

**CHARTER REVISION ADVISORY COMMITTEE
REGULAR MEETING**

MARCH 12, 2024, at 6:00 pm

Charlestown Town Hall Council Chambers

Note: Words set as strikeover are to be **deleted** from the Charter; words set in underline are to be **added** to the Charter.

1. Call to Order

The meeting was called to order at 6:00 p.m.

2. Roll Call :

Catherine Graziano - Present
Margaret Hogan – Arrived 6:04 p.m.
Anne Mulhall – Present
Lorna Persson – Absent
Laura Rom - Present
Evelyn Smith – Absent
Rosemary Sullivan - Present
Amy Weinreich, Town Clerk - Present
Jeffrey Allen, Town Administrator - Present
Deborah Carney, Council Liaison – Present
Peter Ruggiero, Town Solicitor - Present
Shirell Perry, Committee Clerk – Present

3. Discussion and potential action concerning the approval of prior meeting(s) minutes:

Motion to table the minutes of February 22, 2024 meeting until there was a quorum of people that attended the meeting was made by Laura Rom, Seconded by Catherine Graziano and unanimously approved.

4. Update, Discussion, and Potential Action regarding Action Items from previous meetings:

a. C-147 Municipal Court – C. Graziano – deferred from January

Ms. Graziano reported her research and withdrew her proposal to add the Municipal Court into the Charter. She indicated that there were several reasons for the withdrawal. The Ordinances address the Municipal Court in its entirety, and she expressed her opinion that those should actually be changed first, if at all, and then once those are changed then the court could be more uniformly put into the charter.

Upon Margaret Hogan’s arrival at 6:04, there was a quorum of people attending the February 22, 2024 meeting.

Motion to approve the minutes of February 22, 2024 as written, made by Ms. Hogan and seconded by Ms. Rom. The motion was approved with a vote of 4-0-1, with Ms. Graziano abstaining.

b. C-185 Dual Office Holding – Attn. Ruggiero to draft language

Attorney Ruggiero explained that he had prepared two separate documents for the Committee’s review: 1. the actual questions to be placed on the ballot and 2. a packet of what the actual wording might look like in the Charter.

The Committee reviewed the following draft ballot question and explanation.

Question:

15. Shall the Town Charter be amended at Part 15, General Personnel Provisions, Article LVIII, Dual Office Holding, § C-185, Restrictions, at A. to provide that the Town Council may waive the one (1) position restriction contained in this provision regarding appointed positions in those instances where the person has special qualifications required by the board or commission, or for other good reason, with a unanimous vote of the Town Council concurring with the appointment?

Explanation:

[If approved, this amendment would authorize the Town Council with the discretion to appoint persons to more than one (1) position at the same time.]

Motion: Ms. Rom moved to approve C-185 as written, Ms. Hogan seconded and it was unanimously approved.

c. C-188 Elected officials and members of boards and commissions – Recommendation from Councilor Stokes –

§ C-188 Elected officials and members of boards and commissions.

At the time of their election or appointment, every elected official and all members of boards, and commissions ~~and~~, except members of Ad Hoc Committees shall have been a resident of and domiciled in the town for at least thirty (30) calendar days next prior to assuming their positions and shall remain a domiciliary and resident of the town throughout their tenure of office. If any of these officials fail to meet these requirements, the office held by that official shall thereupon become vacant and subject to reelection or reappointment.

Ms. Graziano stated that the proposal made by councilman Stokes at the last meeting was to accept members of ad hoc committees from the requirements that they be residents, to serve on the Committee. She read through the minutes and saw the explanations. She personally does have some concerns on this. We can maybe make other provisions for either some type of ex officio membership or a membership where the person could be on commission but not have voting powers because we do need certain expertise on certain boards and commissions, but you're voting and you have no ownership interest in the town. She feels that if we have people on the boards and commissions that are voting, they should be town residents. The group felt that it was decided at the meeting prior, but it was not put to a vote.

Motion made to reject the provision made by Maggie Hogan, seconded by Laura Rom and unanimously approved.

d. Department of Emergency Medical Services – Recommendation from Councilor Stokes

Question:

16. Shall the Town be required to provide emergency medical and rescue services either as a Town Department or through a third-party vendor licensed by the State of Rhode Island?

Explanation:

[If approved, this amendment would require the Town to provide emergency medical services.]

Ms. Hogan moved to approve Question #16 above, Ms. Rom seconded and it was unanimously approved.

There was discussion around the proposed Charter provision wording.

Motion for Attorney Ruggerio to draft the appropriate proposed Charter language for discussion at the next meeting made by Ms. Hogan and seconded by Ms. Mulhall.

5. Review, discussion, and potential action concerning charter sections C-1 through C-209, as needed.

C-172 Establishment and organization; compensation. (Planning Commission)

Question 12: Shall the Town Charter be amended at Part 14, Commissions and Boards, Article LIII, Planning Commission, § C-172 Establishment and organization; compensation, be amended to provide for a four (4) year term of office for full members with staggered terms of two (2) members in one election cycle and three (3) members in the next election cycle?

Explanation:

[If approved, this amendment will become effective beginning on the 2026 election cycle and establish staggered terms of office to provide for elections of three (3) members in one election cycle and two (2) members in the next election cycle – resulting in staggered four year (4) terms of office. Alternate members would continue to serve two year terms.]

