion of Town shall have fair share representation via total membership on all Boards and Commissions. This shall be managed centrally through the Town Clerk's office. The Legislative Council may create or modify the composition of any Board or Commission as set forth in §7-1.B(1)(b) of this Charter – Section 7-1.G(2)
- **Representation by Legislative Council District.** In furtherance of the objective to ensure fair and diverse representation the Legislative Council may, by Ordinance, modify the composition of any Board and Commission established under this Charter or by Ordinance in order to implement representation by Legislative Council District – Section 7-1.B(ii).
- **Reduction of Potential Conflicts of Interest.** The Police Commission member is limited to one former law enforcement professional and no members with a Connecticut to the Hamden Police Department – Section 7-2.D(3)(c).
- **Charter Commissions with Representation by Legislative Council District:** Police Commission and Library Board.

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART 4 (FINANCES)

The Finance Commission is proposed as an intermediary between the Mayor and the Legislative Council to provide one more step in addressing short- and long-term financial issues for the Town.

- **Members.** Three members appointed by the President of the Legislative Council and two appointed by the Mayor subject to approval of the Legislative Council for staggered six year terms – Section 7-2.A(2).
- **Ex Officio Members.** The following non-voting ex-officio members shall be appointed to the Commission as follows: (i) a public official or municipal employee representing the Mayor, designated by the Mayor; (ii) a representative of the Board of Education, designated by a majority vote of said Board; and, (iii) the Chair of the Legislative Council committee of jurisdiction over the budget or a member of said committee designated by the Chair. The provisions of §7-2A(2)(c) of this Charter shall not apply to said ex-officio members – Section 7-2.A(2)(e).
- **Qualifications.** Members of the Commission shall have professional or business experience in the fields of accounting, management or financial analysis as evidenced by being a certified public accountant, certified management accountant or having earned a degree in business, finance or public administration or the equivalent thereof from an accredited college or university; or, at least five (5) years of experience as an owner or manager or financial officer of a business or public or nonprofit administrator or such other qualifications as may be further defined by Ordinance – Section 7-2.A(2)(f).
- **Adherence to Best Practices** (Section 7-2.A(2)(g))

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART 5 (PUBLIC SAFETY)

- Functions and purposes of the Commission are specifically spelled out – Sections 7-2.D(1) and (2)(a)
- Promulgation of policies proposed by Chief and Commission should be reflective of community values based upon community outreach and public input, including electronic access to the Commission – Sections 7-2.D(2)(b) and 7-2..D(2)(ii) and (iii)
- Utilization of best public safety practices in carrying out responsibilities currently set forth in the Charter: oversight and general management function – Section 7-2.D(2)(c); the development of policies, rules and regulations – Section 7-2.D(2)(d); review of budget priorities for the department – Section 7-2.D(2)(e); the review and development of collective bargaining strategies aimed at increased and efficacious public services – Section 7-2.D(2)(f); personnel functions such as recruitment, training, appointment, promotion and removal of sworn personnel – Section 7-2.D(2)(g); and, the complaint process for internal and civilian complaints – Section 7-2.D(2)(h).
- Charter permits the police Commission to function as a Civilian Review Board with the authority to issue subpoenas, if so designated by Legislative Council with the support of the community – Section 7-2.D(2)(iii)
- Acknowledge dual role as Transportation Authority as required by State law – Section 7-2.D(1)
- Professional Services Budget Equal to .4% of Total Police Department Budget
- Increase Commission Membership to 9 and Ensure District Representation
- Diversification of Qualifications, including transportation expertise, social worker and community advocates
- Commissioner Training Requirements and Adherence to Best Practices
- Residency Incentives for Police Hiring

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART 6 (BEST PRACTICES)

All Boards and Commissions are obligated to serve the public interest , make evidence-based decisions and operate on the standard of what is best for the resident of Hamden. However, several Boards and Commission are obligated to “manifest and exemplify the highest standards of conduct and best practices:

