

Middletown Charter Review Committee
Minutes of 27 September 2017, Middletown Library Conference Room

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

Town Solicitor, Peter
Regan

Administrative

A quorum being present, the meeting was called to order at 6:10 PM. The delay was to allow for any members of the public who wished to attend but went to the Town Hall. The Town Hall was erroneously listed as the meeting location in the Newport Daily News.

The minutes of August 30, 2017 were unanimously approved as amended to correct member attendance.

Schedule

Below are the revised dates and events necessary to place Charter changes on the 2018 ballot. Note that these dates, provided by the Town Clerk, are somewhat different from the dates listed in the Committee's previous minutes.

Date	Event
January 2018	Charter Review Committee (CRC) work complete.
March/April 2018	CRC Change Recommendations submitted to Town Council. Change format to include red-lined changes to the Charter with explanations and reasons for the changes.
May 2018	First Hearing on proposed Charter amendments.
June 2018	Final Hearings on proposed Charter amendments. Council votes on which Charter amendments to be included in November 2018 ballot referenda.
July 2018	Town Council consideration of recommended changes. Council approval of Charter Change Resolution. Canvassing Board approval of ballot referenda.
August 2018	Charter changes submitted to RI Secretary of State for inclusion on 2018 ballot.
Tuesday, November 6, 2018	Referendum on proposed Charter Changes

The remaining Committee meeting dates are listed below. (Note that a December meeting has been added.)

Date	Time	Location
Wednesday, October 25, 2017,	6:00-7:30 PM	Middletown Library Conf. Room
Wednesday, November 29, 2017	6:00-7:30 PM	Middletown Library Conf. Room
Wednesday, December 13, 2017	6:00-7:30 PM	TDB
Wednesday, January 4, 2018,	6:00-7:30 PM	Middletown Library Conf. Room
Wednesday, January 31, 2018	6:00-7:30 PM	Middletown Library Conf. Room
Wednesday, February 28, 2018	6:00-7:30,	TBD
Wednesday, March 28, 2018	6:00-7:30	TBD
Wednesday, April 25, 2018	6:00-7:30 PM	Middletown Library Conf. Room
Wednesday, May 30, 2018	6:00-7:30 PM	Middletown Library Conf. Room

So far there has been essentially no public input to the Committee. The Committee meetings have been posted on the Newport Daily News Events Calendar and the Town website along with instructions on submitting public comment.

Inputs from the Town Departments were received and are incorporated in the table below.

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Charter Review and Discussion

A complete list of changes discussed but not approved was distributed to the Committee for information.

The Committee continued with an Article-by-Article review and discussion. The table below summarizes the discussion.

Article/ Section	Discussion	Recommended Changes
Article VII		
	The Committee resumed discussion of Town Departments, focusing on how departments might be consolidated or reorganized. Mr. Regan noted that the Committee should not become bogged down in the specific language required to consolidate Administration Departments and/or functions, but should identify those mandatory requirements or “shall” statements which should be changed to “may” or optional organizational elements.	
VII/701	Chief Pesare provide the Committee with a recommended change to the Charter which would alter the requirements for Police Chief. He recommended that the requirement of 10 years’ experience above the rank of Patrolman be reduced to 5 years but with increased experience requirements. He also recommended that the Town Council be empowered to include other desired experience requirements in the appropriate Town Ordinance. Section 701 language would be changed to delete 10 year requirement and substitute new language to implement 5 year requirement and increased experience in law enforcement and especially direction and supervision of police officers. The Committee held an extensive discussion of the proposed change.	Should the Police Chief be a police officer with at least 5 years’ experience above Patrol Officer and have experience in organization, administration management and direction of police officers?
VII/702	This section was not discussed in detail. No changes were recommended by the department.	None
VII/703	This section was not discussed in detail. No changes were recommended by the department.	None
VII/704	Recommendation of Tax Assessor received by email: Add the sentence “The Tax Assessor shall also act as Town Tax Collector.” This change was not discussed by the Committee.	Should the responsibilities of Tax Collector be added as a mandatory function?
VII/705	This section was not discussed in detail. No changes were recommended by the department.	None
VII/706	Mr. Regan and Mr. Brown led the discussion of the organization of the Finance Department by explaining how the department currently operates. Shawn noted that the Human Resources Director reports directly to the Town Administrator and does not function as part of the Finance Department. Shawn recommended that the references to Human Resources Director be removed from this section and placed in an appropriate section of the Charter. He pointed out that the Charter also empowers the Town Administrator to consolidate, merge and/or reorganize Town Administration. He also noted that the School Department has no HR Director or Department, requiring that all HR functions be performed by the Superintendent’s staff.	Should the Human Resource Management Department and functions be removed from this section and placed in a separate Charter Section?
VII/707	The organization and function of the Public Library is controlled by RIGL.	None

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Article/ Section	Discussion	Recommended Changes
VII/708	The Senior Center is mandated as a Town Department. It was noted that a significant number of Rhode Island Senior Centers are organized as non-profit 501 (3)c organizations.	None
VII/709	Shawn explained that the position of Zoning Officer is mandated by RIGL. After a general discussion of the functions, staffing and organization of the Department, no changes to the current language were suggested.	None
VII/710	As with the Zoning Official, the Planning Department is largely organized and administered as required by RIGL. Shawn noted that the Planning Officer has been assigned significant economic development responsibilities in addition to required planning functions.	
	Additional comments received via memoranda and/or email from Town Departments	
II/207.g	Finance Department. It is not recommended that a “supermajority” be required for approval of bond referenda. No other communities in Rhode Island require a “supermajority”. Middletown does not have a high debt burden and management of our debt burden has resulted in excellent bond ratings. A supermajority would limit the Town’s access to capital which could adversely affect bond ratings, resulting in higher debt service costs. Requiring a “supermajority” would require approval by the RI General Assembly.	Should a “supermajority” be required for all bond issues?
VII/712 (To be Added)	The Town Information Technology Officer , Matt Wainwright, recommended that the IT Office be specified in the charter as a required Town Department. Specifically, “There shall be an Information Technology Department, the Head of Which shall be the Chief Information Officer (CIO) The CIO shall be appointed by the Town Administrator. The IT Department shall be responsible for data security and data management, business continuity and continuity of operations related to information technology, project management, program management, industry best practices technology delivery and other matters assigned to the CIO by the Town Administrator.”	Should there be a separate IT Department and CIO Officer?
VIII/803	The School Superintendent recommended that this section be modified to specify that “...in the event of a School Committee vacancy, a subcommittee made up of two Town Council members and two School Committee members receive applications and interview, and then recommend a candidate to the Town Council.”	Should candidates for mid-term SC vacancies be recommended by a joint TC/SC Committee?
VIII Note	The Town’s Basic Education Plan should be referenced as a fundamental Town document controlling the School System.	Should the Basic Education Plan be referenced in the Charter?
VIII/805	From School Committee Chair: Is there a reason that “and for vacation of all officials and employees of the school department” is explicitly stated? There are many other responsibilities of the School Committee so it’s not clear to me why this one is mentioned specifically.	Should the Charter specify School Department Vacations?

The Committee expects to continue the discussion of Articles VII, VIII and if possible Article IX, X, XI and XII at the next meeting

Next Meeting

The next Committee meeting is scheduled for Wednesday, October 27, 2017 at 6:00 PM in the Middletown Library conference room.

The meeting was adjourned at 7:48 PM.

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Respectfully Submitted,

/s/ Richard Adams, Secretary