

24, 2006

KENDALL-DEAN SCHOOL

7:00 P.M.

The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Mrs. Flaherty, Mrs. Thibault, Mr. Zwolenski and Mr. Lovett. Mr. Yazbak arrived later. Town Administrator Lowe was also present. Town Solicitor Hadden was unable to attend.

CHARTER REVIEW

Mr. Lovett noted that the Charter Review Commission presented their recommendations to the Council several weeks ago and the Council has now received Mr. Lowe's recommendations.

Mr. Lowe stated his proposal was based on recommendations from all department heads.

Some of the proposed changes of the Charter Review Commission were support for a hired Town Manager rather than an elected Town Administrator, staggered terms for Council members, elimination of the Budget Committee, raising the amount required to begin the bidding process, and having the Town Solicitor appointed by the Town Administrator rather than the Town Council.

The Council members agreed that this would not be the only public

hearing on the matter and that there would be no vote this evening.

Mr. Robert Najarian stated he was in favor of a Town Manager in order to bring more professionalism to the position and he supports staggered Council terms although he was not sure about four-year terms.

Mr. Michael Rapko said the biggest issue is negotiation of contracts. There should be a team that reports to the Town Council. He also believed there is an issue with the way term limits are set for the Zoning Board and the Planning Board. There appears to be a lot of controversy now.

Suggestions by Mr. Ernest Alter included requiring annual disclosure of financial statements and salaries, staggering board terms, a breather period between four-year terms, and video recording of Council meetings. He also stated there are excellent arguments on both sides regarding a town manager position.

(Mr. Yazbak arrived at 7:30 P.M.)

Over the weekend Mr. Yazbak spoke with knowledgeable people regarding Article XIII with particular attention to Sections 6 through 8.

The Constitution provides for amendments to home rule charters in the same manner as the original charter. He believed that whatever amendments the Charter Review Commission presented are what

have to go before the electorate.

A discussion followed about the powers of a town manager versus a town administrator. Charter Review Commission member Richard Towne stated their document gives a manager somewhat more power in that he/she can hire/fire employees.

Charter Review Commission member Robert Rossi added that right now an employee's firing is reviewable by the Town Council who can either approve or deny it.

Mr. Zwolenski was concerned with the terminology to terminate "without cause". He felt all three documents, the North Smithfield Town Charter, the Charter Review Commission's proposal and Mr. Lowe's proposal, need to be juxtaposed.

Mr. Yazbak asked if there was a prohibition on holding public hearings on contracts.

Charter Review Commission member Paul Baillargeon, a former Town Solicitor, stated that their document cannot be read by section. It has to be taken as a whole.

July 24, 2006

Mr. Baillargeon continued that Title XVI exempts any action by a Town Council of hiring/firing school department personnel. The Charter Review Commission proposal gives authority to the Town Manager or an administrative designee to sit in on School Committee contract negotiations, without being eligible to vote.

Mr. Baillargeon said the proposal does not need legislative approval but the Council must either put it on the ballot in total or not at all.

Charter Review Commission Chairman Jonathan Mundy commented that the board wanted to invest more power in a town manager. The School Committee, when they met with them, was willing to have appointed personnel as part of the negotiations.

Mr. Yazbak offered to speak to Mr. Hadden about this evening's conversation and urged other Council members to do the same.

MOTION by Mrs. Thibault, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to continue the public hearing to August 7, 2006 at 8:00 P.M. at Kendall-Dean School.

MOTION by Mrs. Flaherty, seconded by Mrs. Thibault, and voted unanimously on an aye vote to take a five-minute recess at 8:32 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

JULY 24, 2006

KENDALL-DEAN SCHOOL

IMMEDIATELY FOLLOWING

PUBLIC HEARING

The meeting began at 8:40 P.M. The prayer and the pledge to the flag were waived. Council members present were Mrs. Flaherty, Mrs. Thibault, Mr. Yazbak, Mr. Zwolenski and Mr. Lovett. Town Administrator Lowe was also present. Town Solicitor Hadden was unable to attend.

EXECUTIVE SESSION

MOTION by Mrs. Thibault, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to enter into executive session pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation to discuss the vacation time of Roger Lafontaine.

MOTION by Mrs. Thibault, seconded by Mr. Zwolenski and Mrs. Flaherty, and voted unanimously on an aye vote to come out of executive session at 9:00 P.M. and to seal the minutes. No motions were made and no votes were taken.

ROGER LAFONTAINE VACATION TIME

MOTION by Mr. Yazbak, seconded by Mrs. Flaherty, and voted

unanimously on an aye vote to authorize the Town Administrator to offer Roger Lafontaine a memorandum of agreement with an effective retirement date of December 1, 2006 with benefits and insurance coverage to continue to December 31, 2006 and if Mr. Lafontaine agrees, the Town Administrator is authorized to sign the agreement.

MOTION by Mr. Yazbak, seconded by Mrs. Thibault, and voted unanimously on an aye vote to adjourn at 9:01 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk