

# Town of Johnston Charter Review Commission

*Richard DelFino, Jr. Chairman  
Fred Iafrate, Vice- Chairman  
Charles I Ainabe  
Joseph Andriole  
Ronald Bianchi  
Karen Clark, Esq*



*Nicole Corbin, Esq  
Stephen Mandarelli  
Susan Mansolillo  
Robert Piscione  
Taylor Russo  
Randy Urena  
Arnold Vecchione*

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## Johnston Charter Review Commission

### Minutes

**March 14, 2024**

at the

**Johnston Senior Center, 1291 Hartford Avenue, Johnston, RI 02919**

#### **I. Meeting Called to Order and Roll Call**

Chairperson Richard DelFino, Jr. called the meeting to order at 6:34 PM

Roll Call Taken: All members were present. Also present were Mr. Fung, Esq. and Michael Lepizzera III, Esq.

#### **II. New Business**

##### **Approval of Minutes from the February 29, 2024 Meeting**

- Motion by Joe Andriole and Seconded by Fred Iafrate to Accept Minutes. 3 Abstained (Fred Iafrate, Susan Mansolillo, and Richard DelFino) and the remaining 10 members voted to approve.

##### **Presentation by Mr. Ernie Almonte, Executive Director of the RI League of Cities and Towns**

- Mr. Almonte made a presentation about the compensation of municipal CEOs. Mr. Almonte described the important role and duties that Mayors/Town Managers/Town Administrators, both elected and appointed, hold in municipalities across Rhode Island. He noted that an important calculation for the CEO's annual salary should be on the population, roles/responsibilities, as well as total budgets.
- Mr. Almonte noted that the Town of Johnston has the lowest paid CEO in the State (39 cities and towns). Overall, he believed that based upon comparable communities and responsibilities, the salary number for the Mayor of the Town of Johnston should be anywhere from \$100k to \$120k. The mayor's position is a lot of responsibility, but very low pay. He noted it would be difficult to get people to run for office and it is also not easy to retain a person in that position with extremely low pay.
- Joe Andriole questioned Mr. Almonte about whether his comparable figures took into account any fringe benefits, such as retirement. Mr. Andriole noted that the last Johnston

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Town Mayor did not take part in the state pension system. Mr. Almonte indicated that his figures did not look into other benefits.

- Mr. Almonte also mentioned that if possible and wanted, we could make some sort of escalation clause in the CEO pay, something in accordance with the average increase in other municipalities.
- Robert Piscione had a question, asked if any of the CEO positions had a cost-of-living increase in their salary. Mr. Almonte said that the appointed positions have contracts, and their benefits change while the elected ones usually stay the same.
- Karen Clarke asked if there were any other cities and towns who did escalation clauses that Mr. Almonte had mentioned. Mr. Almonte said that he knew that the appointed positions had escalation clauses but that he wasn't aware off the top of his head of any elected CEO's who did. He worried that if you stick to a fixed percentage then it could get really behind during times of extreme inflation like the last few years.
- Mr. Piscione asked if we should consider the CEO compensation proposal right now since we have the information right in front of us. Chairperson DeFino mentioned that we could vote on these suggestions tonight, but that we could also take some of these suggested provisions under advisement and vote on it at the next meeting.

### **Public Comment on Presentation**

- Council member Robert Civetti noted that people who are appointed are at will employees while the elected are not at will employees. Mr. Almonte replied that there is a little bit higher risk to that person because of that at will nature, but that the higher salary will attract higher skilled and quality people that may want to seek office. Councilman Civetti countered that you could also get more unqualified people to run because the salary is higher. Mr. Almonte responded that it would be difficult to get highly skilled people to run for office if they are limited in what they earn to support their family.
- Joe Andriole agreed with Mr. Almonte and noted that by keeping it low it is more problematic. He also noted that there are employees at town hall making more than the mayor and that's not fair. Arnold Vecchione also agreed that a higher salary is important, and that the public is the employer.

### **Presentation of various proposals by Mr. Fung**

#### **General Recommendations**

Mr. Fung explained the recommendations for gender neutrality, and deletions of Articles 13 and 14. Joe Andriole made motion to accept the three general recommendations, seconded by Fred Iafrate.

