



# Portsmouth Concerned Citizens

## NEWSLETTER

“Information is the currency of Democracy”

- Thomas Jefferson

Editor: Joe Robicheau

May 10, 2006  
Volume II, Edition 2

### *From the President -- Larry Fitzmorris*

**PCC Presentation of the Contract Study** – Art Carrellas and Jerry Cook presented results of their study of the Portsmouth NEA Contract costs at the Masonic Hall on March 21. About fifty-five people attended. I want to congratulate Jerry and Art on their fine work. They invested considerable time and research in this important effort. It has clearly uncovered the true cost of this ill-conceived agreement.

**Status of the Budget** – Portsmouth is facing unprecedented growth in budget and taxes this year. The tax increase is likely to be brutal. We will all be paying a lot more for the privilege of continuing to make Portsmouth our home

**Voter Initiative** – Along with about fifty members of the Voter Initiative Alliance, six members of PCC attended the House Judiciary Committee hearing on VI in late March. We all witnessed the committee chairman manipulate the schedule, size of the room and the press to hold back this important initiative. In the end both the House Judiciary and the Senate Constitution and Gaming committees voted to table the measure. While a slim chance remains, Voter Initiative will not receive a floor vote in either body. The Assembly took this action despite 20,700 signatures of registered voters in Rhode Island. In short, the desires of the leading unions carried more weight than that of the voters.

### *In This Issue:*

**The Five Deadly Sins** – The systemic causes of the recent budget request by the School Committee is discussed.

**Going to See the House** – RISC Secretary Harriet Lloyd provides us a satirical account of the House VI hearing.

**Mrs. Wedge Insults Military Retirees** – Joe Robicheau comments on the PCC's reaction.

**The Sacrifice of Reason** – The Town is engaged in a complex appeal to obtain state authorization to exceed the 5.5% tax increase limit. This article analyzes the proceedings.

**Lawmakers to Citizens: You Don't Matter** – Member Hal Meyer recounts his experiences during the House Judiciary Committee hearing on the Voter Initiative Amendment.

**Make a Difference Now!** – Joe Robicheau urges Portsmouth citizen involvement.

### The Five Deadly Sins

*(Larry Fitzmorris)* This year in Portsmouth we are facing a murderous tax increase, and while the jury is still out on the rate, it is likely to be between seven and twelve percent. The town budget is being driven hard by the massive request from the School Committee. They are requesting \$4.3 million in new spending. While salaries, benefits and Special Education are the primary budget drivers, they are symptoms of deeper problems. There are a number of institutional problems that have amplified the costs of the mismanagement that has become so much a hallmark of this Committee.

A careless disregard for the financial burden inflicted upon Portsmouth taxpayers is not the only failing of this School Committee. The Committee also suffers from fundamental problems of perception. The result is a budget deliberation that treats the primary cost drivers as non-negotiable. The following systemic factors constitute the root cause of this year's School Department budget explosion.

- Leveraging employment contracts against surrounding districts drives up the cost of salaries and benefits faster than would happen otherwise. Each new contract incorporates, at the minimum, the average salary levels of the surrounding school systems. Thus the weakest negotiators set the pace. Following last year's NEA contract agreement, our teachers' salaries are increasing at an average of 10.2% a year. Our principals and administrators' salaries nearly match that torrid pace.
- School Committees and Superintendents hide behind the shield of “contractual obligations,” just like someone else signed the agreements. It is only in the public sector that these agreements are sacred. In our state's school systems, we have developed a reverence for labor contracts through long and extensive membership of union members and supporters in our School Committees.
- School leaders and Committee members consider Special Education untouchable. We in Rhode Island have the highest percentage of Special Education students in the country, and the highest costs. The refusal by the School Committee to adequately

manage this largely independent organization is driving our costs hugely.

- School Committees negotiate labor contracts in secret. The resulting lack of public scrutiny in the negotiation process drives cost escalation dramatically. Taxpayers, the customer, have no opportunity to affect the most costly element of the town's budget. This arrangement, mandated by State law, clearly favors unions over the taxpayer.
- School Committees are detached from the tax consequences of their budgets. We often hear from Committee members that taxes are the business of the Council and no concern of theirs. The School Committees are the ones who sign the labor agreements, and if they destabilize their budgets, that is their direct responsibility. The Caruolo Act and the Rhode Island Courts both encourage the view that committees are semi-independent agencies that work for the State Department of Education. This does violence to the concept of representative democracy and separates them from the practical consequences of tax policy. School Committees are responsible to those who elected them and to those who pay the bill.

