

NORTH SMITHFIELD

CHARTER REVIEW COMMISSION

October 6, 2016

North Smithfield Elementary School

Open Forum with Town Residents #1

Minutes

I. Call to Order

Paul Vadenais called to order a regular meeting of the Charter Review Commission to include input from the general public of North Smithfield regarding possible charter revisions at 7:05 PM on October 6, 2016 at the North Smithfield Elementary School

II. Roll Call

Tracey Nangle conducted a roll call. The following persons were present: Terri Bartomioli, Christine Charest, Tony Guertin, Peg Votta, and Paul Vadenais. Not present: Carol Drainville, Larry Forti.

III. Approval of Minutes from Last Meeting

No minutes submitted from the October 3 meeting yet.

Motion by Chris Charest to move New Business: Solicitation of input from the public, up, second by Tony Guertin. Unanimous approval.

IV. New Business

Paul Vadenais asked those members of public in attendance for suggestions, comments, changes people would like to see for the

North Smithfield Town Charter.

Dan Halloran:

- **Did not cite section of charter – had attended TC meeting and wanted to comment on recommendations the TC made to the CRC**

Does not support TC ratifying contract with administrators/superintendent as they do not understand the qualifications required for those positions

Replacing a TC member mid-term – Dan supports having an election because the right to vote is the most important thing. Every time the elected bodies take away an elected position, they take away the right to vote

Town manager – Dan feels that if you have a town manager you are giving the TC more power and it works against the people's ability to vote

Elected School Committee – Feels it should be elected – completely. Also feels that there should be no appointments – should be a special election. Under 6 months, if there is a vacancy, he feels the school committee should appoint.

Recall provision – seems illegal to him – the last lines say a special election cannot be held more than 120 days before the next election. He feels people could file and then refile over and over again.

School Maintenance – feels all school maintenance should only be the done by the school department

Comp time for appointed officials on the municipal side – specifically the Town Clerk – this person has to attend evening meetings, has extended hours for elections, etc. He feels that there

should be some comp time for these employees and perhaps this could be added. If this isn't possible perhaps we should hire an election clerk and/or a service company to take the minutes at meetings.

- Last year there was a crisis on the council regarding the mayoral academy. 4-1 vote of the TC to tell the TA to step away from the mayoral academy. She shook her head no. Council looked to the solicitor to see if they could compel her to do so. The solicitor said there is nothing in the charter to allow them to compel her to follow their directive. Dan said he would have challenged it. He feels the intent is in the charter for the TA to follow the will of the council when they vote.

- He feels the recent purchase of police equipment was a violation of the charter

- He feels a vote of the TC should be null and void if it is in violation of the charter. In a political season it should not be possible for the TC to make a maneuver like they did.

Jean Meo –

- School Committee focus

- Article IV – (23) (24) Feels RI general law conflicts with this. These responsibilities belong

- Article XIV – In 2014 just before the election, she paid for an ad in the Valley Breeze to say that the TC and TA should not be allowed to appoint people to the SC. We now have 4 appointed and 3 elected

people on SC

- **She feels 2012 and 2014 were full of dissent between the TC and the SC and changes happened to the Town Charter because of that relationship**
- **RI general law 16-2-9 – Powers and Duties of the SC**
- **Feels the SC's autonomy has been impacted**

Gary Ezovski

- **Thanked CRC**
- **Spoke to how important it is for the Charter to be strong and correct**
- **Three places in the charter refer to a town manager and we have never had one**
- **We need to be thorough and accurate to avoid confusion**
- **Focus on the system, not the people in the roles**
- **Town council is the board and the TA is the CEO – he feels that we should consider whether the TA should be an ex officio voting member – would be an opportunity for stronger consensus**

John Beauregard –

- **Asked why not a town manager and can we leave the option for one in the town charter – public elections don't always work out well**

Jim Lombardi –

- **Cautioned us to be too specific in our language in the charter**
- **Keep the TA and the TC as separate as possible to ensure separation of powers**
- **There should be a separation and a tension between town powers**
- **Offered his support from his prior work as solicitor**
- **Think boldly when we make changes, we have an awesome**

responsibility

He does not feel contracts other than collective bargaining contracts should be ratified by TC

Tony asked Jim about state law vs charter

Jim said state prevails – state law overrides the charter

Jim asked about the bonding amount and having to go out to voters – state can change law and they prevail

Gary Ezovski

• Discussed that the effort to change the contract ratification change to the charter could take us off course

Motion to take a 10 minutes recess by Christine Charest, seconded Terri Bartomioli – 8:15PM

Meeting reconvened 10 minutes later – 8:25 PM

V. Old Business

None to be discussed this evening due to meeting with the public

VI. Good and Welfare for the Commission

Terri will not be at next meeting – Thursday, October 13, 2016

We will have another public meeting at a to be determined future date

VII. Next Meeting

Next meeting date is October 13, 2016

We are on SC agenda on October 18, 2016

VIII. Adjournment

Motion to adjourn at 8:40 by Christine Charest, seconded by Terri Bartomioli