

March 22, 2010

A Public Hearing of the Charter Review Advisory Commission was called to order at 7:01 p.m. by Chairman Arthur Russo. Members present were Vice Chair Ken Booth, Linda Butera-Noble, Paul St. Germain, Stanley Wynne, Fausto Anguilla and Maureen F. Smith. Dr. Ron Stewart was absent.

The hearing started with the Pledge of Allegiance. Chairman Russo introduced the members of the commission and welcomed the public. Chairman Russo explained that the purpose of the hearing was to get public input on Charter revisions or changes.

Mike Napolitano of Manville suggested changes to Article III - Financial Town Meeting, §C3-3. Notice of meetings. Mr. Napolitano would like to see this section updated. Suggestions for revision are:

- 1. Post notices around Town – 8 Places.**
- 2. Advertise in three newspapers, weekly.**
- 3. Send a mailing to all residents approximately three weeks prior to the meeting date.**
- 4. Use of school marques to advertise the time and date of the meeting.**
- 5. Advertise on the home page of the Town web-site so that people don't have to look for it.**
- 6. Keep the advertising non-partisan.**

Oliver Perry Sr. of 15 Twin River Road addressed the commission. He stated that as an original member and writer of the Town Charter, and member of the first review committee, he felt that he could assist the

commission by filling in the blanks on the Water Commission.

Mr. Perry stated that this was the subject of much debate. There was a vote taken to keep this vital resource separate from the Town and separate from the public works department. Mr. Perry advised that the State Legislation was passed first. The Article was then put into the Charter for the specific purpose of keeping it out of the Public Works Department and out of Town control. Mr. Perry feels that changes should only be made in the financial grey areas and suggested that a report be included with the budget book. He gave a brief history to the establishment of the town water system, which was initiated due to some rabble rousing by citizens of the town and to get out from under the Pawtucket Water Supply Board. Mr. Perry feels the Lincoln Water Commission has always been good for the town, that it is good for the business of the town and that it is one of the most important parts of the town.

Mr. Perry also spoke on the financial town meeting remembering when you had to be twenty one years of age to attend and vote. He spoke on the volumes of work that goes into preparing the budget, by the budget board. He feels that people having the ability to come in and change line items by large dollar amounts, having no background or knowledge of the budget is not good for the town and supports changing the Charter to limit the amount of money that can be added/subtracted to the budget line items.

Edward Slattery of Lonsdale spoke on the financial town meeting time. He would like the Commission to consider changing the meeting to a Saturday. He feels that getting people to attend is always an issue and that there are other communities that hold them on Saturdays. He feels this would garner a larger attendance and that a true representative vote would come from it. He feels the current time of the meetings is unfair to the taxpayers. He feels the elderly do not wish to drive at night and sports programs interfere with attendance. Mr. Slattery suggested a 1:00 p.m. start time.

George Hadley of Saylesville spoke on the financial town meeting time. He stated that he was on a committee that made an effort to get the word out about the meeting and feels that this effort did help to increase the attendance at the last meeting. He stated that keeping non-voters in a separate area of the building helped to keep the votes limited to eligible voters. Mr. Hadley is not in favor of a time or day change and recommends continuing with more advertising. Mr. Hadley feels the situation is working itself out.

Rick Battistoni of Saylesville agrees with Mr. Slattery on the suggested change to the time and day of the financial town meeting. Mr. Battistoni feels it is better to open the process and that advertising is not the answer and that time is the issue. He stated that problems can arise anytime, but that a Saturday meeting as an experiment could be considered and put it in as a Charter change if the people want it.

Mr. Battistoni asked for clarification on language in §C3-12 that is being considered for change. This is in regards to a limit on financial proposals by individuals at the financial town meeting. The commission is looking at an \$80,000.00 limit that they feel is a safe number that will not affect state caps.

Debbie Ambeault of Lonsdale spoke on concerns in regards to the solicitor's section of the charter.

Dennis Auclair from Manville spoke on the water commission, a balance of power, impeachment and an increase in the size of the town council. Mr. Auclair is a past member of the Charter commission and a previous town councilor.

Mr. Auclair spoke on the recommendation of the abolishment of the water commission put forth by Ron McKenna. Mr. Auclair asked if a fiscal analysis was done to prove that the commission should be abolished. He feels this is a serious consideration to be put forth without one, especially when put forth by the council president.

Mr. Auclair spoke on the balance of power between the legislative branch and the administrative branch. He feels that the Charter is administratively strong and legislatively weak. He spoke in regards to the administration being able to transfer funds without council approval and how there are no specifics on such things as

unexpended salaries. (i.e. if an employee leaves and the position is not filled for a lengthy period of time.). He also feels there should be a two-fold process for transferring dollars from one line item to another. Mr. Auclair suggested that there should be something that says they are moving dollars from Account A to Account B and the reasons for doing this for the council to approve. This would hold the legislative end accountable.

Mr. Auclair recollected that when he served on the last Charter review he recommended that the next review be a lengthy and extensive process, in order to bring the Charter up to current State laws and current conditions.

Mr. Auclair stated that he brought the Impeachment section forward. He is not in favor of the recommended change for this section and feels that it should remain the same. There were no provisions in the Charter for removal of an elected official prior to the last review. Mr. Auclair basis his concerns on some past history in the town. Mr. Auclair stated that the model for this section was based on Woonsocket Charter provisions and that it has withstood court challenges.

Mr. Auclair is not in favor of increasing the size of the town council to seven members. He stated that most council sizes are population based and that adding more members to a town with a population density of Lincolns' would be overkill.

Mr. Auclair spoke on the recommended change of a non-partisan council. He stated that most voters these days are unaffiliated, so he does not consider it to be a real issue, but that he could support the recommendation if it were to move forward.

There being no further testimony before the commission, the public hearing adjourned to a work session at 8:10 p.m.

The commission reconvened to a work session at 8:15 p.m. All members present at the public hearing remained for the work session.

The commission discussed doing a non binding referendum in regards to a change of date and time for a financial town meeting. An earlier start to the meeting on the same day and how the meeting is mostly issue driven was also discussed.

On the water commission, the commission was advised that no matter what the charter reads, state law will always control it and the water commission will still operate. The commission discussed the clarifications brought forward by Mr. Perry.

In regards to advertising for the financial town meeting, the commission has already addressed this issue and do not feel that a required mailing is necessary for the Charter as this could handcuff

finances due to costs associated with it. Signage is also not necessary for the Charter.

The commission will discuss other issues brought forward at the Saturday, March 27, 2010 meeting at 9:00 a.m.

Meeting adjourned at 9:20 p.m.

Maureen F. Smith