All is not lost. We in Rhode Island can modify the factors that drive local school costs. We simply require the will to do so. If we do not expose the inequities in the system we face a future of unrelenting tax increases until instability collapses our school system.

School Committees are not elected on platforms that promote the need for sound management of the school enterprise, but rather on campaigns replete with good intentions that tug the heartstrings of parents. It's all about the children. The School Committee is no place for the faint of heart who cannot find solutions that serve the best interest of both students and taxpayers.

#### **What we must do:**

Professional Negotiators -- if you don't have one you are in trouble, and the local boys aren't professionals. The Union shows up with a professional and if you don't, you are going to suffer the consequences. The Portsmouth teachers' salaries are now increasing at an average of 10.2% each year. Our School Committee refused to hire a professional negotiator and instead used the School Committee's solicitor.

We must eliminate Union members and their direct family members from those who are supposed to be negotiating for our citizens. While in many cases these are fine people, it's a state-wide union, not a local union. It's called conflict of interest.

Representative Jim Davey of Cranston has proposed a bill in the Assembly that would change how local labor agreements are handled. The provisions of that bill should be adopted in every city and town. It provides for a mandatory financial impact statement prepared by the public body that negotiated the preliminary agreement. That statement, along with the contract itself, would be published as soon as negotiations are completed. The proposal also provides for a ten working day period for public inspection of the contract, and review of the

costs, before the School Committee or Council can sign the agreement. Our elected officials would therefore be required to defend the details of the agreement in public, before it is signed.

The Town Charter must be amended to provide for recall of local elected officials. Does anyone think that the majority on the Portsmouth School Committee would still be in office if we had recall?

Special Education is out of control. The state has added increased specifications and cost to the Federal requirements. This is the Gordian knot of public education, but the Assembly holds the key to taming this monster. They need to get started.

We are all in this together. If the budgets continue to grow at rates substantially higher than our incomes, our system will soon reach the point of instability. Each of us must begin to insist upon accountability in our elected officials and demand long-term change. We simply cannot keep up this pace.

## Mrs. Wedge Insults Military Retirees

*(Joe Robicheau)* In a May 2 Providence Journal article on the status of the school budget, School Committee Chairwoman Sylvia Wedge insulted Portsmouth's retired military families. Quoting from the Journal:

*She said there are "lots of people who are retired on a military pension" in the town who take advantage of lower prices for gas and groceries on the Navy Base and "don't want to pay their taxes."*

*"They don't contribute anything to this town," Wedge said.*

At our monthly meeting the members of PCC voted unanimously to formally request Mrs. Wedge's resignation. The PCC letter was delivered to Mrs. Wedge and was also sent to the newspapers. Following this action, stories appeared in the Newport Daily News and in the East Bay section of the Providence Journal. On May 11 the Newport Daily News also called for Mrs. Wedge to resign for her comments and for her 'less than truthful' communications with the paper in two Executive Session matters.

Her statement has initiated a firestorm of controversy and indignation. Following a large number of letters to the editor, the editorial and two news stories Mrs. Wedge apologized in her own letter to the editor. Mrs. Wedge, however, has publicly declined to resign.

## Going to See the House

*(Harriet Lloyd)* Hey, Rhode Island, you're missing the show! It's a multi-genre spectacle, and you won't find it at the IMAX, PPAC or Trinity Rep. It's right on Smith Hill – and

it's free. Well, not exactly free, but well worth the millions you've already paid – and will continue to pay in the future. Grab the kids and see a 3-D tragicomedy/horror extravaganza you'll never forget! Like *Jaws*, you'll only need to see it once to scare you out of your skin!

