Town of Coventry

BOARDS & COMMISSIONS TRAINING

Welcome to local government

- Introductions

- Why we serve

- How we serve

- Government is different

- Open meetings act

- Ethics

Why We Serve

- Make a difference!
- Give back!
- Meet a need
- Solve a problem
- Personal interest
- Something to do

How We Serve
Town of Coventry Boards & Commissions

- Affordable Housing Advisory (I)
- Board of Canvassers
- Charter Review
- Conservation Commission
- Coventry Housing Authority
- Historic Preservation Commission

- Land Trust
- Economic Development Commission
- Friends of Human Services
- Kent County Water Authority
- Library Board of Trustees

How We Serve
Town of Coventry Boards & Commissions

- Pawtuxet River Authority
- Personnel Board (I)
- Planning Board
- Police Pension Board
- Redevelopment Agency (I)
- Sewer Assessment Board of Review

- Sewer Sub-committee
- Tax Assessment Board of Review
- Traffic Calming Committee (I)
- Tree Warden
- Zoning Board of Review

Government is different

- Public institutions

- Rule of Law

- Taxpayer funded, public funds

- Legal mandates

- Politics

Open Meetings Act

"It is essential…that public business be performed in an open and public manner and that citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of Public Policy."

R.I.G.L.§42-46-1

- The Act applies when "a quorum of a public body has a meeting".

- A public body is a department, agency, commission, committee, board, council, bureau or authority or any subdivision thereof of state or municipal government.

R.I.G.L.§42-46-2(c)

Open Meetings Act

Every meeting of all public bodies shall be open to the public unless closed pursuant to §42-46-2 and 42-46-5

Executive session criteria: litigation or potential litigation, personnel evaluation, collective bargaining, acquisition, lease or disposition of real property for public purposes

Notice

Annual notice: at the beginning of each calendar year post a meeting schedule

Supplemental notice: post a meeting announcement and agenda a minimum of 48 hours, excluding weekends & state holidays, prior to the start of the meeting.

Open Meetings Act

Notice requirements

Annual: Dates, times and location of regularly scheduled meetings, available to public upon request.

Supplemental: Date, time and location of the meeting, date posted, and statement specifying business to be discussed (agenda with detailed descriptions)

Posting requirements

Displayed at the principal office of public body.

One other prominent location within the governmental unit

Secretary of State (electronic)

Open Meetings Act

Public Comment

Public body may respond to comments initiated by a member of the public during a properly noticed open forum.

Minutes

Date, time and place of meeting

Members who are present/absent

A record by individual member of any vote(s) taken

Any other relevant information that a member of the public body requests

Open Meetings Act

All open meetings must be accessible to persons with disabilities.

Any citizen or entity of the state who is aggrieved as a result of violations *** of this chapter may file a complaint with the attorney general.

Nothing requires any public body to hold an open forum session, to entertain or respond to any topic nor does it prohibit any public body from limiting comment on any topic.

Open Meetings Act

Penalties

Injunctive relief and declare actions null and void

Civil fine up to $5,000 for a willful and knowing violation

Attorney fees and costs

Remedies

File an action with the Superior Court

File a compliant with the Attorney General

Ethics

R.I. Constitution Article 3 Section 7

"The people of the State of Rhode Island believe that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable and responsive, avoid the appearance of impropriety, and not use their position for private gain or advantage."

Conflict of Interest

When a person's public duties may impact or involve their private life.

The presence of (or potential for) a conflict of interest is not necessarily unethical.

It must be identified and addressed appropriately.

Ethics

Precautions

Review your meeting Agenda items in advance.

Consider whether there may be an issue that could potentially pose a conflict.

Seek advice from peers, Solicitor, legal counsel, Ethics Commission, etc.

Recusal

Inform presiding officer or legal counsel in advance of the meeting.

Note your recusal on the record immediately after the agenda item is introduced and give a brief explanation.

Don't take part in the discussion or the vote.

Ethics

Recusal

Leave the table, dais or leave the room.

Fill out an Ethics Commission recusal form and file with the Ethics Commission and Town Clerk.

Gifts

You may not accept anything of value based on the understanding that the gift will influence your judgment or official action. This prohibition includes anything of value given to your family or your business associates.

Ethics

Gifts

Additionally, if you participate in making decisions, you may not accept cash or forgiveness of debt from interested persons, but may accept things of value from interested persons having a value up to and including $25 per instance and up to $75 per year from each interested person.

Gifts

An interested person is a person, business, or representative that has a direct financial interest in a decision that you participate in making.

Ethics

Appearance of Impropriety

Actions or statements that may convey the impression that one is acting in an official capacity, when they are not, or when one is acting in an official capacity on an issue that appears to benefit them individually.

Ex-parte contact

As a public body deliberating on important issues, there is a great deal of information that is needed to make a decision. Research and due diligence is encouraged, however, meeting on your own with an interested party on an issue that is before the body can be problematic.

Questions