

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

The Board of Canvassers of the Town of Tiverton, County and State aforesaid held a Meeting at the Tiverton Town Hall, 343 Highland Road on Wednesday April 24, 2013 10:00 a.m.

MEMBERS PRESENT:

Chair Bobby J Harris-present
Member DeEtta Moran-present
Alternate Jeannie Veegh-absent
Town Clerk-Nancy Mello-present

Vice Chair James Rego-present
Alternate Charles Moran- absent
Clerk Kathleen Wood-present

Chairman Harris called the meeting to order at 10:15 a.m.

1. Approval of Minutes

April 2, 2013

Motion made by DeEtta Moran and seconded by Bobby Harris to accept the minutes of April 2, 2013. The motion passed with DeEtta Moran and Bobby Harris in favor and Jim Rego abstaining since he was not present at the April 2nd meeting.

2. Financial Town Referendum and Early Voting Discussion

Chair Bobby Harris, member DeEtta Moran and Town Clerk Ms Mello met with Steve Taylor of the Rhode Island Board of Elections and Chris Degrave of the ADA to discuss several issues regarding using Amicable Church as a polling location. It was hoped that there would be grant funds available from the ADA to upgrade Amicable Church, in order for the ADA to accept it as a suitable polling location. In its current condition Amicable Church does not meet the new regulations set forth by the Board of Elections and the ADA. There are no funds for Amicable Church however there would be funds that could be utilized at the Tiverton Middle School.

Tiverton Middle School and Sandywoods were also visited. Sandywoods did not meet the ADA requirement due to lack of handicap parking. No permanent lines painted and spacing not in accessible areas. Hall is fine, will work with ADA on parking.

Tiverton Middle School's biggest issue is that it is out of district. Steve Taylor and Chris Degrave both agreed easily can be brought into compliance. Much better facility than using Amicable; however, would take going before the Board of Elections to use out of district. In the near future the Board of Elections will be reviewing all polling locations. They prefer that polls not be located outside of the district/precinct. Will continue to pursue options.

Amicable Church will be used for the May 21st 2013 Financial Town Referendum.

We will be using the same Early Voting schedule as 2012

All Early Voting will take place at Town Hall, Thursday May 16th, Friday May 17th, from 8:00 a.m. to 8:00 p.m. and Saturday May 18th from 8:00 a.m. to 4:00 p.m.

The Early Voting Schedule and Notice has been advertised in the Herald News and the Sakonnet Times numerous times.

3. Certify to the State Ballot Budget Proposals & Resolutions for the 2013 FTR

There was a lengthy discussion regarding the wording for the Budget Proposal section of the ballot. The Town Charter specifically states that the wording should read “*VOTE FOR ONLY ONE OF THE FOLOWING BUDGET PROPOSALS*”. Since for the 2013 Referendum there is only one (1) proposal, the members of the board felt that the wording was misleading and voters might be confused as to where the other Proposals were located on the ballot.

Another suggestion was to have no instructions to the voter except to connect the head and tail of the arrow.

An option to use Approve or Reject was considered. Laura Epke a member of the audience reminded the Board that if the budget was rejected using the Approve/Reject method, that the Town Charter does not address what would be the next step in the Budget Process. The Town would have no recourse to approve a budget.

Ms. Mello stated that it was clear that the Financial Town Referendum Committee did not want the Approve/Reject ballot, but wanted the” Connect the Arrows, vote for only 1 instead.”

The Board requested that Ms Mello contact Town Solicitor, Teitz and arrange for him to meet with them on April 25th to discuss the legal implications of the wording of the Budget Proposals section of the ballot.

A motion was made by James Rego and seconded by DeEtta Moran to approve the wording and formatting of the Resolutions portion of the ballot. The motion passed unanimously.

4. Poll Worker list and Poll Worker training

The Poll Worker list is complete and was reviewed by the Board. Poll Worker training will be held at Town Hall on Monday May 6th at 6:00 p.m. and a makeup class will be held on Tuesday May 7th at 10:00 a.m.

5. Coordination of Polling Places for the Financial Town Referendum

On Election Day May 21st, the Board of Canvassers will deliver supply boxes to the polls by 6:00 a.m. Mr. Rego will deliver to the V. F. W., Ms Moran will deliver to Countryview Estates, and Mr. Harris will deliver to Amicable Church.

6. Certify Mail Ballot Applications

The Board certified 25 absentee/ mail ballot applications.

