



CHARTER REVIEW COMMISSION

Paul DiModica - Chairman
Roderick Beaulieu
Antonio Costa
Albert Crisfield

Kerri Giorgio – Vice Chairman
Peter Langton
Brian Smith - Secretary
Bob Thibodeau
James Scullin

AGENDA OF THE CHARTER REVIEW COMMISSION
CUMBERLAND PUBLIC LIBRARY-HAYDEN CENTER MEETING ROOM #3
1464 DIAMOND HILL ROAD, CUMBERLAND RI 02864
TUESDAY, APRIL 13, 2010 at 6:00P.M.

- 1. Call to order**
- 2. General Announcements**
- 3. Communications**
- 4. Old Business**

School Committee tabled from 4/6/2010

ARTICLE XIV. SCHOOL ~~DEPARTMENT~~ COMMITTEE

1402. Qualifications ~~[of School Committee]~~.

Members of the School Committee shall be qualified electors of the Town in their respective districts and shall hold no other paid office or employment in the service of the Town except that of Auctioneer or Call or Volunteer Fireman. ~~If a Committee member shall cease to possess these qualifications, or shall have been absent from four (4) consecutive regular meetings of the Committee unless such absences are excused by a majority vote of the whole Committee membership, his or her office shall immediately become vacant.~~ No member of the Committee shall be eligible to accept any other paid appointed Town office during his or her term on the Committee or for a period of one (1) year thereafter.

1403. Vacancies [on School Committee].

A vacancy shall exist in the School Committee if a member dies, resigns, ceases to meet the qualifications for membership, ceases to be a resident of the district for which he or she was elected or ceases to be a resident of the Town, or is absent from six (6) consecutive meetings of the Committee, unless such absences are excused by a majority vote of the whole Committee membership, with reasons therefor stated at the time and appearing in the minutes of the meeting from which the Committee member was excused. Any vacancy in the membership of the School

Committee shall be filled by written ballot of a majority of all the members of the Town Council for the remainder of the term of office, provided that the person selected to fill said vacancy shall be an elector from that district.

- **Submissions from the Board of Canvassers**

1. Board of Canvassers suggests that the language for the School Committee Vacancy should mirror the Town Council’s vacancy language, as stated below.

ARTICLE XIV THE SCHOOL COMMITTEE

1403. Vacancies [on School Committee].

A. A vacancy shall exist in the School Committee if a member dies, resigns, ceases to meet the qualifications for membership, ceases to be a resident of the district for which he or she was elected or ceases to be a resident of the Town, or is absent from four (4) consecutive ~~regular~~ meetings, unless such absences are excused by a majority vote of the whole School Committee membership, with reasons therefore stated at the time and appearing in the journal of the meeting from which the School Committee member was excused.

B. If a vacancy shall occur it should be filled by written ballot of a majority of all members of the Town Council for the remainder of the term of office, provided that the person selected to fill said vacancy shall be an elector from that district.

Board of Canvassers proposal tabled from 4/06/2010

Would like to correct language to include the Board of Canvassers and School Committee because the Charter has existing provisions that hold both board/committee to the same requirements.

ARTICLE XVII. MISCELLANEOUS PROVISIONS

1712. Boards and Commissions, General Provisions.

The following shall apply to all Town Boards and Commissions ~~with the exception of the Board of Canvassers and the School Committee:~~

A. The office of the member of any Board or Commission shall be deemed to have been vacated if said member **shall meet one of the following:**

1. Shall cease to be a resident of the Town, fails to fulfill some other qualification required of persons holding that office;
2. Shall be removed by vote of a majority of all the members of the council following a public hearing, **with the exception of the School Committee;**
3. Shall have been absent from four (4) consecutive meetings as provided in Section 407, subsection (I) of this Charter **with exception of the School Committee as provided in Section 1402.**

B. All such bodies must meet at least twice each calendar year and submit minutes and an annual report to the Mayor and Council.

(Ref. of 11-7-95)

ARTICLE II. ELECTIONS

Provision for a tie vote in any local offices in a general election. – Currently there is no provision in either our Charter or State Law if a tie vote were to occur during a general election and the Board of Canvass would like some language in our Charter in the event this were to occur that another costly election could be avoided, if possible. One member suggested something very simple and clear as a coin toss.

5. Old Business – Discussion and possible vote tabled from 4/6/2010

- **Submission from the Historic District Commission**

The Cumberland Historic District Commission would like you and the Charter Committee to consider the idea of making the historic cemeteries in the Town of Cumberland to come under the jurisdiction of the Historic District Commission as historic cemeteries should be considered historic districts. This would be for the purpose of anyone reporting vandalism, anyone volunteering to clean up the cemeteries or anyone who may find an unlisted cemetery.

6. New Business

A. Executive Staff Proposal

Members of the Mayor's Executive Staff may only be dismissed for just cause.

B. Rescue Department Proposal

ARTICLE XIX. DEPARTMENT OF RESCUE SERVICE

1901. Director Chief.

There shall be a Department of Rescue Service, the head of which shall be the Director Chief of Rescue Service who shall have had a minimum qualification of Emergency Medical Technician-Cardiac and at least five (5) years of experience on a rescue service or other comparable experience. The Director Chief shall be appointed by the Mayor, with the approval of the Town Council. Nothing in this section shall prohibit the town from entering into a written employment agreement with the Chief, provided, however, that said agreement shall not be for a term of more than three (3) years., but may be extended by the Mayor, with the approval of the Town Council, for additional terms of no more than three (3) years.

1902. Organization.

In addition to the Director Chief there shall be a Deputy Director Chief who shall be a member of the active service and such subordinate officers and technicians as shall from time to time be determined by the Town Council on recommendation of the Mayor after conferring with the Director Chief of Rescue Service. All members of the department, except for Director Chief, shall be appointed or promoted as the case may be by the Mayor upon recommendation of the Director Chief, provided that they shall have satisfactorily passed such qualifying tests as the Town Council shall have established by ordinance. All members of the Service, except the Director Chief of Rescue Service, shall at the time of their permanent appointment have served for a period of not less then six (6) twelve (12) months in a probationary status during which they may be removed at any time by the Mayor upon recommendation of the Director Chief of Rescue Service, with or without cause.

1903. Powers and Duties.

The Department of Rescue Service shall be responsible for emergency medical treatment and transportation in compliance with the laws of the State and Town Ordinances. The Director Chief shall be in direct command of all members of the department and shall, subject to the approval of the Mayor, make rules and regulations concerning the operations and management of the Rescue Service. He or she shall be responsible for budgets, expenditures and all town property used by the department. In the absence or disability of the Director Chief of Rescue Service, the Deputy Director Chief of Rescue Service shall have all the powers and responsibilities and perform all the duties of the Director Chief.

7. Public Discussion

8. General discussion about the charter

9. Adjournment

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired or need additional information should notify the Town Clerk's Office at (401) 728-2400 ext. 138 no less than 48 hours before the meeting.

Posted: April 8, 2010