- The Finance Commission – Municipal Finance and Budgeting Practices – Section 7-2.A(2)(g).
- The Police Commission – Public safety and police practices – Section 7-2.D(3)(d)
- The Library Board – Library operations – Section 7-2 .J(4)
- **Training requirements: Grounds for removal.** Members of the Finance and Police Commissions are required to participate in training sessions at specific times. Failure to participate in training sessions constitutes grounds for removal from the Finance Commission – Section 7-2.A(2)(g) and Section 7-2.D(3)(d).
- **Qualification requirements:** In addition to the general requirements of the Charter the following Boards and Commissions have specific qualifications for a majority of its members: Finance Commission – Section 7-2A(2)(f); Board of Ethics – Section 7-2.C(2)(c); Police Commission – Section 7-2.D(3)(c).
- The Charter currently includes a best practices standard for all Department Heads (Section 8-2(f))

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART 7 (EQUITY AND INCLUSION)

- The Commission has proposed 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 as set forth by Law at the time of adoption of this Charter: Black and African American, Latino, Latina and Latinx, Indigenous and Native Americans, Asian Americans, Pacific Islanders and other persons of color; members of religious minorities; LGBTQ+ persons; persons with disabilities; persons otherwise adversely affected by persistent poverty or inequality. The Town may modify the preceding enumeration by Ordinance, regulation or policy any including additional protected classes as may be covered by Laws pertaining to civil rights and discrimination.
- **Role of Commission.** The DEI Commission will coordinate efforts to gain public input into and embed equity principles, policies, and approaches across all town policies, procedures and systems of the Town. The Commission shall provide assistance to the Mayor, Legislative Council and other Boards and Commissions with respect, but not limited, to the following issues: (i) housing; (ii) access to education; (iii) public health; (iv) law enforcement and civilian engagement; (v) redressing inequities and inequalities in the capital budget; (vi) supporting participation in Town commissions, boards and governance; and (vii) eliminating structural and institutional issues contributing to and concerning inequity and inequality.

BOARDS AND COMMISSIONS: CHAPTER VII

BUILDING A CULTURE OF ACCOUNTABILITY – PART 8

- **Ethics Commission** – new qualification standards for members – Section 7-2C(2)(c)
- Tightened restrictions pertaining to Members of the Civil Service Commission, Finance Commission, Board of Ethics and Police Commission – Section 7-1.1
- **Civil Service Commission** - Added an alternate - Section 7-2.B(2)(c)
- **Library Board** - Clarification of hiring authority, expansion to nine representatives, one from each of the Legislative Council Districts - Section 7-2. J
- Inland and Wetlands - Added 3 alternates - Section 7-2.K(2)

DEPARTMENT AND DEPARTMENT HEADS: CHAPTER VIII

- Changes in the Police Department to align with changes in the Police Commission – Section 8-5.A(4)

DEPARTMENT OF EDUCATION: CHAPTER IX

- No recommended changes.

BUDGET: CHAPTER X

FINANCIAL STABILITY AND OVERSIGHT – PART I

As discussed, above, there are two major entities proposed by the Charter Commission to address financial stability and oversight: The Chief Operating Officer (Section 5-6) and the Finance Commission (Section 7-2). A great deal of time and thought went into this process, including hours of deliberations and consultation with a wide array of officials from throughout the State of Connecticut. The Commission also held a joint session with the Fiscal Stability Committee. In addition, we are proposing the following massive restructuring of the Budget process.

