

TOWN COUNCIL SPECIAL MEETING
WEDNESDAY EVENING - JANUARY 9, 2008

PRESENT: Marshall, Cordeiro, Parella (arrived at 7:11 o'clock PM), Barboza and Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator

The Council met in special session on Wednesday evening, January 9, 2007 in the Town Hall, Council Chambers beginning at 7:07 o'clock PM, Council Chairman Marshall presiding.

Documents Included:

1. (Walter Burke) re draft of proposed changes to Recreation Ordinance (Sec. 18)
2. (Walter Burke) re spreadsheet containing data relating to recreation departments in Rhode Island
3. (Walter Burke) re 2006 RI Community Affairs Municipal Salary Survey - Recreation Directors

Council Chairman Marshall explained that the purpose of this evening's workshop was to take a look at the "big picture" of the Parks and Recreation Department so as to establish operating standards for the future. He suggested that some of the Recreation Board's operating rules might be "tweaked" but he recommended that nothing should be changed too drastically.

Council Chairman Marshall stated that he was of the opinion that the Recreation Board represented the Council and that he did not think that its authority should be changed to that of an "advisory" board to the Recreation Department.

Council Chairman Marshall noted that the Recreation Department is "not only league sports" but rather offers a comprehensive program of activities, year round. He outlined a brief list of some of these recreational activities.

Councilman Cordeiro stated that he was informed by numbers of constituents that the Recreation program is very satisfactory. He expressed concern that league presidents should not be board members.

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(Councilwoman Parella arrived at this point in the workshop
- 7:11 o'clock PM)

Councilman Cordeiro further qualified his statement in that he was of the opinion that Mr. Fred DaSilva does an excellent job as a board member. He also noted that Mr. Warren Rensehausen was an excellent member of the board and was now serving as the president of King Philip Little League.

Councilman Cordeiro stated that he was looking toward the future of the Recreation Department and he wants to assure that new facilities that might be developed at the Army Reserve Center, were this building to be converted into a recreation center, should serve all of the citizens of the Town including seniors, youth and adults.

Councilman Herreshoff expressed "general satisfaction" with the recreation program and he, too, noted that it should serve all ages "with an emphasis on youth."

Councilman Herreshoff also noted that it was the Council's and Administrator's responsibility to "fine tune" the recreation program. He explained that while he was Town Administrator he sought authority over the Recreation Director and did not get that authority. He stated that he was of the opinion that the program has improved since the Director reports to the Administrator and that the Administrator should have a role in the operation and be ultimately responsible for same.

Councilman Herreshoff noted that the Recreation Board should be the arbiter between any conflicting interests.

Councilman Barboza thanked those who have served the Recreation Board. He also stated that he was of the opinion that at this time the board should become advisory to the Recreation Director. He cited several other examples of Town boards which used to be more than an advisory and are no longer such. He further stated that the current duties of the Recreation Board are outmoded and made no sense.

Councilman Barboza also noted that of the 39 cities and towns in Rhode Island, only 4 have recreation departments

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reporting to the Town Council and all others report to a town manager or administrator.

Councilman Barboza stated that were the Council to change the Recreation Board to advisory it would not lose its ultimate authority since it controls this through the budget process and will continue to do so.

Councilman Cordeiro stated that he was "old school" in his approach to the matter and suggested that the Recreation Board works well and that he was reluctant to change anything that was operating efficiently.

Councilman Barboza again noted that the reporting scheme for the Recreation Department/Board was outmoded and would be improved if it were changed.

Councilwoman Parella agreed with Councilman Barboza about the reporting scheme, particularly as it was related to the existing ordinance, and suggested that the Council and/or Board might look at the way that the Recreation Board/Director currently operates and compares this to the existing ordinance. She suggested that it was very likely that the actual day-to-day operation of the Department may be different than that which is prescribed by the ordinance. She suggested that the Recreation Board may be in reality advisory already.

Councilwoman Parella also suggested that the Council now has the opportunity through a reporting change to improve the overall relationship between the Administrator, Director and Department and that the old reporting scheme is outmoded.

Councilwoman Parella also expressed concern that the Director effectively works for two different entities (Town Administrator and Recreation Board) and that creates a sometimes difficult situation for the employee and was not fair since this department is treated differently than other full-time departments.

Council Chairman Marshall noted that Councilwoman Parella was correct in her assumption that the Board does not necessarily conform to the ordinance as written since it does not wish to approve payment vouchers in infinitesimal amounts.

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Councilwoman Parella suggested that the Council review the list of comparable communities as provided in the spreadsheet of data. She noted that most comparably-sized towns have their Recreation Department report to the chief executive.

