

**Proposed Revision of
The Charter of the Town of Hamden**

**To be voted on in the Town of Hamden in the
Election to be held on
Tuesday, November 8, 2022**



Lauren Garrett
Mayor

Dominque Baez
President, Legislative Council

Karimah Mickens
Town Clerk

**PROPOSED REVISION OF THE
CHARTER OF THE Town of Hamden
TO BE VOTED ON IN THE TOWN OF HAMDEN IN THE
ELECTION TO BE HELD
ON TUESDAY, NOVEMBER 8, 2022**

Pursuant to §9-369b(a) of the Connecticut General Statutes (C.G.S.), as amended, the following is a designation of the proposed amendments to the Charter of the Town of Hamden, in accordance with C.G.S. §7-188. Said proposals were prepared by the Hamden Charter Revision Commission and approved for submission to the electorate by the Legislative Council. The proposed revision of the Charter was published, in its entirety, in the Hamden Community News on September 21, 2022.

There is one local Question on the Ballot. If a majority of the electors voting on this amendment to the Charter approve same, it shall become a part of the Town's Charter.

Attest: Karimah Mickens
Karimah Mickens
Town Clerk

Presentation of the reasons for all recommendations shall include a statement from the Board of Education setting forth their reasons for their budget recommendation following the same form and procedure with respect to the detailed estimate for the education department as required of the Mayor under this Charter for other departmental estimates; and, (7) Such other material as the Mayor deems desirable.

- **Annual budget estimates.** The proposed Charter adds two requirements to the budget content expected from the departments: (1) revenues and the cost of pending capital projects need to be projected for next and succeeding four fiscal years; and, (2) all special revenue, equity assistance and enterprise funds needs to be included.
 - **Budget submission.** The Mayor will be required to (1) propose the general funds and capital budget simultaneously; (2) additional requirements pertaining to actual, current approved and estimate revenues and any other information required by Ordinance; (3) new requirements pertaining to debt analysis of debt service (at least 5 years) in accord with best practices and the amount required for interest on the Town debt and maturing bonds and other obligations; (4) amounts required to meet contractual provisions pertaining to minimum mandatory workforce requirements; (5) proposed goals and objectives of the Town; (6) detailed estimates of proposed capital projects; (7) a statement of off-setting reimbursements (including state or federal sources); (7) comparative data with prior capital plan; (8) status report on projects, including completion dates, balances of unexpended funds; (9) proposed method of financing; and, (10) rules for contingency appropriations.
 - **Required Legislative Actions.** The Mayor, in consultation with the Finance Commission and Finance Director, is obligated to recommend policies and ordinances pertaining to: (1) Special Enterprise and Equity Assistance Funds; (2) a Fund Balance Ordinance; and (3) Equity Fund Ordinance.
 - **Budget Message and Budget Submission (18th of March).** The Mayor's budget message will contain the following (new contents are italicized): (1) Explanation of the Proposed Town Budget both in fiscal terms and in terms of work programs, *including any major changes from the current fiscal year budget and any changes in expenditures and revenues (together with the reasons for such changes)*; (2) Outline of the proposed financial policies of the Town government for the ensuing year; (3) Description of the important features of the budget - including major changes from the current fiscal year; (4) Summary of the Town's debt position, *including a statement of the bonds to mature and the interest payable on bonds outstanding*; (4) *Explanation of the assumptions that were taken into account for any and all financial forecasts and estimates of expenditures or revenues in the Proposed Town Budget, including the amount required to meet contractual provisions of collective bargaining agreements pertaining to workforce requirements*; (5) *Explanation of the provisions of the Proposed Town Budget that comply with and advance the objectives of the plan of conservation and development required by the General Statutes and the Long Term Finance Plan required by this Charter*; (6)
 - **Public Hearings.** There are two required public hearings the first on or before the 8th of April and the final hearing after the report of the Finance Commission (on or before the 27th of April) and prior to final deliberations with final action not later that the 17th of May.
 - **Finance Commission Deliberations and Submission to Legislative Council.** The Finance Commission receives the budget simultaneously with the Council. The focus of the Commission Report is limited an "analysis of the estimates and assumptions" contained in the proposed budget "in accordance with and citing the best practices for municipal budget practices. The Council and Commission are required to meet and discuss the findings.
 - **Final Approval.** There are no changes except that the Capital Budget must be approved simultaneously.
 - **Lapsed Capital Funds.** Appropriations for construction or other permanent improvements, from whatever source made, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided any project shall be deemed to have been abandoned if five (5) fiscal years elapse without any expenditure from or encumbrance of the appropriation therefor, provided, at the request of the Mayor, following consultation with the Finance Commission, the Legislative Council may, at any time by resolution, transfer any unencumbered balance or portion thereof from one project to another.
- Chapter XI – Transition and Miscellaneous Provisions.** No Changes.
- Chapter XII – Sunset Provisions.** No changes.