- Roll call vote to accept – 13-0 vote to accept these general recommendations.

#### **Article III Recommendations**

##### **Section 3-1**

Mr. Fung explained the various proposals that were drafted based upon the initial discussion for Section 3-1. Ron Bianchi then suggested 4-year terms with no term limits.

Joe Andriole said for efficiency, we should vote on proposals first. Chairman Delfino said the board should identify all proposals first and then vote.

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Mr. Bianchi made an initial motion for the commission to also consider a four-year term with no term limits and no staggering in addition to the proposals drafted by Mr. Fung. Joe Andriole seconded that motion.

Chairman Delfino commented about this section overall and said that various members of the public have expressed to him that the council should be left at a 2-year term with no term limits. If citizens don't feel representation is appropriate, then the person can be voted out. Arnold Vecchione agreed.

Joe Andriole agreed but didn't understand why the council is at 2 years, but the school committee is at 4 and Mayor is at 4.

Susan Mansolillo stated that she supports a four-year term with no term limits and said it is up to the public to decide whether or not to vote them out.

Karen Clark says that a lot of people she has talked to in Town like the current 2-year term.

Fred Iafrate said he agreed with a 4-year term limit. Chairperson DelFino asked Councilperson Civetti what the benefit is of a 4-year term. Mr. Civetti said it takes time to get things done and the 4-year term gives you the ability to do it.

Ron Bianchi said that it takes time to learn that position. Chairperson DelFino believed that a two-year term would give them that same opportunity.

Nicole Corbin said she agrees with the two-year term limit.

Joe Andriole makes motion to vote on Ron Bianchi's proposal 4-year term with no term limits, Seconded by Fred Iafrate.

Initial Roll Call Vote: 9 in favor and 4 opposed (Clarke, Corbin, Delfino, Mandarelli).  
Motion passed.

Later, Mr. Ainabe clarified that his vote should have been recorded in the negative as he supports keeping it at a two-year term and he wanted the record to reflect that. The record now reflects 8 in favor and 5 opposed (Ainabe, Clarke, Corbin, Delfino, and Mandarelli).

### **Section 3-2**

Mr. Fung explained the proposal. Joe Andriole motioned to accept his recommendation, seconded by Bob Piscione. After further discussion about the timeframe for the vacancy, Mr. Andriole withdrew his motion, and Mr. Piscione withdrew his second. Mr. Andriole made a motion to use the initial proposed language but utilizing a six-month timeframe, and it was seconded by Ron Bianchi.

Roll Call Vote: 13-0 motion passed unanimously.

### **Section 3-3**

Mr. Fung explained the proposal about holding other offices. Motion to accept by Fred Iafrate, Seconded by Stephen Mandarelli.

Roll Call: Unanimously passes 13-0.

### **Section 3-4**

Mr. Fung explained the clean-up proposal. Motion to Accept by Joe Andriole, Seconded by Fred Iafrate.

Roll Call: Unanimously passes 13-0.

### **Section 3-5**

Mr. Fung recommended this proposal be continued to next meeting since it dealt with council salaries and Mr. Almonte indicated he would provide more data. Motion by Joe Andriole to table to the next meeting, Seconded by Ron Bianchi. All voted to table.

### **Section 3-6**

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Mr. Fung explained the proposal to make the meeting notice consistent with the state open meetings act. Motion to accept by Joe Andriole, Second by Robert Piscione.

Roll Call: Unanimously passed 13-0.

### **Section 3-7**

Mr. Fung explained the proposal to make notice consistent with state open meetings act. Motion to accept by Robert Piscione, Seconded by Arnold Vecchione.

Roll Call: Unanimously passed 13-0.

### **Section 3-10**

Mr. Fung explained the proposal to add the auditing language to make consistent with state law. Motion to Accept by Fred Iafrate, Seconded by Ron Bianchi.

Roll Call: Unanimously passed 13-0.

## Article IV Recommendations

### **Section 4-3**

Mr. Fung explained his proposal and how he arrived at the \$110,000 number based upon comparable communities.

