

## **2007-2008 Charter Review Committee**

**Middletown, RI**

**Minutes of the Meeting of**

**Thursday, May 3, 2007**

**Attendance: Barbara Von Villas, David Leys, William O'Connell, Frank Forgue, Elizabeth Pike Bozyan, Lucie-Anne Dionne-Thomas and Shirley Mello as Town Council liaison were present. Robert Matose, Vergil Blaschke and Morrie Seiple were absent.**

**The meeting was held at Town Hall and was called to order at 7:00 p.m.**

**Minutes of April 12, 2007 meeting were unanimously approved as drafted.**

**Old Business: As in 2001, Town Administrator agreed to meet with the committee at the June 7, 2007 meeting. Town Council will probably meet with the committee in the fall.**

**New Business: Discussion of Sec. 201 and whether to include in that provision staggered terms, term limits and non-partisan affiliations. Proposed language (although not yet voted upon by the committee) for that section was as follows:**

**Sec. 201. Number; selection and term of members.**

**The town council shall consist of seven members elected from the town at large, each to serve for a term of four years or until his/her successor is elected and qualified. The three members with the most votes at the first general election after the adoption of this charter shall hold office for four years and the remaining four for two years. Thereafter, town council members shall serve for four-year terms.**

**Further provided that, after serving two terms, members shall be ineligible to hold office as a town council member until one four year term has intervened.**

**The election of town council shall be by nonpartisan election, an election without designation or identification of political affiliation.**

**As to the first sentence of 201, there was concern over whether the words “until his/her successor is elected and qualified” were consistent with the language in section 209. There was also concern raised regarding provisions for recall of any member of the council. In addition, there was discussion of whether to include, in the preamble or elsewhere in the charter document, a reference to both genders and/or a provision that indicated the charter would be gender neutral.**

**A suggestion was made to revise Sec. 204 to add, at the end but before the period in the first sentence, the words, “concurrent with the general election for a two year term.”**

**Sec. 207(h), which refers to “hiring...of money” was questioned. Lucie-Anne will research whether that expression refers to borrowing**

**money or suggests something else. If nothing can be determined for certain, it will be necessary to try to obtain the history of that provision.**

**A proposal was made to add language to Section 211 regarding conflicts of interest.**

**Discussion occurred about consideration of including language in section 207 about competitive bidding.**

**It was suggested that a five rather than a ten year period be considered as appropriate for reviewing and updating the Charter.**

**In light of the above, it was agreed that the proposals should be separated into sections as follows to be acted on separately at the June 7th meeting:**

**1. The town council shall consist of seven members elected from the town at large, each to serve for a term of four years or until his/her successor is elected and qualified.**

**a. The three members with the most votes at the first general election after the adoption of this charter shall hold office for four years and the remaining four for two years.**

**b. Thereafter, town council members shall serve for four-year terms.**

**2. After serving two terms, members shall be ineligible to hold office**

**as a town council member until one four year term has intervened.**

**3. The election of town council shall be by nonpartisan election, an election without designation or identification of political affiliation.**

**4. Include a provision for recall.**

**5. Gender neutrality – include section near beginning that stipulates gender neutrality throughout document. (amended to propose that gender neutrality be stipulated not simply in an opening section at the beginning of the document, with applicability to the whole document, but rather throughout the document)**

**6. Sec. 211. Conflicts of Interest.**

**In accordance with RIGL § 36-14-1, et seq. as well as any rules or regulations promulgated by the RI Ethics Commission, no official of the Town elected or appointed, shall utilize his/her position to forward, directly or indirectly, his/her personal interest. Personal interest includes the interests of a spouse or dependent child as well as any business or entity in which the official has a financial interest. In the case of personal interest, as defined by state statute or ethics commission, in the proposition before him/her as town official, he/she shall abstain from voting on, or otherwise participating in, any matter that will, or can reasonably be expected to, directly result in an economic benefit to the person, or spouse (if not estranged), or any**

**dependent child of the person, or business associate or any business by which the person is employed or which the person represents.**

**7. Competitive bidding – include language as per other towns**

**8. Periodic Charter Review – 5 years as opposed to current 10 years**

**Action on the above items was postponed to give members of the committee the opportunity for due consideration and action at the next meeting.**

**In preparation for the next scheduled meeting on June 7 at 7:00 p.m. at the Town Hall, the committee members will also review and be ready to discuss Articles III and IV of the Charter.**

**The meeting adjourned at 8:40 p.m.**

**Respectfully submitted,**

**/s/**

**Lucie-Anne Dionne-Thomas**

**Secretary**

**Handouts:**

- Proceedings of the 2001-2002 Charter Review Commission**
- Vacancies by RI towns/cities as they relate to sec. 209**
- Competitive bidding provisions in other RI towns/cities**