Here are the highlights of this week's revue, which features the House Judiciary Committee, hosted at 4:30 p.m. on Tuesday by Chairman Donald J. Lally, Jr. Bearing remarkable resemblance to the calculating Dean Wormer of *Animal House*, Lally schedules a Voter Initiative hearing in a tiny meeting room, whimpering feebly that Speaker Murphy nixed a larger site for the standing-room-only crowd. With nary enough space to shoot a horse, brawny marshals evacuate petitioners to dimly lit hallways, ignoring similarly crowded rooms close by. Hours pass as *les miserables* gaze wistfully into an empty ballroom of comfortable leather seating – but they are not to enter the House Lounge their tax dollars have financed. The dinner hour passes without water or gruel, but the little folks' weariness pales in contrast to their dream of access to "the chamber" and the recognition of Dean Wormer, who wishes they would just leave the building. Some do.

Just as eternal exile to a cold corridor seems synonymous with "representative government", a radiant light fills the hallway as the little people are granted entry to the inner sanctum, their hopes soaring that a moment of Dean Wormer's attention is within grasp. But the plot twists again as Wormer haughtily repairs to a private study behind the chamber door, where his dinner awaits. In his place is Fausto Anguilla, the diminutive subordinate played on television by Danny DeVito. Selling his soul to the proverbial devil, Fausto trades winks and chuckles with highly compensated special-interest heavies from the NEA, AFL-CIO, and Common Cause. Rep. John Shanley, whose likeness to *Batman's* Penguin is unmistakable, challenges the little people, "Throw me out on my rear end" he roars bizarrely, denouncing Voter Initiative – this outburst coming a day after he sponsored legislation enabling prisoners to vote for him. You'd just have to love this stuff if it weren't for the Penguin's poison umbrella darts!

The little folk, though assumed to be intellectually inferior, sense that the 'fix is in' when one paid lobbyist after another maligns Voter Initiative – claiming it favors no other than (drum roll) special interests! The show is full of ironic moments! "Why", the little people wonder, "are these powerful bullies so afraid of Voter Initiative; why do they fear us?" Intermittently, when permitted, the little people plead for a voice in government. Again and again, they are ignored as committee members whisper and signal to each other and lobbyist pals, strategizing ways to keep the little folk in their place.

Repeatedly, the little folk, unpaid volunteers, hear themselves characterized as too uninformed and unintelligent to handle voter initiative; in addition to stupid, they are labeled racist, homophobic and anti-immigrant. Their 20,700 signatures are decried as inconsequential in a state as "large" as Rhode Island. In sum, the little folk are educated on the Rhode Island brand of representative government. Some of the little folk

are pretty smart, but they learn that Wormer and his gang are much more clever.

Rhode Island does have some heroes to admire in this show. Reps. James Davey, Nick Gorham, Mark Cote, Roger Picard and Laurence Ehrhardt are gentlemen who clearly outclass their cast of colleagues as they coolly weather continuous verbal assault and champion the little folk. Rep. Edith Ajello, while enigmatic, behaves respectfully, while Rep. Amy Rice, a self-impressed *Austin Powers* "fem-bot", masterfully captures the spirit of Babs Jensen in *Animal House*: those little folk are P-I-G-S! Her gratuitous attacks on Voter Initiative proponents lend ominous foreshadowing of a bill about to be killed – and fellow representatives again denied an opportunity to vote on the measure after fourteen years.

So, head on up to the statehouse with your popcorn, folks, and see the show. Just remember to stop and pick up some heavy-duty detergent on your way home. You'll have an intense urge to bathe.

## MEMBERSHIP MEANS LEVERAGE

JOIN THE  
PORTSMOUTH CONCERNED  
CITIZENS

TODAY

Call Drena Robicheau at 847-1098  
Or use the membership form in this  
Newsletter

## The Sacrifice of Reason

(*Larry Fitzmorris*) The people of Portsmouth are experiencing a budget season that is increasingly bizarre at each stage. We are faced with an out-of-control School Committee majority that has informed the citizens and Council that no one should question their budgetary judgment. This is the same School Committee that last July didn't know that it had over-spent its budget during the last fiscal year by more than \$500,000. That deficit violated state law, which prohibits municipal deficits in excess of \$100,000. It is also the same Committee that under-budgeted the current school year by \$1,500,000. Yet Portsmouth citizens are told by the Committee that we and the Council should never question their budgetary decisions.

Yet in all of this, the majority of the School Committee members have been amazingly detached from the budget process. They have failed to make even minimal reductions

and remain unwilling to even consider a number of proposed cost saving measures.