Motion to amend by Joe Andriole, to change it to \$120k for Mayor and add to it that the Mayor's position be afforded the municipal MERS pension. Seconded by Fred Iafrate. After further discussion on retirement benefits, Mr. Andriole withdrew his motion and Fred withdrew his second. Mr. Andriole then motioned to change the language to \$120k and for a retirement benefit, Seconded by Fred Iafrate.

After further discussion about retirement benefits, Mr. Andriole withdrew his motion and Mr. Iafrate again withdrew his second.

Then, Ron Bianchi made a motion for the commission to consider mayor's salary to be at \$100k with an annual one percent COLA along with an option to put into a 401k retirement plan where the town will match up to 3 percent of that contribution. Seconded by Nicole Corbin. There was additional discussion about the salary.

Upon a vote on Mr. Bianchi's motion for the commission to consider his proposal, 3 Voted Yes, 10 voted no. Motion failed.

Joe Andriole then made a motion to amend his proposal to \$115k and the salary could not drop below the average mayor's salary within the League of Cities and towns data, and that the position have fringe benefits and a retirement plan. Fred Iafrate seconded the motion.

Under discussion, Chairman Delfino asked where Mr. Fung's \$110k number came from to which Mr. Fung explained it was from his chart of comparable communities of similar population and income.

Overall, Chairman Delfino wanted to make a proposal to table the discussion on the city council and mayor salaries until next session. He wanted more time to consider and digest the data. Joe Andriole says he is not opposed to that but all of the data that we are going to get is basically about the data given to us by the league of cities and towns. Based upon this request, Mr. Andriole withdrew his motion, and Mr. Iafrate withdrew his second.

Mr. Iafrate then made a motion to table, seconded by Steve Mandarelli. All voted in favor to table to the next meeting.

Then, a few members made a couple of final remarks on what salary range might be considered too high by the citizens of Johnston. Overall, it was decided this discussion will be taken up at the next meeting.

### **Section 4-5**

Mr. Fung explained the proposal to delete and add the personnel director to the commission. Motion to accept by Joe Andriole, Seconded by Bob Piscione.

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Roll Call: Unanimously passes 12-0 as Mr. Mandarelli had to leave the meeting and was absent for all remaining votes.

## **Section 4-6 (4)**

Mr. Fung explained the proposal to add new language recognizing state and local laws as well as the terms and conditions of all collective bargaining agreements. Motion to accept by Joe Andriole, Seconded by Arnie Vecchione.

Roll Call: Unanimously passes 12-0.

## Article IV Recommendations

### **Section 6-5**

Mr. Fung explained the proposal about legal opinions. Motion to accept by Fred Iafrate, Seconded by Ronald Bianchi.

Roll Call: Unanimously passes 12-0.

## Article VII Recommendation

### Sections 7-1, 7-2, 7-3, and 7-4

Mr. Fung explained the various proposals about an auxiliary judge of probate versus a standalone proposal to have the current municipal court judge and town solicitor fill in when there is a vacancy. After a lengthy debate, motion to accept the proposal to create an auxiliary probate judge was made by Joe Andriole and Seconded by Ronald Bianchi.

Roll Call: Unanimously passes 12-0.

In light of that passage, Mr. Andriole then made a motion to accept Mr. Fung's proposal of 7-1, 7-2, and 7-3, seconded by Robert Piscione.

Roll Call: Unanimously passes 12-0 to accept all three section changes.

## Article VIII Recommendations

### **Section 8-1**

Mr. Fung explained the fiscal clean-up language proposal. Motion to accept was made by Joe Andriole and Seconded by Fred Iafrate.

Roll Call: Unanimously passes 12-0.

### **Section 8-3**

Mr. Fung explained the fiscal budget introduction date and budget enactment date proposal. There was a lengthy debate about the appropriate timeframe from members and also public comment received from Councilperson Civetti. After the debate, it was voted unanimously to table the proposal until the next meeting and seek the advice of Finance Director Chiodo.

## Article IX Recommendations

### **Section 9-6**

Mr. Fung explained the procurement clean-up language proposal. Motion to accept was made by Joe Andriole and Seconded by Arnold Vecchione.

