

City of Derby

Board of Aldermen

First Ward

Barbara L. DeGennaro
Thomas J. Donofrio
Stephen M. Iacuone

Second Ward

Joseph L. DiMartino
Arthur T. Gerckens
Ronald M. Sill

Third Ward

Carmen T. DiCenso, President
Peter M. Olenoski, Jr.
Tony Staffieri

Board of Alderman Special Meeting Minutes
Aldermanic Chambers, City Hall
1 Elizabeth Street, Derby, CT
September 6, 2016

1. Call to Order.

Mayor Dugatto called the meeting to order at 7:00 PM.

2. Pledge of Allegiance.

Mayor Dugatto led the Pledge of Allegiance.

3. Roll Call.

Mayor Dugatto requested roll call.

The Board of Aldermen members present were Ms. DeGennaro, Mr. Donofrio, Mr. DiMartino, Mr. Gerckens, Mr. DiCenso, and Mr. Staffieri. Mr. Olenoski and Mr. Iacuone were absent.

4. Public Portion

No one from the public spoke.

5. Witek Park Kayak and Canoe

5.1. Move to approve revisions to Ordinance 81.1 relative to the use of the Witek Park Reservoir

Motioned by Mr. DiCenso, seconded by Mr. Sill and the motion carried. Ms. DeGennaro and Mr. Donofrio voted against this motion.

Be it ordained by the Board of Aldermen of the City of Derby:

Chapter 81
Witek Park

Section 81.1. Regulations

The Board of Aldermen of the City of Derby desires to provide a safe and healthy environment for all City of Derby residents wishing to enjoy Witek Park Reservoir. The regulations herein are designed to provide uniform understanding of permitted uses and prohibitions at the Reservoir.

(1) Except for motorboats engaged in governmental, maintenance or emergency activities, vessels with internal combustion engines and electric motors are prohibited and no person shall launch or operate a motorboat at Witek Park Reservoir. For the purposes of this section, "motorboat" shall have the same meaning as defined in Section 15-127 of the Connecticut General Statutes as amended from time to time.

(2) The operation of any motorized vehicles is prohibited except official vehicles engaged in maintenance, emergency activities, or for handicapped accessibility.

(3) No person shall park or store any motorized vehicle, bicycle, trailer or personal property except those areas set aside and designated as parking areas.

(4) The Reservoir shall be open from dawn to dusk unless the mayor or his designated representative has granted special permission to an individual or a group in writing to extend this time period.

(5) Notwithstanding subsection (1), persons with qualifying disabilities may launch or operate vessels propelled by an electric motor. Vessels with internal combustion engines are prohibited.

(6) All persons in said vessels must wear life jackets.

(7) Vessels must be launched from identified designated area.

(8) Swimming is not allowed unless for emergency rescue.

(9) On the upper reservoir, all persons must stay 50 feet away from residents shore except in cases of emergency.

Section 81.2 Permit

A permit is required for each vessel which permit may be obtained from the City of Derby Town Clerk's office.

Section 81.3 Violations, fines

Violation of any provision of this article shall result in a fine of two hundred fifty dollars (\$250.00) for each offense in addition to any other penalty provided by the city, state or federal governments. Each violation of this article shall be a separate violation.

6. Discuss Final Report of the Charter Revision Commission

The Board was forwarded the red-lined version of the Charter. Ms. DeGennaro said the Charter Commission went through the recommendations based on her document. There are 20 items she wants brought up. There were a few items rejected that are not consistent with changed they made.

Mr. Gerckens said they are out of time to send it back again and he doesn't understand why she wants to review every line item again.

Ms. DeGennaro said she wanted to change things that were rejected. Attorney Welch said they can't make any changes. They can approve their recommendations or reject them.

Mr. DiCenso feels the process should go on and the rejected items should go to the next Commission to be addressed during another process.

Mr. Donofrio asked if they could reject their recommendation. It was explained that if the recommendation was rejected by the Board then no changes to the charter will be made at all this time.

7. Move to take action on Final Report of Charter Revision Commission

Motioned by Mr. DiCenso and Mr. DiMartino seconded. Ms. DeGennaro opposed the following Sections: 5, 11, 19, 21, 27, 33, 36, 44, 51 (new 48), and 55 (new 51) and she stated she objects to Sections 58 (new 54) regarding meetings of tax assessment appeals, Section 59 (new 55) regarding the part that had to do with the finance committee that was added to Section 11, but duplicate language was not removed, Section 60 (new 56), Section 61 (new 57), the last sentence in Section 73 (new 69), Section 74 (new 70), Section 78 (new 74), Section 86 (new 82), and Section 89 (new 85) where the charter revision rejected her recommendations.

Motion carried.

The Board discussed the questions that will be on the ballot at the next election.

Suggested questions:

Option 1: Shall the Charter of City of Derby be revised in accordance with the report and recommendations of the Charter Revision Commission 2016?

Option 2: Question 1: Shall the Charter of the City of Derby be revised in accordance with the report and recommendations of the Charter Revision Commission 2016 excluding that change identified in question 2?

Question 2: Shall Section 14 entitled Dual Office Holding be deleted in accordance with the report and recommendations of the Charter Revision Commission 2016?

Mr. Gerckens stated he wants two questions. Mr. DiCenso wanted to add a third question that would substitute language in Section 14, but Attorney Welch said they can't substitute language as it was not a recommendation from the Commission. They can add more questions to accept or reject language, but not offer alternate language not recommended by the Charter Commission.

Mr. Sill motioned to go with two questions, Mr. Gerckens seconded. Ms. DeGennaro, Mr. Donofrio, Mr. DiCenso and Mr. Staffieri opposed. Motion failed.

Mr. Gerckens is against one question. After a brief discussion, Mr. Gerckens motioned to accept two questions for the ballot and seconded by Mr. DiMartino. Mr. Donofrio and Mr. Staffieri opposed and the motion carried.

8. Adjournment

Mr. Sill motioned to adjourn at 7:43 PM, Mr. Staffieri seconded by and the motion carried.

Respectfully submitted,

Terri Kuskowski

These minutes are subject to the Board's approval at their next scheduled meeting.