Councilman Herreshoff stated that he was of the opinion that the Recreation Department should be accountable to the Town Administrator for "administrative" functions such as the appearance and location of signs and other maintenance issues and the Recreation Board might have greater autonomy when deciding issues relating to its "program mission."

Town Administrator Mederos stated that the current Recreation Board and Director have good communication with her office. She suggested that the Council might specifically examine the ordinance.

Councilman Cordeiro expressed concern that should the Council decide to make the Recreation Board advisory only the Recreation Director might "ignore" its advice and the Board would cease to function.

A discussion ensued concerning the reporting function of various departments within the Town with the Council comparing these.

Another discussion ensued concerning the pros and cons of "split authority."

Walter Burke stated that he was "fond of the Rec Board" and over the past three (3) years his relationship with the Board has grown "really good and getting better." He also noted that there was good "cohesion" within the Recreation Department. He also noted that the words "advisory" and "governing" were purely semantics and the current ordinance mostly dated from the time that the department function was seasonal and not full time.

Mr. Burke informed the Council that he was indifferent as to whether or not the Board was governing or advisory and that he was mostly interested in amending the ordinance to remove the Ex-Officio members and to eliminate possibilities of nepotism. He further stated that the ordinance was in need of "tweaking."

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Council Chairman Marshall asked Mr. Burke if he thought the Recreation Department could "handle everything alone" with Mr. Burke responding affirmatively and that he would ask for help if needed.

A discussion ensued regarding the actual function of the Recreation Board relating to its physical presence and role during activities. The discussion also considered if the Board would function at all if its authority were taken away.

Mark DeFelice, a former member of the Recreation Board stated that he was of the opinion that the day-to-day operation of the Department should report to the Town Administrator. He also noted that the Board's function has been advantageous in that it does not always agree with the proposals of the Director and is able to improve and or support programs. He cited a specific example in that Mr. Burke appeared to be interested in expending the Beach grant for "beautification" and the Board was able to redirect the program to include new athletic fields.

Mr. DeFelice stated that the board gages "the pulse of the community" since all of the members are Bristol residents and the Director is not.

JoAnn Morra, a former member of the Recreation Board cautioned that a move to make the Board advisory rather than governing would be a "step backwards." She noted that the current structure allows for a "project emphasis, accountability" and that the board "protects" the community.

Councilman Cordeiro asked Warren Rensehausen (Mr. Rensehausen is recreation director in West Warwick) if his recreation board is advisory or governing with Mr. Rensehausen noting that it was advisory but that West Warwick does not have a tradition of a board at all. Mr. Rensehausen explained that the board was appointed in West Warwick at his behest as a "sounding board" for ideas. He also suggested that Bristol's ordinance might be "tweaked" if necessary so as to improve its overall application.

Ms. Morra explained that she was doubtful if anyone would wish to serve on the Recreation Board were it to change

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from governing to advisory since the board is comprised of volunteers and the governing authority provides an impetus for membership.

Councilman Cordeiro expressed concern that league officers should not be voting members of the board with Ms. Morra explaining that the potential conflict of interest did not appear to be causing any difficulties.

Councilman Cordeiro noted that although there might not appear to be any direct conflict of interest causing difficulty at this time the potential for trouble in the future was a concern of his.

The Clerk noted that the Attorney General's office explains that any direct conflict of interest should be handled by a formal recusal and the person with potential conflict should file with the Conflict of Interest Commission and essentially leave the room when his or her conflicted subject is discussed. He further noted that the Attorney General views conflict of interest for those bodies where any conflict might be apparent and that this would also apply to volunteer positions where no monetary benefit is derived.

The Clerk further suggested that if the board members were careful about applying their recusal when appropriate perhaps the Council's concern for conflict of interest would be alleviated.

Mr. Rensehausen explained that he and Mr. DaSilva were associated with other leagues and that they were both careful to abstain from voting when their leagues had business before the Board.

Mr. Burke noted that he was appreciative of having a governing board since this group "can take the heat" when unpopular decisions are made i.e. raising fees, etc.

The group attempted to suggest amendments to the current ordinance but Council members suggested that this task might be better served by a sub-committee of the Recreation Board which might make a recommendation to the Council for an ordinance amendment in the future.

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The Clerk suggested that this might be a relatively small group which would meet with the Solicitor so as to be assured that the proposed amendments are legally sound.

It was further agreed, by consensus, that the appointment list held in abeyance would be brought forward for action at the next regular Council meeting (January 23, 2008).

Council Chairman Marshall thanked all for their participation this evening.

There being no further business upon a motion by Councilman Herreshoff, seconded by Councilman Cordeiro and unanimously voted the Chairman declared this meeting to be adjourned at 9:05 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk