

City of Derby

Charter Revision Commission 2020

Members

Ralph Cappiello
Christopher Larocque
Gina McKay

Robert Hyder, Chairman
Aniello D. Malerba, III
Sam Pollastro, Jr.
Charles M. Stankye, III

Camille Grande Kurtyka
Carl McCluster
James Smey

<https://us02web.zoom.us/j/87205231338?pwd=a0J3UWZGUHdwL2ZabHQzMUIjMUIXdz09>

Meeting ID: 872 0523 1338 - Password: 431237

MINUTES MEETING OF JULY 28, 2020

Call to Order, Pledge of Allegiance

Mr. Hyder called the meeting of the Charter Revision Commission to order at 6 p.m. Wednesday, July 28, 2020. All those present pledged allegiance to the Flag of the United States of America.

Roll Call

Members present: Mr. Cappiello, Mr. Hyder, Ms. Kurtyka, Mr. Larocque, Mr. Malerba, Mr. McCluster, Mr. Smey, Mr. Stankye.

Members absent: Ms. McKay, Mr. Pollastro

Mr. Hyder declared a quorum present.

Public Portion

Mr. Hyder asked three times if any member of the public wished to speak. There being none, Mr. Stankye MOVED to close the public portion; SECONDED by Mr. Malerba. Motion carried unanimously.

Approval of Minutes

Mr. McCluster MOVED to TABLE the minutes of the Police Subcommittee of July 6 and the regular meeting of July 22, 2020; SECONDED by Mr. Larocque. Motion carried unanimously.

Review of Verbiage for previously approved items to submit to Board of Aldermen/Alderwomen

Mr. Garofalo displayed a red-lined copy of the proposed changes to the 44-page Charter document.

Mr. Hyder explained that the clean-up portion will eliminate anything from the Charter that is currently covered by the Connecticut General Statutes.

The committee reviewed all the changes with Attorney Marino. He explained that a lot of the changes are consistent throughout, for example, the words "Aldermen/Alderwomen" are stricken and replaced by the word "Alders" throughout the document.

Aside from simple cleanup of language, the Commission reviewed the sections as follows.

Section 4 – Changing the offices from terms of two years to four years (If that fails, that section remains two years, the Mayor's term remains two years). Cleanup of language – to serve office in the City of Derby you have to be a resident elector. You do not make the ballot if you're not a resident.

Section 5 - Cleanup only no changes.

Section 9 - Deleted.

Section 9 – The Mayor of said City shall be a full-time position and shall be the Chief Executive Officer thereof.

Cleanup of language regarding administering oaths and signing contract. Correction of typo at end.

Regarding when people take office - change "the first Monday of January" to "the first Saturday of December."

The Mayor's appointments – the Mayor has sole discretion as to the removal of any officer of said City appointed by him/her. Cleanup.

Line 6, "the first Saturday of December succeeding the next biennial city election." Strike the word "biennial."

Section 13 – change "effectible" to effective. Add back in, "shall elect from among its members." The Aldermen elect a president every year. The other boards and commissions elect a chairman for the length of the term. Clean up the language.

Section 14 – change dissolve to resolve.

Section 15 - Treasurer shall have such powers duties and responsibilities and shall be subject to such restrictions and limitations prescribed for such officers. It conforms to what the Statutes allow – he/she has the statutory authority to do what he/she is empowered to do.

Section 16 – Makes an indication regarding the website for the City of Derby.

Section 19 – Strike the section regarding the Board punishing its members or possibly expelling a member for cause. Corporation Counsel explained there is no statutory authority to remove an elected official from office.

Sections 20, 21, 22, 23, 24 – Cleanup only.

Section 25 - Legislative body. Add the language to clarify with respect to the Board of Alders. Language requiring publication of the ordinance on the City website.

[Attorney Marino was experiencing technical difficulty and left the meeting at 7 p.m. Mr. McCluster had another commitment and left the meeting at 7:02 p.m.]

Changing the schedule for the budget. The budget is due from the department heads to the Mayor by February 1st. Then the Mayor presents to the Board of Apportionment and Taxation. Then the deadline to pass the budget will be the last day in April. Mr. McLiverty noted that this is a positive improvement and endorses it.

Instead of publishing the budget estimates in the paper, it would be on the City website and whatever the Statutes require.

Section 28 – Strike the section regarding the charities – Griffin Hospital and Derby Neck Library.

Sections 29, 30, 31, 32, 33, 34 – Cleanup only.

Section 35 – Addition of language “shall be appointed by the Mayor,” which is consistent with Section 10 in the beginning and changing the date to be consistent with the first Saturday in December. Remove “biennial” and change to “next election.”

Section 50 – referencing the newspaper – add “on the City website and in accordance with State Statutes.”

Sections 51, 52 – Cleanup only.

[Attorney Marino returned at this point, 7:09 p.m.]

Section 53 – Appointees “or their designee.”

Section 54 – Finance Committee. Change 1st Monday of January to 1st Saturday of December. Attorney Marino stated, they shall serve a term from the date of appointment until the date their successor is appointed.

Sections 55, 58, 59, 60, 66, 67. Cleanup.

Section 68 - The publication of such assessment shall be posted on the website for the City of Derby and/or in accordance with State Statute, as the same may be amended from time to time. Shall be sufficient notice to all parties in interest. The Charter required publication in a newspaper. Now we're requiring that it be posted to the website, and if the State Statute still requires publishing in the paper, then you must do so. If the Statutes no longer require or are amended not to require publication in the paper, all we have to do is post on the website.

Sections 74, 75, 76, 77, 78, 79. Cleanup.

Mr. Hyder thanked Attorney Marino and Mr. Garofalo for reviewing these items in advance of tonight's meeting to save time.

Mr. Stankye MOVED to accept the cleanups as part of the Charter Revision; SECONDED by Mr. Larocque. Motion carried unanimously.

Mr. Marino will meet with Mr. Garofalo to clean up everything from tonight and put these in the form of questions. A redline document will be sent to the Board of Aldermen/Alderwomen along with the proposed questions.

The next meeting will be a public hearing at 6 p.m. on Wednesday, August 5th.

Adjournment

Mr. Larocque MOVED to adjourn; SECONDED by Mr. Kurtyka. Motion carried unanimously. The meeting adjourned at approximately 7:27 p.m.

Respectfully submitted,

Trish Bruder

Patricia M. Bruder
Recording Secretary