On April 10 the Town Council, in anticipation of School Department budget excesses, submitted to the state Auditor General a request for authorization to exceed the 5.5% cap on property tax increases on the basis of an emergency in Portsmouth.

The initial Town side budget calls for a 4.8% (\$826,000) increase or possibly less. On April 17 after considering the School Department's budget request, a 14.7% or \$4.3 million increase over last year, the Council found it unfundable and sent it back to the School Committee asking for reductions. The Committee flatly refused. Instead of attempting to reduce the budget, the Committee decided to wait for a state ruling on the Town's waiver request.

The sole reason for the Council request to exceed the state 5.5% cap on property taxes is the school budget. The Town Administration estimates the likely response from the state will provide authority for no more than an 8% tax increase. While this is a wholly unreasonable tax escalation, it would still leave the school department approximately \$1.4 million short.

The PCC submitted to the Auditor General a written rebuttal to the Town Council's request to exceed the 5.5% cap. There are, of course, no emergencies in our school system and we informed the Auditor General and his staff, accordingly.

The School Committee has pushed aside any rational approach and is attempting to roll over the town's citizens, state law, state regulating agencies and the Council on their way to the largest budget increase on record. They are going for broke; ignoring the likelihood that the Town will receive authority to raise taxes no more than 8%. They refuse to recognize that they will likely be far short of their funding goal.

The School Committee and administration are threatening the town's citizens with reductions in student programs if their bloated budget is not fully funded. This may be a time-honored practice in the Portsmouth system, but remains distasteful, nonetheless. That this approach is necessary in such a large budget increase reflects a complete lack of effective budget management.

In addition, School Committee member David Croston is threatening to sue the state over unfunded mandates. This quixotic proposal has a high cost and low probability of success, yet appears to have received serious attention in the Committee. Unwilling to restrict legal action to the state of Rhode Island, the Committee is reported in the press to be ready to sue the Council, and the Town of Portsmouth, should it fail to receive its requested funding.

While charging forward in search of new funding heights, the School Committee has failed to correct the causes of the rapid increases in their budget. The primary cost drivers remain salaries, benefits and the Special Education program. Unless these factors are meaningfully reduced, annual spending increases of at least 9% will be required out into the future. The Committee's budget requests are unsupportable in either the short or long term.

The School Committee has completely rejected any responsibility for the tax consequences of their budget. Although elected by the people of Portsmouth, they maintain that how the town raises the funds to support their budget is of no interest to them. Whatever budget discipline we enjoyed in the past is dead.

The School Committee is attempting to break out of the historical range of budget increases and establish new heights, without regard for state law or Portsmouth's taxpayers. Left to its own devices, the School Committee will sacrifice us all on the altar of School Department spending.

## Lawmakers to Citizens: You Don't Matter

*(Harold A. Meyer III)* If you want to know what your state government really thinks about you, interact with your government at a basic level and see the way you get treated. The recent hearing at the state house for the voter initiative (VI) amendment was a sobering experience, to say the least.

The meeting was scheduled for 4:30PM on Tuesday March 28th. We got there early, at about 4PM, for the 4:30 hearing.

It got off to a bad start, and just kept getting worse. The nightmare wouldn't end, for another 7 hours.

Right at the beginning, it appeared that there was going to be a problem. A good number of citizens had arrived, many to give positive testimony about the voter initiative proposal, and many just to listen and learn. The arriving crowd quickly filled the room and it became clear that Room 205 couldn't accommodate everyone, even before the meeting commenced.

A couple of capitol police came by to remind us that the fire code limited the room capacity to approximately 35 people. The cops were pretty much useless. They just told us the obvious, and provided no solution. But, they looked good, and they made an appearance. That's doing your job in Rhode Island. While they were very comfortable strutting in the room's limited space, there was no obvious effort by the cops to force the committee chairman Donald Lally to change rooms. It was clear that the RI Democratic party was very much in control, and that even the cops couldn't force them to show some basic courtesy to visiting citizens.

When "do nothing" cops parceling out the minimum requirements outshine your legislators, you know something is very wrong.

Before things started, I immediately asked the secretary there if the meeting could be moved to another room to accommodate the people. I was quickly told that "no other rooms were available," and that she was "just following instructions." She would have made a good soldier. With that, I was dismissed; she did so even while walking away from me, a drive-by dismissal.

