

Charter Review Commission:

Present: Patricia Adams, Anthony Arico, Jeffrey Brenner, John Cregan, Paul Dulchinos, Mary Alyce Gasbarro, Joel Hellmann, James Jackson, Allan Klepper, Joan Warren and Town Clerk Meredith DeSisto

Absent: Tim Sweetser

Chair Brenner called the Charter Review Commission meeting to order at 7:00 P.M.

APPROVAL OF MINUTES OF APRIL 28, 2014

Mr. Arico and Mr. Jackson requested that the minutes be expanded to clarify the discussion of some of the topics. Motion by Mr. Klepper and seconded by Mr. Hellmann to accept the minutes of the meeting on April 28, 2014, as amended. The motion passed unanimously.

DISCUSSION OF WORDING OF EXISTING TOWN CHARTER

2-1-4 COMPENSATION

The Commission discussed adding language for the Committee on Appropriations to recommend compensation for Town Council members to the voters at the Financial Town Meeting.

4-2-1 BOARD OF CANVASSERS

The Commission discussed retaining the original wording of this section instead of proposing an amendment to it.

6-1-4 DUTIES AND POWERS (c)

Correspondence from Finance Director Kathy Raposa stated the word voucher cannot be replaced with the words purchase order. A purchase order is only used in some circumstances for making a purchase. A voucher is used to collect the necessary documents for approval prior to payment.

TITLE 7 FINANCIAL TOWN MEETING

7-1-3 NOTICE OF MEETINGS

Mr. Jackson stated that the word "warrant" must remain throughout the document under Rhode Island law. The word "warning" may be replaced with "notice" or "public notice." Mr. Jackson stated the words "...given by the Town Clerk issuing this warrant..." should change to "The Clerk's warrant..." The Commission discussed these issues.

7-1-5 CANVASS PRIOR TO MEETING

The Commission discussed maintaining original wording of this section instead of proposing an amendment to it

7-1-9 DISORDERLY CONDUCT AT MEETING

The Commission discussed changing the amount from twenty dollars (\$20.00) to one hundred dollars (\$100.00).

7-1-15 LIMITATIONS ON MOTIONS FOR APPROPRIATIONS

Mr. Hellmann stated that he is concerned about the number of voters needed for a quorum at the Financial Town Meeting, because a majority of a small group of voters (35) potentially could have the ability to alter a line item of the budget positively or negatively by presenting a motion from the floor.

Mr. Jackson stated he disagrees with Mr. Hellman's premise given the long history of conduct at the Financial Town Meetings.

Mr. Hellmann proposed that the Charter to amended so that there must be 2% of all registered voters in attendance at the Financial Town Meeting in order to override a recommendation of the Appropriations Committee.

Mr. Jackson is opposed to changing the language of this section and prefers to retain the language as written.

Mr. Klepper stated that voters could call for an additional Town Meeting if there was a need to do so.

Mr. Dulchinos is in favor of Mr. Hellman's proposal.

Mr. Hellmann requested that Chair Brenner ask the members of the Charter Review to vote formally on his proposal. The vote was as follows: Ms. Adams, Mr. Arico, Mr. Brenner, Mr. Cregan, Ms. Gasbarro, Mr. Jackson, Mr. Klepper, and Ms. Warren were opposed, and Mr. Hellmann and Mr. Dulchinos in favor. The proposal was rejected 8-2.

7-2-1 MEMBERSHIP AND DUTIES

Mr. Hellman is not in favor of the language and advocates for staggered terms for the members of the Committee on Appropriations.

Chair Brenner stated that the agenda item to elect the Committee on Appropriations has traditionally been at the end of the agenda, however, the Moderator may choose the option to schedule the election earlier in the meeting.

Mr. Hellmann stated he is concerned that there may be a nomination from the floor and that person, without experience and institutional knowledge, may be elected. Mr.

Hellmann stated that many boards and commissions have staggered terms and this should be implemented for the Committee on Appropriations in order to preserve the institutional knowledge of the committee.

Mr. Dulchinos agreed with Mr. Hellman's proposal.

The Commission discussed Mr. Hellman's proposal.

7-2-5 VACANCIES

Mr. Hellmann suggested adding a section to include illness, in the event that there is difficulty achieving a quorum for the meeting. Mr. Klepper and Ms. Warren suggest adding alternates to the Committee on Appropriations. Chair Brenner responds that a 5 person Committee on Appropriations only needs 3 members to have a quorum, and if more than 2 members cannot attend the meeting, the meeting should not be held in the first place.

TITLE 8 DEPARTMENT OF PUBLIC WORKS

Chair Brenner instructed Town Clerk Meredith J. DeSisto to send these sections of the Charter to the Director of Public Works and the Building Official for review to confirm that the proposed amendments accurately reflect the functions of these departments.

TITLE 9 SCHOOL COMMITTEE

9-1-4 COMPENSATION

The Commission discussed adding language for the Committee on Appropriations to recommend compensation for School Committee members to the voters at the Financial Town Meeting.

9-2-8 SCHOOL BUDGET

Discussion ensued regarding the school budget process.

Mr. Jackson recused himself from any discussion of the School Budget process. Chair Brenner stated recusal technically is not necessary because the Charter Review Commission is an advisory committee. Mr. Jackson maintained his position that he will recuse himself from any discussion regarding the schools.

Mr. Klepper questioned why the School Department retains unused funds at the end of the fiscal year.

Mr. Hellman stated that capital projects should go in front of the Committee which allows for transparency of the discussion.

Mr. Klepper stated that he understands that a surplus could be used for an emergency situation but unexpended funds should revert back to the Town.

The Commission discussed amending this section to add language mandating that all unexpended funds at the end of the fiscal year should revert back to the general reserve fund.

10-2-7 DECREASE IN NUMBER OF PERMANENT FIREFIGHTERS

The Commission discussed whether to remove the last two sentences in this section of the Charter.

10-2-9 CONSTRUAL OF PROVISIONS

The Commission discussed whether to retain this section of the Charter.

14-1-1 TOWN SOLICITOR

The Commission discussed whether to add language to the Charter to require the Town Council to solicit Requests for Proposals for the Town Solicitor at least every five (5) years commencing in January 2015.

15-1-3 SALARIES IN LIEU OF FEES

The Commission discussed amending this section to clarify the first sentence.

16-1-1 COMMISSION IN CHARGE OF CEMETERIES AND BURIAL GROUND

The Commission discussed whether to amend this section to add language allowing the Town Manager to approve all personnel and salary decisions.

16-2-4 OFFICERS PERSONALLY INTERESTED IN TOWN CONTRACTS

The Commission discussed whether this section of the Charter should be removed because it is duplicitous of other sections and state laws.

17-1-1 EFFECTIVE DATE

The Commission discussed whether to retain the last line in this section of the Charter.

DISCUSSION OF FUTURE DAY/DATE/TIME OF MEETINGS

The Commission scheduled Monday, May 19, 2014, at 7:30 p.m., for its next meeting.

PUBLIC COMMENT

There was no public comment.

ADJOURN

Motion by Mr. Cregan and seconded by Mr. Dulchinos to adjourn the Charter Review Commission meeting at 8:55 P.M. The motion passed unanimously.

Meredith J. DeSisto, Town Clerk