

CHARTER REVIEW COMMISSION

A meeting of the Charter Review Commission was held on Wednesday, October 14, 2009 in the Employee's Lounge, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:05 P.M. by the Chair.

Present: Michael Mulcahy, Chair; Nathan Canaan, Frank Mattiucci, Steven Carrera, John DeGenova; Alfred Notarianni, Randall Jackvony, Vice-Chair; Ronald D'Agostino and Francis Donahue.

Absent: Holly Scripsack and Simeone Parente.

On motion by Mr. Carrera, seconded by Mr. Mattiucci, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

Chair welcomed Council President Lanni, and Councilmen Santamaria and Pelletier to the meeting.

Chair stated that the Municipal Court should have its own section in the Charter.

Mr. Notarianni suggested the possibility of having the Juvenile Hearing Board also included in the Charter under the Municipal Court. He will do more research on this.

Chair distributed copies of Mr. Quinlan's recommendations, which were presented to the Commission by Mr. Quinlan when he appeared before the Commission. Chair suggested that the Commission this evening consider the proposals presented by Commission members at the last meeting.

Mr. Mattiucci's proposals were discussed first.

- Section 2.03 -

Mr. Mattiucci stated that two-year term was tried and there were some problems. It is very difficult to attract qualified directors when the Mayor can only promise them two years of employment. Mr. Carrera stated that he is in favor of a four-year term, however, there are some caveats, which he outlined in his proposals. Mr. DeGenova stated that the Commission has to reduce this down to ballot questions for people to understand and the Commission has to realize that there may be changes that impact other sections in the Charter. Mr. Canaan stated that four-year term would give the Mayor a chance to implement a plan. Two years is not enough time. This is the positive.

Mr. Notarianni asked who is going to draft the amendments. Chair stated that he will draft the language and the draft can either be presented to the City Council or to this Commission. He will draft a formal draft and presented it to this Commission and discuss it further to see if there are any errors or to make sure the language changed does not contradict the rest of the Charter.

Chair asked Commission members for show of hands of who is in favor of a four year mayoral term with a two year term limit. The members present were unanimously in favor of a four-year term for Mayor.

Chair stated that next order of business is to discuss the Commission members' preference of having election in a gubernatorial, presidential or off year election. Mr. DeGenova stated that most number of voters vote in a presidential election. He is in favor of having election in a presidential election starting in 2010.

Mr. Carrera agreed with Mr. DeGenova and stated that the Commission members have to be mindful of the fact that we would be cutting the number of electors in half if election is held in a gubernatorial election.

Chair stated that he feels that having Mayoral election in a presidential election rather the gubernatorial election will increase the likelihood that a sitting Mayor of Cranston will run for Governor while in Office. It would probably work in the City's benefit to have someone from Cranston run for Governor.

Mr. Jackvony stated that his suggestion of having election on an off year would give the voters the opportunity to learn more about local issues and would allow them to be more informed. By having it in presidential election would put a damper on the possibility of balance within City government.

Chair stated that at the last meeting, discussion was held on the Woonsocket elections, which are held in the off year. He asked if anyone checked on the numbers. Mr. Notarianni stated that in 2007, there were 20,000 registered to vote and approximately 7,200 voted; in 2008, which was a presidential election year, there were 21,600 registered to vote and 13,400 voted. Mr. Notarianni stated that he is not in favor of an off year election because the City should not be spending money for off year elections.

Mr. DeGenova stated that there are two members absent this evening and he asked if they will be able to weight-in and record their vote on these issues. Chair stated that there are nine members presented and two more votes will not matter. Mr. DeGenova stated that we don't have an agenda and the people who are not present, in their defense, they do not know what we are voting on, unless next meeting's agenda is posted with what we will be voting on.

Chair stated that only someone on the prevailing side can bring something forward to reconsider, or unless there is a compelling reason to bring an issue forward. He asked who is in favor of having a mayoral election during presidential election year. The following members were in favor: Mr. Mattiucci, Mr. Carrera, Mr. Canaan, Mr. Donahue, Mr. DeGenova, Mr. D'Agostino, Mr. Notarianni and Chairman Mulcahy -8. Mr. Jackvony was opposed -1.

- Section 3.02 – Mr. Mattiucci stated that this should be set by the Council.

Mr. DeGenova stated that this was discussed by the last Charter Review Commission and the \$1,200 is a floor to know that the City Council receives at least \$100 a month. If you take that floor away, the City Council could set the salary at \$1 a month. Right now, the City Council can set or increase the salary at any time.

Mr. Carrera stated that his proposed change is setting the base pay at the current level. In the City of Providence, a City Council member receives \$19,000 a year plus healthcare and there are fifteen City Council members in Providence.

Mr. D'Agostino questioned why this is an issue. We are in a bad economic time and taxes are sky high and this is not the time to increase salaries. Candidates know what the salary is when they run.

Mr. Canaan agreed with Mr. D'Agostino. He stated that he agrees with the idea, but the funding is a huge problem.

Mr. Carrera stated that his concern is having unopposed seats.

Mr. Notarianni suggested eliminating all reference to any dollar amount whatsoever and let the City Council set the salary.

Chair stated that he feels that eliminating the floor from the Charter would not have a meaningful, practical effect. He also feels that the salary the City Council is currently receiving is too low, but he suggests leaving it alone. The City Council has the ability to increase it if they wish

Mr. Mattiucci stated that he does not have any objections to leaving this section the way it is and withdrew this proposal.

- Section 3.10 – Mr. Mattiucci stated that as a lay person, he finds this section difficult to understand.

Mr. Jackvony stated that this section lays out what the prevue of the City Council is. He suggested deleting from this section the following: third line, after the word “agency”, delete “or employment in the city government, assigning or reassigning the same to a department or otherwise affecting the organization of the city government”, which is inconsistent with Section 3.19.

Mr. DeGenova stated that this sentence that Mr. Jackvony is suggesting to be deleting is not about transfer of employees or interfering with the Mayor’s duties. This section just states that the City Council, by Ordinance, sets departments, boards and commissions.

Chair stated that this should be revisited at the next meeting and he asked that the Commission members think about how they would like this section re-worded. He questioned what effect deleting this sentence would have. Mr. DeGenova stated that this would call into question for the City Council to set the budget.

It was unanimously agreed upon by the members present to continue this proposal to the next meeting.

Chair asked if there were any objections to holding future meetings at 7:30 P.M. instead of 7:00 P.M. and ending at 9:00 P.M. No one objected. He also stated that the next meeting will start with discussion of Section 3.10 of Mr. Mattiucci’s proposals. Chair also stated that future meetings will be held in the Employee’s Lounge.

The meeting adjourned at 8:40 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees