

Middletown Charter Review Committee

Minutes 31 May 2017

Attendees (Underline & **Bold** indicates present)

Chris Semonelli, Chair

Barbara Barrow

William Flynn, Sr.

Paul Mankofsky

Art Weber, Vice Chair

Roby Faria

Wendy Heaney

Kevin O'Halloran

Richard Adams, Sec.

Linda Finn

Marilyn Hennessey

Tom Silveira

Ex Officio/Liaisons (Underline & **Bold** indicates present)

Councillor Barbara Vonvillas

Councillor Dennis Turano

Town Administrator Shawn Brown

Committee Organization and Responsibilities

As acting Chair, pending election of committee officers, Shawn Brown called the meeting to order at 6:10 PM. Nominations were opened for Chair. Chris Semonelli and Art Weber were nominated and duly seconded. Chris was elected Chair and Art Vice Chair. Richard Adams was elected Secretary.

Peter Regan, Middletown Solicitor, provide a brief overview of the responsibilities of the Charter Review Committee and emphasized that all Committee members should carefully read the current Charter. He noted that:

- The Town Charter, adopted in 1968 is the fundamental governing Town document,
- The Charter is authorized under Rhode Island's Home Rule Charter to allow city and town governments local control and flexibility;
- The hierarchy of controlling documents is 1) The US Constitution, 2) Federal Law, 3) The Rhode Island Constitution, 4) Rhode Island General Law (RIGL), and 5) Town Ordinances;
- All Town documents must be consistent with the documents hierarchy;
- The Committee is charged with proposing changes to the Town Charter and all proposed changes must be approved by a majority vote of the Committee;
- Proposed changes to the Charter are referred to the Town Council for approval;
- If approved by the Town Council, proposed Charter changes will be placed on the 2018 ballot for approval/disapproval by Middletown voters, and;
- The Town Council may also propose amendments to the Charter, subject to voter approval.

Shawn Brown noted that the Committee is subject to Rhode Island's Open Meeting Law hence all meeting will be posted on the Secretary of State website at least 48 hours prior to Committee meetings. He emphasized that any meeting of seven or more Committee meetings is an official meeting and must adhere to the Open Meeting Law. Substantive discussion of Committee matters should not be conducted via email or other electronic media.

The Committee is also subject to Rhode Island Code of Ethics rules and regulations. Any actual or perceived conflict of interest should be disclosed.

Public Committee Input

Shawn indicated that members of the public may address the Committee on any subject relevant to the Town Charter. The Town Administrator and Town Department Heads may also address the Committee on subjects relevant to their departments. A general discussion was held on how to ensure that the public had adequate notice and knowledge of Committee discussions.

Charter Change Schedule

Shawn reviewed with the Committee steps necessary to place Charter changes on the ballot for the 2018 election. Milestones and deadlines are as follows:

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Date	Event
December 2017	Charter Review Committee (CRC) work complete.
March 2018	CRC Change Recommendations submitted to Town Council.
June 2018	Last date for changes to Council.
July-September 2018	Town Council consideration of recommended changes. Council hearings on Council accepted Charter changes.
October 2018	Charter changes submitted to RI Secretary of State for incorporation in 2018 ballot.
Tuesday, November 6, 2018	Referendum on proposed Charter Changes

Committee Schedule

A general discussion was held on the best days for committee meetings. Tentatively, the Committee decide to meet on the last Wednesday of each month in June, July, and August. Shawn will send out a Doodle Poll to verify that a quorum will be available.

Committee Information

Town staff and/or the Town Solicitor will provide relevant samples of other town charters for Committee reference. Shawn emphasized that the Committee should take a long-term view of the Charter. That is, how Middletown should be governed in 10 or 20 years. The Committee should avoid changes to the Charter which belong in Town ordinances and regulations.

The Town Clerk will provide an annotated version of the current Charter showing previous changes and their date of incorporation.

The Committee may choose to draft language for proposed changes or refer language drafting to the Town Solicitor.

Public Input

On a suggestion by Paul Mankofsky the Committee held a full discussion on how best to ensure that public input to the Charter changes process was available. Significant points are:

- The Public may speak to any item on the agenda at any Committee meeting;
- The Committee Chair may place reasonable time limits on public input from any individual;
- In general, the Committee will follow the procedures of the Town Council on receiving citizen comments, however, the Committee will be free to conduct open discussion during any citizen commentary;
- The Committee should avoid introducing proposed “last minute” changes when adequate time is not available for consideration;
- Committee members should avoid substantive discussion with the public outside of Committee meetings, and;
- Citizens should be encouraged to bring their comments and proposals to the Committee meetings.

Next Meeting

The next Committee meeting is tentatively scheduled for 6 PM, June 28, 2017 in the Middletown Library conference room.

The next meeting will consider Articles I, Basic Provisions and Article II, The Town Council.

Respectfully Submitted,

/s/ Richard Adams, Secretary