QUESTION

Shall the electors of the Town of Hamden approve and adopt the Charter changes as recommended by the Charter Revision Commission and as approved by the Legislative Council?

Explanation. The question addresses issues raised during the ten-year review of the Charter including updates to notice and open meeting provisions taking into account changes in state law pertaining to remote and hybrid meetings; four-year terms for Mayor and Town Clerk (beginning in November 2025); provisions designed to increase public participation of the Town's diverse population on Boards and Commissions, including time limits on service; greater accountability standards for Boards and Commissions; creation of a Finance Commission and Diversity, Equity and Inclusion Commission; clarifying functions and purpose of and increased public interaction with the Police Commission; expansion of the Police Commission and Library Board to nine-members representing each of the Legislative Council districts; and significant budget reforms, including the addition of a Budget Liaison to enhance the budgetary authority of the Legislative Council.

The following addresses some of the key provisions added or addressed in each Chapter:

Preamble. The phrase “a framework of accountability and transparency” is added to further describe the structures designed by the Charter “to meet the needs of the people of Hamden.” The Preamble also acknowledges the connection between the diverse and vibrant town of today and indigenous peoples who were stewards of the land we now inhabit.

Chapter I – Construction of the Charter of the Town of Hamden: Changes in the definitions of “Meeting”, “Meeting (or Hearing) Notice” and “Public Notice” are designed to align the Charter with changes in meeting protocols, law, and technology.

Chapter II – Incorporation and General Powers: No changes with the exception of capitalization of defined terms.

Chapter III – Elections, Electors, Elected Officials and Terms of Office: There are several changes: (1) The Mayor and Town Clerk will be elected to four-year terms in beginning with the election in November 2025; (2) The President of the Legislative Council shall succeed the Mayor “for the remainder of the term” and serve until a “successor is elected and certified” at the next biennial election and the President Pro Tempore shall succeed to the position of President; (3) A technical correction in the reapportionment process has been fixed in order to assure that the final decision can be rendered; (4) The removal provisions are corrected to clarify that the felony or other crime of fraud or dishonesty must have occurred “while in office.”

Chapter IV – Legislative Council. No changes with the exception of capitalization of defined terms.

Chapter V - The Mayor. The Mayor will continue to provide a quarterly report on contracts in accordance with the new definition in the proposed revision. Furthermore, the emergency powers provisions have been modified as follows: (1) a local emergency does not have to be declared if a federal or state emergency has been; (2) three-hour notice of an emergency must be provided by the Mayor or Legislative Council; (3) The Mayor may obligate up to \$100,000 or an amount as may be increased by the Council during an emergency, or, if not available may obligate unexpended funds to cope with an emergency, until the Council convenes; (4) The Mayor is obligated to make a report on the use of emergency expenditures.

Chapter VI – Other Elected Officials. No changes with the exception of capitalization of defined terms.