§ C-172 Establishment and organization; ~~compensation~~ composition.

- A. There shall be a Planning Commission composed of five (5) members. They shall be elected at large on a nonpartisan basis for terms of ~~six (6) years~~ four (4) years, except that the initial elections after the effective date of this provision shall be for a terms of two (2) members one (1) member with the second highest number of votes for two (2) years, ~~two (2) members and one (1) member with the highest number of votes~~ for four (4) years. Thereafter, the terms of members shall be four (4) years, with staggered terms of three (3) members in one election cycle and two (2) members in the subsequent election cycle and one (1) member for six (6) years, respectively. In addition there shall be two (2) alternate members elected for terms of two (2) years; and any vacancy on the Commission shall be filled by one (1) of the alternates until the next general election. When an alternate resigns or is appointed to fill a vacancy on the Commission, the Council may appoint a replacement alternate to serve until the next general election. All members shall serve until their respective successors have been elected. The Town Administrator and the Director of Public Works shall serve as ex officio members, and a member of the Council may also serve as an ex officio member of this Commission.*
- B. The Commission shall organize annually by electing a Chairman, Vice Chairman, and appointing a Secretary. Members of the Commission shall serve without compensation but may be reimbursed out of appropriations for any expenses incurred in the performance of their duties.*

The Committee reviewed the proposed ballot question and amendment language. Ms. Graziano suggested clarifying that “by 2030 this system will be fully in place”.

C-100. Setting the Tax Levy.

Ms. Weinreich noted that on page 17 of the packet, under C-100, there was a date in the Rejected column of 2/22/24. The minutes of that meeting stated that the proposal was approved on 2/22/24.

Action: Attorney Ruggerio to draft ballot question for C-100.

C-18. Public highways not owned in fee simple absolute.

Ms. Mulhall asked for clarification on Page 16 of the packet item C-18. She explained that she had two dates and was not sure why. It was clarified that on 12/12/23 this proposal was rejected.

C-31. Legislation.

Attorney Ruggerio asked if the Committee proposed any changes to this section. Confirmation of no changes necessary.

C-190. Public Records.

It was noted that at the last meeting the Committee discussed whether HIPA should be included in the last sentence; Ms. Hogan noted that the release of public records needed to be consistent with state law. No action necessary.

C-191. Word Usage.

The Committee reviewed the following draft ballot question and explanation.

17. Shall the Town be required to remove gender specific references throughout the Town Charter?

Explanation:

[If approved, this amendment would require the Charter to remove all gender specific references throughout the Town Charter.]

C-19. Number; Elections. (Town Council)

Ms. Hogan asked if the Committee decided to propose four year staggered terms for the Town Council. Attorney Ruggerio said yes and that it was provided as Question 1 below:

- 1. Shall the Town Charter be amended at Part 2, Town Council, Article VI, Organization and Election, §C-19 Number; Elections, to provide that a Town Council member's term of office shall be four (4) years with staggered terms of two (2) members in one election cycle and three (3) members in the next election cycle?*

Explanation:

[If approved, this amendment will become effective beginning on the 2026 election cycle and establish staggered terms of office to provide for elections of two (2) members in one election cycle and three (3) members in the next election cycle – resulting in staggered four (4) terms of office. This procedure shall be implemented by the two (2) candidates receiving the largest number of votes in the 2026 election cycle being elected to a four (4) year term of office and the next three (3) candidates receiving the largest number of votes being elected to a two (2) year term of office until the next subsequent election in 2028 when the term of office for a Council member shall be four (4) years with staggered terms for all five (5) members thereafter.]

6. Discussion and Potential Action regarding drafted ballot questions

7. Discussion and Potential Action regarding the Committee's upcoming meeting schedule

Next scheduled meeting is Tuesday, April 9, 2024 at 6:00 p.m.

Ms. Weinreich explained that the available dates for public hearing were very limited. Tuesday, April 30, 2024 was discussed as the only reasonably available.

Attorney Ruggiero said that there are no specific requirements for the advertisement of this Committee's Public Hearing. He explained that the practice of the Town was generally to run an ad in a newspaper 10 to 14 days prior. Ms. Weinreich stated that notice would be posted in the usual places.

Ms. Graziano asked if the notice would contain all of the materials. Attorney Ruggiero explained that would be too lengthy, that it would run thousands of dollars worth of advertising. He recommended an ad that would direct the public to the Town's website to access the full ballot questions, explanations and proposed amendments to the Charter.

Ms. Graziano confirmed that the Committee could take action at the Public Hearing to forward the Committee's recommendations to the Council.

Attorney Ruggiero explained that the Council had to certify any local ballot questions by the first week in August.

Ms. Sullivan inquired about the format of the Public Hearing. Attorney Ruggiero explained that either the Chair or a designee of the Committee would go through each Question ask if there are any questions or public comment.

Motion was made to set the public hearing for April 30th at 6:00 p.m. by Laura Rom, seconded by Rosemary Sullivan and unanimously approved.

Ms. Weinreich requested that draft questions and explanations be distributed to the departments and the staff to see if they have any final input. Attorney Ruggiero said that we could use what he presented this evening. There was no opposition.

8. Public Comment – None.

9. Adjournment

Motion was made to adjourn by Ms. Rom, seconded by Ms. Mulhall and approved unanimously at 7:08 p.m.