Roll Call: Unanimously passes 12-0.

### **Section 9-8**

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Mr. Fung explained the proposal to delete the residency requirement as it conflicts with state law and case law. Motion to accept was made by Joe Andriole and Seconded by Ronald Bianchi.  
Roll Call: Unanimously passes 12-0.

### Article XI Recommendations

#### **Section 11-1**

Mr. Fung explained the promotion language proposal as well as the deletion of the residency requirement. After further discussion, Ronald Bianchi made a motion to delete the “Captain” recommendation in the proposal but keep the rest of the proposal intact. Seconded by Joe Andriole.

Roll Call: Unanimously passes 12-0 as amended.

### Article XII Recommendations

#### **Section 12-1**

Mr. Fung explained the deletion of the residency requirement proposal. Motion to accept was made by Joe Andriole and Seconded by Ronald Bianchi.

Roll Call: Unanimously passes 12-0.

### Article XV Recommendations

#### **Section 15-1**

Mr. Fung explained the proposal regarding the appointment of four school committee members by the mayor and city council over a staggered term. After a lengthy discussion, a motion to accept was made by Fred Iafrate and Seconded by Robert Piscione.

Roll Call: 10 yes and 2 no votes (Corbin and Mansolillo) and motion passes.

#### **Section 15-2**

Mr. Fung explained the proposal regarding other employment. Motion to accept was made by Joe Andriole and Seconded by Robert Piscione.

Roll Call: Unanimously passes 12-0.

#### **Section 15-5**

Mr. Fung explained the fiscal clean-up language as well as ensuring the audit language tracks state law. It was recommended that libraries be deleted in its entirety in section (2). After some discussion about the audit language for the schools in section (8), including a public comment from Councilperson Civetti, Mr. Fung proposed that the beginning language be amended to read that the school committee shall “participate in or prepare a complete annual audit of its finances and activities in accordance with state law.” Motion to accept the proposal with the amended language was made by Joe Andriole and Seconded by Fred Iafrate.

Roll Call: Unanimously passes 12-0.

As it was 10PM, there was a discussion about suspending the rules and allowing the commission to proceed beyond the imposed curfew. Motion by Joe Andriole to suspend the rules, seconded by Fred Iafrate. All voted unanimously to suspend the rules.

### Article XVI Recommendations

#### **Section 16-3 (1)(d) and (3)**

Mr. Fung explained the new language in subsection (d) as well as the new language in subsection (3) that would recognize state and local laws as well as the terms and conditions in all collective

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bargaining agreements. Motion to accept was made by Joe Andriole and Seconded by Ronald Bianchi.

Roll Call: Unanimously passes 12-0.

### **Sections 16-7, 16-10, and 16-12**

Mr. Fung explained the language in the three proposals. Motion to accept was made by Fred Iafrate and seconded by Ronald Bianchi.

Roll Call: Unanimously passes 12-0.

### **Article XVII Recommendations**

#### **Section 17-2**

Mr. Fung explained the notice language proposal to ensure it complies with state and local laws. Motion to accept was made by Robert Piscione and Seconded by Arnold Vecchione.

Roll Call: Unanimously passes 12-0.

### **Article XIX Recommendations**

#### **Sections 19-4, 19-7, and 19-9**

Mr. Fung explained the three proposals. Motion to accept was made by Fred Iafrate and Seconded by Ronald Bianchi.

Roll Call: all three proposals passed unanimously 12-0.

Passes 12-0

### **III. Public Comment**

There was a question about the general language in the charter and if that can cause an issue for the Town. Mr. Fung said unfortunately this happens, and it really can't be prevented even by saying things like in accordance with state law.

Discussion regarding scheduling of future meetings and sections to be discussed. It was agreed that the meeting next week on 3-21-24 will be to discuss and vote on the provisions that were continued to the next meeting.

### **IV. Adjournment**

Motion to Adjourn by Fred, seconded by Arnold and all were unanimous. Meeting adjourned at 10:24PM.

Minutes submitted by,

/s/ Allan W. Fung

Allan W. Fung, Counsel to the Johnston Charter Review Commission