Chapter VII - Boards and Commissions. Sets forth the general requirements for all appointed boards and commissions including the differing roles and functions of Boards and Commissions; for example, regulatory and department-based policy or administrative functions. The chapter also establishes the priority of appointees to serve the “public interest” and the need to ensure that use of technology is maximized in order to meet the open meeting standards in the Charter. Other requirements addressed include: (1) updated methods for the creation of Boards and Commissions and outreach for members; (2) meeting frequency; (3) public access, comment, and interaction; (4) time-frame for appointments of members; (5) 12-year limit on service; (6) youth representatives on Boards and commissions; (7) more exacting provisions pertaining to vacancies, including resignation protocols, and administrative responsibilities of the Town Clerk and Mayor for recruitment of members; (8) Board or Commission approval for the disposition, transfer or destruction of public documents; and, (9) expanded diversity requirements including geographic distribution. There will be two new Commissions: (1) **Finance Commission** will be established to assist the Mayor (2 appointments) and Legislative Council (3 appointments) in budget preparation; financial reporting; recommendations for collective bargaining and pensions; long-term financial and capital planning; and, establishment of best practice standards and practices; and (2) **Diversity, Equity and Inclusion Commission (“DEIC”)** which 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 **Police Commission** is expanded to 9-members representing each Legislative Council District (the same membership standard applies to the **Library Board and Diversity, Equity and Inclusion Commission**). The Police Commission provisions acknowledge the statutory role as the Traffic Authority and provided a more robust delineation of the current Charter responsibilities for (1) conferring with the Mayor and Chief on issues of “general management” and approval or disapproval of policies proposed by the Chief (2) review of the budget prior to submission to the Mayor; (3) authority to appoint, promote and remove officers and members; and (4) addressing complaints of members of the Department and citizens alike. The

Charter also addresses: (1) use of current technology to share information with the public to the extent permitted by state law; (2) recommendations pertaining to best practices addressing diversity, recruitment, training, promotion and community interactions, including civilian complaints by agreement and law; (3) alignment of current complaint provisions with collective bargaining agreements;

(4) aspirational language that would afford civilians with the same appeal rights currently afforded to members of the department; (5) greater community collaboration through outreach and interaction; (6) requirements to keep Commission informed of all complaints (also required of the **Fire Commission**); and, (7) qualifications and training of Commission member (also required of the **Board of Ethics, Finance Commission, Library Board**) and removal in the event a member fails to comply. The Police and Fire Commissions are required to promote officers in accordance with current certification rules as opposed to the “rule of three”. The **Library Board** will recommend the appointment and removal of the Library Director to the Mayor, subject to approval by the legislative Council. Two alternate members will now serve on the **Inland Wetlands Commission** and the **Board of Assessment Appeals**. The Charter also requires (1) an assessment of the need for a Commission on Equal Rights and Opportunities; (2) adoption of an **Equity Fund Ordinance**; and, (3) a board or commission to address **Arts and Culture**.

Chapter VIII – The Town Government: Departments and Department Heads. Department Heads will be required to file monthly overtime reports with the Legislative Council and Finance Commissions to be coordinated by the Director of Finance. The Director shall file monthly transfer reports to the Finance Commission. The title of the Department and Director of Personnel and Human Resources eliminates the word “Personnel.” The Fire Chief is required to file monthly inspection reports. Community Services is now referred to as “Health and Human Services Departments” with revisions to the descriptions reflect the departments.

Chapter IX – Department of Education. The Charter will require the Board and Department of Education to comply with all provisions of the Charter and cooperate with Town officials, unless otherwise required by law. The Board must also file quarterly reports on contracts with the Mayor and Legislative Council.

Chapter X – Budget. Provides the Legislative Council and the public with measures designed to enhance accountability and procedural clarity. The Charter requires all of officials and employees with a role in the budget process to cooperate with each other. This is particular applicable to the principals (Mayor, Board of Education, Finance Commission and Legislative Council). Again, a best practices standard is invoked. To augment the legislative function, the position of Budget Liaison has been created to assist the Legislative Council and Finance Commission in carrying out the provisions of this Charter pertaining to budget development, implementation and oversight throughout the year. This chapter also includes the following changes: