

REGULAR MEETING of the Burrillville Charter Review Commission held February 17, 2016 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, RI.

MEMBERS PRESENT Robin Schutt, Dennis Anderson, Kelly C. Hunt, James Alix, David Houle, Arthur R. Hurley, James A. Langlois and Elizabeth Lees

MEMBERS ABSENT: None

I. Minutes

VOTED to accept the minutes of the February 3, 2016 Charter Review Commission meeting and dispense with the reading of said minutes. Motion by Arthur R. Hurley. The motion carried unanimously.

2. Public Comment: None

3. 2015 Charter Review Commission Tracking Chart:

PART ONE: PENDING ITEMS

VOTED to open #29, discussion, consideration and action regarding whether the Charter Review Commission should recommend charter amendments relative to adding a provision for a Historic District Commission. Motion by Dennis Anderson. The motion carried unanimously.

Discussion: Zoning Official Joseph Raymond and Town Planner Thomas J. Kravitz joined the Charter Review Commission for discussion of Historic District Commissions.

VOTED to close discussion. Motion by Arthur R. Hurley. The motion carried unanimously.

VOTED not to include Historic District Commission in the Charter but to include supportive text (in the final report) that it (the HDC) is in the comprehensive plan and we (the CRC) do see value in it but that a ballot is not the right path. Motion by Dennis Anderson. The motion carried unanimously.

VOTED to open #9, discussion, consideration and action regarding whether the Charter Review Commission should recommend charter amendments relative to the personnel board and/or human resources position or department. Motion by James Alix. The motion carried unanimously.

VOTED to table until we get a legal opinion. Motion by Arthur R. Hurley. The motion carried unanimously.

VOTED to open #28, consider and act on submission from Councilor Donald Fox relative to Sec. 18.06, Sewer Commission, regarding his proposal that the Sewer Commission become a department of the town. Motion by Dennis Anderson. The motion carried unanimously.

Discussion: The matter was to be tabled pending an opinion from the Solicitor. Commissioner Lees noted that she would be absent from the March 2, 2016 meeting.

VOTED to table to the meeting of March 16, 2016. Motion by Arthur R. Hurley. The motion carried unanimously.

PART THREE: ITEMS TO BE RECOMMENDED FOR AMENDMENT

VOTED to approve the changes to “Effect of change” in item #1 relative to changing the timing of a recall election as revised (revision 3) as follows:

Effect of the change: If adopted, this change would increase the timeframe for holding the vote on a recall of an elected official. The change is from “not less than 30 days and not more than 60 days” to “not less than 60 days and not more than 90 days”. The reason for the recommended amendment is that state law requires that the question be submitted to the Secretary of State no later than 50 days before a town election so that ballots may be prepared and furnished for the election.

Motion by James Alix. The motion carried unanimously.

VOTED to accept the language for recommended question #7 relative to duties of the town solicitor as they relate to the school department, as follows:

#7: Section 7.03

Shall Article VII – Town Solicitor, Section 7.03. – Duties. be amended as follows?

The Town Solicitor shall serve as chief legal advisor to all town departments, commissions, offices or agencies, including the Town Council, and the Manager ~~and the School Committee~~. The Town Solicitor shall appear for and protect the rights of the Town in all actions, suits, or proceedings, civil or criminal, in law or equity, brought by or against it, or for or against any of its departments, commissions, offices or agencies, including the Town Council, and the Manager and the School Committee. Nothing herein shall prohibit the School Committee from retaining independent legal counsel as they deem necessary and convenient. The Town Solicitor shall also perform such other duties, appropriate to his/her office, as the Town Council and the Manager may require. The Town Solicitor shall examine and recommend the form of all ordinances and resolutions, of all invitations to bid, contracts, and other legal documents issued by any department, commission, office or agency of the Town.

Effect of the change: If adopted, this change would eliminate the requirement that the Town Solicitor serves as chief legal advisor to the School Committee. The School Committee’s ability to retain independent legal counsel, as provided in state law, would be affirmed.

Motion by James Alix. The motion carried unanimously.

4. Communications: None

5. General Discussion of the Project:

An initial draft of the final report will be considered at the next meeting.

6. Discussion of possible items for future agenda: None

VOTED to adjourn at 8:08 P.M. Motion by James Alix. The motion carried unanimously.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk