

**JAMESTOWN TOWN CHARTER
AMENDMENTS PUBLIC HEARING
JULY 19, 2016**

The following amendments to the Charter have been proposed:

ARTICLE II. THE TOWN COUNCIL

Sec. 206. Special Meetings.

The town council may convene a special meeting only by majority consent of the town council. ~~The town council may meet sooner than 8 hours after each member has been notified of a special meeting, but only by unanimous consent of the town council. Any member may waive the requirement of notice of a special meeting, and such waiver shall be entered in the record of the proceedings of such special meeting.~~ Special Meetings shall be subject to and comply with the Open Meetings legislation of the State as set forth in Title 42, Chapter 42-46 of the Rhode Island General Laws. The town council may by a majority vote convene an Emergency Meeting as set forth in §420606 to address only an unexpected occurrence that requires immediate action to protect the public.

The proposed amendment would more closely follow the Open Meetings Act.

Sec. 216. Procedure for Adopting Ordinance.

An ordinance or amendment to [an] existing ordinance may be introduced by any member at any regular or special meeting of the town council. Upon introduction of any ordinance or amendment to an existing ordinance, the town clerk shall distribute a copy to each town council member and to the town administrator; shall file a reasonable number of copies in the office of the town clerk and shall publish the ordinance. Following the publication by at least seven days, the town council may adopt the ordinance with or without amendment or reject it, but if it is amended as to any matter of substance, the town council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures hereinbefore required in the case of a newly introduced ordinance. As soon as practicable after adoption of any ordinance, the town clerk shall have sufficient printed copies of the ordinance available at the town hall.

As used in this section, the term "publish" means to print in one or more newspapers of general circulation in the town and to post on the Town's website: (1) the complete ordinance and (2) the places where copies of it have been filed and the times when they are available for public inspection.

The proposed amendment would allow for expanded notification to the public.

ARTICLE III. TOWN ADMINISTRATOR

Sec. 301. Appointments and Qualifications

The town council shall appoint a town administrator for an indefinite period of time, based solely upon the executive and administrative qualifications of the applicant, as outlined by generally accepted professional standards. The town administrator need not be a resident of the town or state at the time of appointment, but must become and remain a qualified elector and resident of the state within six months after appointment, unless an extension is approved by town council. The relationship between the town and the town administrator shall be contractual and not that between a municipality and a civil officer.

The proposed amendment would reflect consistency in hiring qualifications.

ARTICLE IV. ADMINISTRATIVE DEPARTMENTS

Sec. 404. Tax Assessor.

There shall be a tax assessor with training and experience who shall be nominated by the town administrator with the approval of the town council, and shall have those powers and perform those duties prescribed now or in the future by town ordinance, the constitution and laws of the state not inconsistent with this Charter.

The proposed amendment would reflect consistency in hiring qualifications.

Sec. 405. Board of Assessment Review.

There shall be a board of assessment review consisting of three members and one alternate member who shall sit only when any one of the three members is unavailable. All members shall be qualified electors and residents of the town and shall be appointed by the town council for a term of three years. ~~There shall be no more than two board members belonging to the same political party noninclusive of the alternate member.~~ If a member of such board shall cease to be a qualified elector and resident of the town that office shall thereby become vacant. The board of assessment review shall hear and consider the appeal of any property owner concerning the amount of the assessed valuation as determined by the assessor. The board shall keep an accurate record of its proceedings which shall be available for public inspection. If it shall appear that the valuation of any property has been erroneous or incorrect, the board shall have authority to order a correction. Such determination shall be certified by the board to the tax assessor whose duty it shall be to make such corrections in the valuation as the board may determine. If the tax roll has been certified by the tax assessor the tax assessor shall transmit the findings of the board to the town council, which may cancel in whole or in part the tax based on such valuation in order to effect a correction.

The town council shall provide by ordinance for the organization and procedure of the board of assessment review and for the manner of receiving, considering and disposing of appeals. The taking of an appeal to the board of assessment review of any action thereon shall not be construed to limit or restrict the right of any taxpayer to apply to a court of competent jurisdiction for relief from any assessed valuation or tax.

The proposed amendment would remove language that refers to party designation.

Sec. 406. Town Moderator.

There shall be a town moderator, who shall be elected at the regular town election and shall have those powers and perform those duties prescribed now or in the future by the constitution and laws of the state not inconsistent with this Charter. In the event that the office of the town moderator becomes vacant during the term of office, ~~the next highest vote getter from the most recent election shall be elevated to serve until a replacement is found.~~ The Town Council will appoint a replacement until the next regularly scheduled election.

The proposed amendment would reflect a process for replacement if there were no next vote getter.

Sec. 422. Library Trustees.

~~Proposition 12 submitted to the voters at the November 3, 2009 election read as follows: "Shall the Charter be amended to add the phrase "a free and public library for all the inhabitants thereof" after the term Jamestown Philomenian Library?"~~

The proposed amendment would remove this section.

ARTICLE V. SCHOOLS

Sec. 503. Vacancies.

Any vacancy in the membership of the school committee shall be filled by the town council by the next highest vote getter from the most recent election and so on until someone fills the vacancy until the next regular town election, when the office shall be filled for the unexpired term thereof. Should there be no next higher vote getter or if none of the vote getters be willing to serve then the council shall appoint a member, pursuant to the laws of the State of Rhode Island.

The proposed amendment would reflect a process for replacement if there were no next vote getter.

ARTICLE VIII. MISCELLANY

Sec. 805. Elected Officials.

For the purposes of this Charter, volunteer firefighters, volunteer ambulance emergency medical service members, town constables, and members of the special police shall not be considered elected or appointed officials of town government nor as town employees.

The proposed amendment would correctly identify the Emergency Medical Service.

ARTICLE X. BOARDS, COMMISSIONS AND COMMITTEES

Sec. 1002. Membership and Terms.

(3) Unless otherwise mandated by state law or regulations, all terms of board, commission and committee membership shall be limited to three years. With the exception of the zoning board of review alternate members, no person shall serve more than three consecutive terms on the same committee and that person shall not be reappointed to that body for one year thereafter, unless the person has special qualifications required by the board, or for other good reason, with a unanimous vote of the council concurring with the reappointment.

The proposed amendment would allow the Town Council the ability to retain a key committee member with specific qualifications.