**TOWN OF JAMESTOWN**

**LEGAL NOTICE**

**PROPOSED AMENDMENTS TO TOWN CHARTER**

 Pursuant to the Charter Amendments Public Hearing held on July 19, 2016, the Town Council of the Town of Jamestown, Rhode Island voted to put the following ten (10) questions before the qualified electors of the Town of Jamestown on the November 8, 2016 General Election ballot. All ten (10) questions are proposed amendments to the Jamestown Home Rule Charter. Listed below is each question worded exactly as it will appear on the ballot, followed by the full text of the amendment, with words set as ~~strikethrough~~ to be deleted from the Charter and words underlined to be added to the Charter, followed by a summary description of the amendment.

 The Town of Jamestown hereby ordains that, upon casting of ballots on November 8, 2016, any of the following questions approved by the majority of electors qualified to vote in said election, shall be submitted to the General Assembly for approval of enabling legislation to enact the proposed Charter amendments, and upon such passage, shall become effective.

 The seven (7) State questions shall precede the Jamestown Charter Amendment questions that will be listed as Questions No. 8 through No. 17 on the ballot.

**Question 8**

**Amends Article II, The Town Council, § 206. Special Meetings**

“Shall the Charter be amended to ensure that Special Meetings held by the Town Council fully comply with the current relevant state laws on open 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 §42-46-6 to address only an unexpected occurrence that requires immediate action to protect the public.

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

**Question 9**

**Amends Article II. The Town Council, § 216. Procedure for Adopting Ordinance**

“Shall the Charter be amended to modify the Town’s procedure to publish an ordinance to allow for expanded notification to the public by publication of ordinance amendments on the Town’s website?”

 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.

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

**Question 10**

**Amends Article III. Town Administrator, § 301 Appointments and Qualifications**

“Shall the Charter be amended to modify the qualifications of a Town Administrator candidate to include requirements for consistency in the hiring practice?”

 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.

Summary: The proposed amendment would reflect consistency in hiring qualifications.

**Question 11**

**Amends Article IV. Administrative Departments, § 404 Tax Assessor**

“Shall the Charter be amended to modify the qualifications of a Tax Assessor candidate to include requirements for consistency in the hiring practice?”

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.

Summary: The proposed amendment would reflect consistency in hiring qualifications.

**Question 12**

**Amends Article IV. Administrative Departments, § 405 Board of Assessment Review**

“Shall the Charter be amended to delete party designation requirements for Board of Assessment Review candidates?”

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.

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

**Question 13**

**Amends Article IV. Administrative Departments, § 406 Town Moderator**

“Shall the Charter be amended to modify the replacement of the Town Moderator by the Town Council should a vacancy occur during a Moderator’s term of office?”

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.

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

**Question 14**

**Amends Article IV. Administrative Departments, § 422 Library Trustees**

“Shall the Charter be amended to modify the Charter by removing the reference to the Library Trustees as it is no longer relevant?”

~~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?~~

Summary: The proposed amendment would remove this section.

**Question 15**

**Amends Article V. Schools, § 503 Vacancies**

“Shall the Charter be amended to revise the replacement of a School Committee member to include the next highest vote getter upon a vacancy occurring during a term of office?”

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.

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

**Question 16**

**Amends Article VIII. Miscellany, § 805 Elected Officials**

“Shall the Charter be amended to replace the obsolete term of ambulance with emergency medical service?”

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.

Summary: The proposed amendment would correctly identify the Emergency Medical Service.

**Question 17**

**Amends Article X. Boards, Commissions and Committees, § 1002 Membership and Terms**

“Shall the Charter be amended to provide an exception to the term limit provisions for appointments to allow the retention of a key committee member with specific qualifications?”

(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.

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

Please note: “You must be registered to vote from your actual place of residence.” Voter fraud is a felony and is subject to imprisonment for a term of not more than ten (10) years or a fine or not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000) or both for each offense.