So, the meeting started, and it was standing room only. My guess is that there were 60 people or more attending. There were only chairs for the committee, the press, and for a few spectators. Many people stood in the vast hallway. Some people who had to attend the meeting were forced to stand. People stood and stood and stood.

So, they crammed us into a tiny, inadequate room. But, they weren't done with their tricks to snub us.

The next trick was another procedural one. There have been other VI meetings in years past, and even recently, and everyone knew they were all well attended. Knowing full well that the VI matter would be lengthy, did they schedule a dedicated meeting for it? Nope, they first conducted 2 hours of other committee business. The VI hearing didn't begin until almost 7PM. Some hospitality!

There was a long witnesses list, both pro and con. Judge Robert Flanders, the head of the Voter Initiative Alliance, spoke first and introduced the bill. That small dollop of deference was short lived. Chairman Donald Lally then called four "con" witnesses right in a row, and they were all very long winded. At least two of the "con" witnesses took a half-hour each. By this time, most of the press had left. The chairman said little about the length of the "con" presentations, although he was certain to ask "pro" witnesses about length. As the meeting dragged on and the four "con" witnesses were un-rebutted, citizen Bruce Lang complained, so Lally relented and allowed the pro and con witnesses to alternate.

After standing for over 5 hours, I was getting tired, so I sat in an adjacent room for a bit. I left a little later, just before 10PM, but I heard the meeting went on until 11:15PM.

One of the facts that makes the whole thing so outrageous is that many of the attending citizens were 60-70 years old.

It was all so unnecessary. I was later told that spacious House Finance Room 35 was empty at this time, where there could have been room for everyone to hear the testimony and

participate. That room even had the equipment to televise the meeting on cable TV.

One of the excuses given by Chairman Lally was that the Open Meetings Law didn't allow him to move the room location. Only a lawyer could be so arrogant, so willfully blind to his constituents, and so insecure about his little slice of power. It would be truly wonderful if our legislators were similarly driven to such excruciating detail in the other aspects of their official duties. Hasn't he ever heard of... a sign?

This dreadful hearing was an awful reminder of our true status in this state, that citizens are just dirt in the eyes of legislators, especially if you oppose one of their pet projects, or even worse, are proposing limits on their power.

At every turn, it became clear that our lawmakers were playing a game to wear us down, a game called You Don't Matter.

## Make A Difference Now!

*(Joe Robicheau)* Why should you join PCC? Well, if you find yourself in agreement with the material you read on these pages, then you should seriously consider joining the Portsmouth Concerned Citizens. Membership means you will support both the goals of the organization and our activities in Town. The organization needs a core of active members to realize its goals. But, perhaps more importantly, the organization needs to continue to build its broad base of support. The weight of this support does not have to be on physical display at all times, but it must be known by our elected officials that we are not just the people that show-up to video tape their meetings. Our elected officials need to understand that the people of Portsmouth demand reasonable management of our public affairs, and that their decisions will be subject to the people's open review.

Why wait? Help us help you. Join Portsmouth Concerned Citizens today!



## Upcoming Events

- PCC holds its membership meetings on the first Tuesday of each month. We meet at 7:00 PM at the Anthony House, 51 Middle Rd. Our next meeting will be on June 6. All members are encouraged to attend and guests are always welcome.
- PCC is updating our member's e-mail addresses. If you have a new address or have recently established a new on-line service, you may e-mail your new address to [LJFITZ45@aol.com](mailto:LJFITZ45@aol.com) or call Larry Fitzmorris at 683-6127.

Portsmouth Concerned Citizens  
50 Kristen Ct.  
Portsmouth, Rhode Island 02871

**PORTSMOUTH CONCERNED CITIZENS  
MEMBERSHIP FORM**

NAME \_\_\_\_\_ DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/TOWN \_\_\_\_\_

HOME PHONE \_\_\_\_\_ OFFICE PHONE \_\_\_\_\_ E-MAIL \_\_\_\_\_

ANNUAL DUES:        \$20 (Single)        \$25 (Family)        \$100+ (Founder's Club)

Call: 683-6127, or mail this form and your contribution to:    Portsmouth Concerned Citizens  
499 Wapping Rd.  
Portsmouth, RI 02871