

**Bonnet Shores Fire District**  
**130 Bonnet Shores Rd**  
**Narragansett, RI 02882**

**Charter Commission Minutes Aug.2, 2022**

Chair Carolyn DiLeo called the meeting to order at 6:09 PM. Attending members included: Lloyd Albert, Faith LaSalle, Bob Patterson, and Anita Langer . Michelle Carracia, zoom master, and Carole Duffy, secretary, were also present. Three residents were in the audience and one or two people were on zoom.

- Minutes of the July 25th meeting were unanimously approved.
  
- Drafts of Sect. 2 & 3 were reviewed. The draft of section 2 taken from the RI Constitution Article 2, Section1 with adjustment to fit circumstances of Fire District reads:

Effective immediately and hereafter, every person who is a citizen of the United States of the age eighteen (18) years or over, who has lived in a residence and home located within the Bonnet Shores Fire District for at least thirty (30) days in the twelve (12) month period immediately preceding the time of voting, and who has been registered to vote with the Bonnet Shores Fire District for at least thirty (30) days immediately preceding the time of voting, shall have the right to vote for all offices to be elected and on all questions submitted to the electors at an Annual or Special Meeting. Every person qualified to vote as aforesaid shall vote in person or personally by such other means as may be approved by the Bonnet Shores Fire District Charter or Bylaws; no person shall cast a ballot on behalf of another person.

Faith LaSalle suggested that residency should be defined with reference to R.I.G.L. 17-3-3 and 3.1 and handed out the statute. She expressed her view that the Fire District is part of Narragansett and is part of the State, so the RI statute defining residency for voting purposes should be followed to avoid future litigation. She suggested drafting Section 2 as has been done in some other Fire Districts and that in their charters, there are two ways to qualify to vote: 1) taxpayer or owner of property in the district, or 2) the resident as defined by R.I.G.L. 17-3-3.1.

Carolyn explained that the RI statute establishes domicile. The states and the federal government use this form of a statute to determine where an individual will vote in federal and state elections. This, however, would not allow seasonal residents to vote and our objective is to expand the eligible voters to include these stakeholders.

Bob Patterson indicated by using the 2<sup>nd</sup> option, beach club owners would be permitted to vote. Count 4 of the lawsuit claimed that by allowing beach club owners to vote, the vote of the residents of Bonnet Shores are diluted. While the judge did not rule on this issue, the Council agreed in the settlement that indeed votes are diluted and therefore this option is not workable as to do so would be a violation of the consent order and likely bring another lawsuit.

A discussion ensued on who would be eligible to vote on any amendments to the Charter. Anita Langer and Bob Patterson said that beach club members would not be allowed to vote on those amendments due to the settlement agreement. Faith LaSalle said she is not sure that under the current Charter and written comments of the BSFD attorney who said that the judge dismissed the part of the case that would take away the right to vote of non-residents because they were not brought into the lawsuit. Bob Patterson disagreed with the BSFD attorney's statement.

Carolyn reminded everyone that all rewritten parts of the Charter will be reviewed by an attorney before they are finalized and no revisions will become public until that time.

In addition, other changes to the bylaws will be necessary and Bob and Anita will be invited to attend ByLaws' meetings but will not be allowed to vote. Lloyd, Faith, and Carolyn are members of the ByLaws' Committee.

- Sec. 4 will be incorporated into a "preamble".
- Sec. 5 > the word imprisonment will be removed
- Sec. 6 > references to Tax Assessors, Tax Collector, and Fire Wardens will be updated with wordsmithing.
- Carolyn will wordsmith Sec. 4, 5, & 6 and share with committee members prior to the next meeting.
- Sec. 7, 8, 9, & 10 will be addressed on Aug. 9<sup>th</sup>

#### Public comment

Deborah Pannullo commented that she believes a proposal based solely on residency for 30 days anytime in a year, is opening up vote to students who have not been permitted to vote in the past.

Next meeting will be on Aug. 9th at 6 PM.

Meeting was adjourned at 8:00 PM

Respectfully submitted, Carole Duffy

