

# Charter Commission

One Government Center  
Fall River, MA 02722

**Call To Order: 6:00PM**

**Adjournment: 7:58PM**

## **Minutes of Regular Meeting, Monday September 19, 2016**

**DATE AND TIME:** Monday, September 19, 2016 at 6:00pm

**LOCATION:** Kuss Middle School, 52 Globe Mills Avenue, Library

**PRESENT:** Commissioners Assad, Norton, Quinn, Robillard, Clerk Venice, and Chairman Miozza.

**ABSENT:** Vice Chair Bartley, Commissioners Silvia and Cusick

**IN ATTENDANCE:** Consultant Marilyn Contreas  
Consultant Stephen McGoldrick

### **DISCUSSION:**

#### **Call to Order**

Chairman Miozza calls the meeting to order at 6:00pm, reads "open meeting law" statement and asks the Clerk to call the roll.

#### **New Business**

##### **a. Acceptance of the Minutes of the Previous Meeting**

Motion made by Commissioner Assad, seconded by Commissioner Robillard to accept the minutes of the August 15, 2016 meeting as presented. Motion carries 5-0 with Vice Chair Bartley and Commissioners Cusick and Silvia absent. Commissioner Norton abstained because he was not in attendance at the last meeting.

**Status Update on Work Completed, Work in Progress, and Timelines for Completion**  
**Continuation of Deliberations on Article 6—Fiscal and Financial Procedures**

Chairman Miozza gave a brief status update on the work of the Commission. He states there will be 10 Articles in the new Charter and that the Commission has worked on 7 of them. Articles 5 & 6 are now complete and Articles 2, 4, 8, and 10 are a work in progress and close to completion. He points out the commission will work on Article 10 and 2 tonight and that the draft language for Article 1 has been furnished to the Commissioners for consideration. Chairman Miozza asks the consultants if the Commission is on schedule to complete its work on time and Mr. McGoldrick confirms the Commission is on a pace to meet its deadlines and, if not, the commissioners always can schedule more meetings as necessary. Miozza states the Commission has to complete a preliminary report by February and a final report in March of 2017 and that the Commission still has about five months to complete its work.

a. **Continuation of Deliberations on Article 10—General Provisions**

Chairman Miozza recaps that the Commission has adopted Section 1, 2, and 3 of Article 10; Tabled Sections 4 and 5; adopted some subsections of Section 10-6; and didn't address Sections 10-7 through 10-13.

Chairman Miozza starts the discussions for proposals from Section 10-4 saying there are now four proposals to consider. The original draft language from the Collins Center, the alternate draft language from the Collins Center, a proposal from Miozza, and a proposal from Commissioner Venice were to be considered. Chairman Miozza reads the alternate draft language into the record and Commissioner Venice reads her proposal into the record. Consultant Contreas recommends that the language concerning ordinances be changed to 3 and 8 years instead of 2 and 7 as proposed in the other proposals. Chairman Miozza adamantly opposes having anything established by ordinance and wants a smaller number of members (7) on the review committee instead of nine as proposed by the Collins Center alternative draft. Chairman Miozza wants to table the proposals to further consider the proposals from Venice and Miozza. No motion was made to table and the discussions continued. After deliberations a motion was made by Commissioner Norton and seconded by Commissioner Quinn to accept the Miozza proposal for Section 10-4 as written. The motion carried 4-2 with Robillard and Venice opposed. Commissioners Bartley, Cusick, and Silvia were absent.

The Commission then proceeded into discussions on the four proposals for Section 10-5. Chairman Miozza read into the record the alternative proposal from the Collins

Center and Commissioner Venice spoke on behalf of her proposal. Chairman Miozza explains his proposal which reflects the same language changes he proposed for Section 10-4. After discussion Commissioner Norton made a motion to accept the proposed language as written by Chairman by Miozza, seconded by Assad. The motion carried 5-1 with Robillard opposed and Bartley, Silvia, and Cusick absent.

Chairman Miozza now introduces his proposals for Section 10-6 (f) Vacancies and 10-6 (g) Residency and it is determined that his vacancy proposal will be incorporated into Article 3 when the Commission deliberates on Article 3.

As to Section 10-6 (g) Residency, Chairman Miozza reads his proposal into the record. Commissioner Robillard notes that vacancies for multiple member bodies has already been voted on and accepted in another section of the new Charter. Commissioner Assad makes a motion to accept Miozza's language for 10-6 (g) with it renumbered as 10-6 (f). The motion was seconded by Robillard and passed 6-0 with Bartley, Silvia, and Cusick absent.

Commissioner Quinn makes a motion, seconded by Norton, to accept Section 10-6 in its entirety. Motion carries 5-1 with Robillard opposed and Bartley, Cusick, and Silvia absent.

Section 10-7 of Article 10 is now addressed. Chairman Miozza reads the Collins Center proposed Section 10-7 into the record. A motion to accept Section 10-7 in its entirety is made by Commissioner Norton and seconded by Quinn. Motion carries 6-0 with Bartley, Silvia, and Cusick absent.

Section 10-8 is now taken up and the Collins Center proposal is read into the record by Chairman Miozza. Commissioner Norton makes a motion to accept Section 10-8 as proposed by the Collins Center, seconded by Assad. Motion carries 5-1 with Robillard opposed and Bartley, Cusick, and Silvia absent.

Section 10-9 is now addressed and the Collins Center Alternative language is read into the record by Chairman Miozza. After discussion Commissioner Robillard makes a motion to accept Collins Center Alternate proposal for Section 10-9 with the stipulation that the last sentence in the proposed language be stricken and not included. Chairman Miozza seconds the motion and the motion carries 6-0. Commissioners Bartley, Cusick, and Silvia are absent.

Section 10-10 is now taken up and read into the record by Chairman Miozza. A motion is made by Commissioner Robillard to accept the original proposed language from the Collins Center of Section 10-10 and seconded by Venice. Motion carries 6-0 with Cusick, Silvia, and Bartley absent.

Section 10-11 is addressed. After discussion and debate Commissioner Norton reads the Collins Center Alternate proposal into the record and makes a motion, seconded by Quinn, to accept the Collins Center Alternate Proposal as written. Motion carries 6-0 with Bartley, Cusick, and Silvia absent.

### **Communications**

The following communications were addressed by Chairman Miozza.

- a. Chairman Miozza email Agenda for September 19, 2016 meeting.
- b. Chairman Miozza email on topics to be discussed for meeting on Monday 9/19/2016.
- c. A signed attendance sheet for the meeting held on August 15, 2016.

A motion was made to accept the communications and place them on file by Commissioner Robillard, seconded by Norton. Motion carries 6-0 with Vice Chair Bartley and Commissioners Silvia and Cusick absent.

A motion was made to adjourn by Commissioner Robillard, seconded by Norton. Motion carries 6-0 with Vice Chair Bartley and commissioners Cusick and Silvia absent.

The meeting was adjourned at 7:58pm.