- **Cooperation among Town Officials:** The Mayor, Board of Education, Finance commission and Legislative Council are required to cooperate throughout the year and during the budget deliberation, utilizing good faith, best practices and principles of accountability, transparency and outreach in order to create trusts in the budgetary process of the Town - Section 10-1.A
- The Legislative Council will have improved oversight abilities utilizing the review and analytical functions of the Finance Commission and the services of a **Budget Liaison** - Section 10-1 B
- The clear requirement for a simultaneous submission and approval process for the **General Fund and Capital Budget:** The Mayor is required to “present to the Legislative Council and Finance Commission a budget that shall consist of the capital projects budget and the proposed general fund or operating budget for the next fiscal year (including the Board of Education) and detailed budget estimates (i.e., estimates of revenues, capital expenditures, and general fund or operating expenses) for each of the four fiscal years thereafter (“Proposed Town Budget”) – Section 10-2.A and 10-3.A
- **The budget process requires additional information:** actual revenue for the “last completed fiscal year”; approved revenues for the current fiscal year; “average annual income from each source” for the past five fiscal years characterizing recurring and non-recurring revenues; the scheduled maturity of bond issues; the amount required for interest on the Town debt; amounts required to meet contractual provisions of CBAs and side agreements pertaining to minimum mandatory workforce requirements; – Sections 10-2 and 10-3.

BUDGET: CHAPTER X

FINANCIAL STABILITY AND OVERSIGHT – PART 2

- **Contents of the Capital Projects Budget (including the Board of Education).** The Proposed Capital Projects Budget for the next and for four succeeding fiscal years thereafter shall include the recommendations of the Mayor for those expenditures to be undertaken during the ensuing fiscal year and the method of financing the same as well as the following information: (a) A detailed estimate of the cost of each proposed project, listed according to the department, board, commission, authority or agency of the Town principally concerned with the project, which are expected to be commenced in the next fiscal year;; (b) A statement as to any off-setting reimbursements, such as state or federal grants anticipated in connection with the project; (c) Such comparison with any prior year's appropriation for capital projects as the Mayor considers advisable, or the Finance Commission or Legislative Council shall have requested; (d) A report summarizing the status of each previously approved capital project stating those which have been completed, and the balance of any unexpended bond funds available with recommendations for either redemption of bonds or other capital projects use; and € Any other information the Mayor believes to be pertinent, or which is requested by the Finance Commission or Legislative Council. (f) The recommended method of financing proposed by the Mayor shall not be binding on the Finance Commission or the Legislative Council as to the method of financing any recommended project – Section 10-3.C.
- **Deliberations by the Finance Commission and transmittal of recommendations to the Legislative Council.** The Finance Commission is required to review the Proposed Town Budget in accordance with the responsibilities under §7-2A.(1)(a) of this Charter. Members of the Legislative Council committee of jurisdiction shall be assigned by the President to participate in the proceedings of the Finance Commission. With respect to the Proposed Town Budget, the Finance Commission shall, on or before the twentieth-seventh day of April, transmit its recommendations thereon to the Clerk of the Legislative Council in accordance with its responsibilities under §7-2A.(1)(a) of this Charter. The transmittal shall delineate its recommendations referencing each of the applicable provisions of the Proposed Town Budget. The Commission will make a **Statement on Estimates and Assumptions**. The transmittal shall include the Finance Commissions analysis of the estimates and assumptions contained in the expenditure and revenue lines of the budget in accordance with and citing the best practices for municipal budget practices; and, **Meet with the Legislative Council**. At a date set by the President of the Legislative Council, as soon as possible following submission of the Mayor's Budget Message, the Finance Commission shall meet with the Legislative Council or the committee of jurisdiction as set forth in the call of the meeting, to discuss their recommendations – Section 10-4. B and C.

SUPPORT EQUITY FOR ALL TOWN RESIDENTS

- Creation of Diversity, Equity, and Inclusion Commission - Section 7-2.L
- Creation of an Equity Fund – Section 10-3.F(2)
- Revisions to Police Commission – Section 7-2.D
- Fair District Representation Across Commissions - Section 7-1.J
- Specific Representation on Police Commission and Library Board – Chapter VII

ITEMS MENTIONED IN PUBLIC COMMENT NOT ADDRESSED IN REVISIONS

- Should Hamden be call a city as opposed to a town?
 - Requires legal determination of the basis for the current classification
 - No impact so did not address
- Town Clerk as civil service or elected position
 - Remained as elected position in charter
- Town Arborist
 - Request removed by commenter
- Quinnipiac Housing Issues
 - These are planning and zoning issues not able to address in charter
- Mayoral Recall
 - Recall is not available in the State of Connecticut