7. Board Member Items:

DeEtta Moran: Ms Moran had previously discussed an issue regarding her position on the Tiverton Board of Canvassers possibly conflicting with her position on the Tiverton Republican Town Committee. Ms. Moran spoke with Rhode Island Ethics Commission and was advised that there is no conflict. It was suggested to her that if the Board of Canvassers were to discuss an item regarding the Republican Town Committee she might want to recuse herself.

James Rego: Mr. Rego notified the Board that he would not be seeking reappointment to the Board of Canvassers when his term expires in June 2013.

RECESS: A Motion was made by DeEtta Moran, seconded by James Rego to recess the meeting until Thursday April 25th at 9:00 a.m. to continue their discussion with the Town Solicitor Mr. Teitz regarding the issue of the wording of the Budget Proposal section of the 2013 FTR ballot. The motion passed unanimously

CONTINUATION FROM APRIL 24TH:

In attendance: Bobby Harris, Chair
James Rego, member
Nancy Mello, Town Clerk
Kathleen Wood, Clerk

DeEtta Moran, member
Jean Veegh, absent
Charles Moran, absent
Andrew Teitz, Town Solicitor

The discussion regarding the wording of the FTR Budget Proposal Section of the ballot continued on April 25 that 9:07 a.m. with Town Solicitor Mr. Teitz in attendance.

Board member Mr. Rego suggested the instructions to the voters should read “VOTE FOR THE FOLLOWING BUDGET PROPOSAL”

Chair Mr. Harris voiced his concern with Mr. Teitz that if the charter were not followed that there was a possibility of lawsuits.

Another suggestion was to give the voters a choice to approve/reject the Budget. This was not an option; since the Charter does not provide for a solution should the Budget be rejected by voters.

The Charter would have to be amended for the approve/reject option to be utilized.

Mr. Rego questioned whether the Town Council could revise the Charter without a Charter Review Commission. Mr. Teitz advised that the Charter could only be amended at an election.

Mr. Rego made a motion to change the format of the Budget Proposal Section to read “APPROVE/REJECT. The motion failed for lack of a second.

Ms Moran questioned what type of instructions would be acceptable on the ballot.

Mr. Teitz advised that to either reword the instructions to the voter or to have no instructions would be acceptable.

Because of his concern with legal repercussions, Mr. Rego made a motion to add the following language on the ballot “Vote for only one of the following budget proposals.” For the purpose of discussion, Ms Moran seconded the motion.

Laura Epke a member of the audience questioned what wording and formatting was approved by the Financial Town Meeting Changes Advisory Committee when the FTR charter changes were being developed.

Sally Black also a member of the audience, who attended every meeting of the Financial Town Meeting Changes Advisor Committee, produced a copy of the sample ballot with the final language approved by the Committee, which read “Vote for only one of the following Budget Proposals”. The “connect the arrow” not “approve or reject” was chosen by the committee as the formatting for casting votes in the Budget Proposal section of the ballot.

Mr. Rego removed his original motion which was to use “Vote the following Budget Proposal”.

A motion was made by Ms. Moran, seconded by Mr. Harris to use the “Connect the Arrows” formatting and not the” approve or reject” for the Budget Proposal Section of the FTR ballot. In favor of the motion were Ms. Moran and Mr. Harris. Against the motion was Mr. Rego. The motion passed with 2 in favor and 1 against.

Mr. Teitz suggested that in order to abide by the charter that the Board could keep the language in the charter, “Vote for only one of the flowing Budget Proposals”, and below that statement include *Note: “This year there is only one Budget Proposal”*.

A motion was made by Mr. Harris, seconded by Mr. Rego to add the suggested note. The motion passed unanimously.

To Consider Such Other Business as May Lawfully Come Before the Board:

The next Board of Canvassers meeting was scheduled for Tuesday, April 30th at 2:00 p.m.

Ms. Mello reminded the Board that the Town Council will be appointing 2 new Board of Canvassers members in June: one regular member and one alternate. The Tiverton Republican and Democratic parties must each submit five names for the Council’s consideration.

There being no other business, James Rego made a motion to adjourn, Seconded by DeEtta Moran
The meeting adjourned at 10:00 a.m. on April 25, 2013

Bobby Harris Chair _____ James Rego Vice-Chair _____

DeEtta Moran _____ Alternate Charles Moran _____ absent _____

Alternate Jean Veegh _____ absent _____

A True Copy.

ATTEST: _____ Nancy L. Mello Town Clerk