

Middletown Charter Review Committee
Minutes of 25 October 2017, Middletown Library Conference Room

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

<u>Chris Semonelli, Chair</u>	Art Weber, Vice Chair	<u>Richard Adams, Sec.</u>
<u>Barbara Barrow</u>	<u>Roby Faria</u>	Linda Finn
<u>Michael Flynn, Sr.</u>	<u>Wendy Heaney</u>	<u>Marilyn Hennessey</u>
<u>Paul Mankofsky</u>	<u>Kevin O'Halloran</u>	<u>Tom Silveira</u>

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

<u>Councillor Barbara Vonvillas</u>	<u>Councillor Dennis Turano</u>	Town Administrator Shawn Brown	<u>Town Solicitor, Peter Regan</u>
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Administrative

A quorum being present, the meeting was called to order by Chris Semonelli at 6:03 PM.

The minutes of September 27, 2017 were unanimously approved.

Schedule

Below are the revised dates and events necessary to place Charter changes on the 2018 ballot.

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. The Committee discussed the schedule, focusing on the end date and the sections remaining for review. Dick Adams described the process after discussion of all sections is complete.

He will provide a consolidated list of all questions discussed by the Committee and the Committee will be asked to vote on each question "yes or no". Those questions approved by a simple majority (6) of the Committee will then be referred to the Town Solicitor for preparation of implementing language which will be submitted to the Committee for approval and referral to the Town Council.

In response to a question by Mr. Flynn, Mr. Regan explained that only those questions approved by a majority of the Committee will be referred to the Town Council. Minority opinions will not be referred to the Council since items voted "no" would not represent the will of the Committee.

A member of the Committee (or private citizen) may petition the Town Council to consider placing any question on the 2018 referendum.

Mr. Semonelli asked if the Committee should consider the desires or preferences of the Council in their deliberations. Mr. Regan explained that the Committee should not prejudice any question based on what the Council might do, but should provide only the majority view of the Committee. The Committee should consider its work as an independent process, providing only the considered judgement of the Committee.

Date	Time	Location
Wednesday, November 29, 2017	6:00-7:30 PM	Middletown Library Conf. Room
Wednesday, December 13, 2017	6:00-7:30 PM	TDB

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Date	Time	Location
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

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

Charter Review and Discussion

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 articles of the Charter, including those Sections which had been deferred.	
II/207.g	Finance Department (Continued from previous meeting). The Director of Finance provided the following regarding a requirement to require a “supermajority” approval of any bond referendum. “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.” After a general discussion of the effect of a supermajority, Mr. Regan will provide the committee with additional information as to whether a supermajority requirement would need RI General Assembly approval.	Should a “supermajority” be required for all bond issues?
VII/711	A general discussion was held on the requirement for, and qualification of the Town Engineer. It was noted that the Town Engineer “shall” be required, but need not be full time which would allow for the use of consulting engineers. The Committee discussed the advisability of adding a requirement that the Town Engineer be a licensed/registered Professional Engineer. Peter Regan said he thought that might be a RIGL requirement. He will research and would report back to the Committee.	Should the Town Engineer be required to be a registered Professional Engineer?
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?
Article VIII	School Department	

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Article/ Section	Discussion	Recommended Changes
VIII/801	<p>Mr. Regan began the discussion by pointing out that almost all School Department and School Committee matters were governed by RIGL. He noted that School Committee terms were required by RIGL to be phased, that is ½ the School Committee elected at one general election and the 2nd ½ the next election. Peter added that the requirements of RIGL were in general intended to increase the stability of School Committees and insulate them from political considerations.</p> <p>The Committee discussed the lack of participation in School Committee elections, noting that only one non-incumbent had run for the SC in about the last decade.</p> <p>To increase election participation the Committee discussed the desirability of expanding the number of School Committee members to seven. Also discussed was the advantages/disadvantages and likely effect of term limits.</p>	<p>Should the School Committee be expanded to seven members?</p> <p>Should term limits (Such as 3 consecutive terms followed by one off-term) be required?</p>
VIII/802	The section was discussed in general with no changes proposed.	None
VIII/803	<p>The Committee held a general discussion of this section and the Superintendent's comment. Peter Regan noted that he thought this section was consistent with RIGL and the intent was to ensure that vacancies were quickly filled. He will check and report to the Committee.</p> <p>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."</p>	Should candidates for mid-term SC vacancies be recommended by a joint TC/SC Committee?
VIII/804	The section was discussed in general with no changes proposed.	None
VIII/805	<p>Mr. Regan noted that this section is consistent with RIGL.</p> <p>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.</p>	Should the Charter specify School Department Vacations?
VIII/806	Mr. Mankofsky began the discussion of this section by questioning the desirability of having the School Committee clerk functions carried out by the Superintendent. The Committee discussion focused on the role of the clerk and the desirability of establishing the Clerk as a separate position.	Should the School Committee Clerk be established as a separate position?
VIII/807	Self-explanatory	None
VIII/808	The Committee discussed the desirability of employment contracts and whether the Charter should require or prohibit this common practice. It was noted that employment contracts are commonly used for both School Superintendents and Town Administrators although Middletown's Town Administrator does not currently have an employment contract.	Should School official employment contracts be prohibited?
VIII/809	Discussion continued as described at Section 808	None
VIII/810	Self-explanatory	None
VIII/811	It was noted that this section parallels a similar requirement for the Town Administrator.	None
VIII/812	Self-explanatory	None
VIII/813	The Committee agreed that this section was desirable.	None
VIII/814	Peter Regan provided a general description of section's provisions. He suggested that further discussion of this section be deferred until Shawn Brown is able to attend.	Deferred
VIII/805	The Committee discussed open meeting requirements and noted that this section is somewhat redundant since RIGL requires that School Committee meeting be conducted in accordance with RI Open Meeting Laws and Regulations.	None

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Article/ Section	Discussion	Recommended Changes
VIII Note	From the School Superintendent: 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?

The Committee will discuss Articles IX, X, XI and XII at the next meeting and if possible begin selection of referendum questions.

Next Meeting

The next Committee meeting is scheduled for Wednesday, November 29, 2017 at 6:00 PM in the Middletown Library conference room.

The meeting was adjourned at 7:40 PM.

Respectfully Submitted,

/s/ Richard Adams, Secretary