

**R. I. STATE BOARD OF ELECTIONS
MINUTES OF MEETING
July 21, 2010**

The Rhode Island State Board of Elections convened at 4:14 PM, a quorum included Chairman John Daluz, Vice-Chairman Frank Rego, Commissioners Florence Gormley, Richard DuBois, Richard Pierce, and William West. Vice-Chairman Rego chaired the meeting at the request of Chairman Daluz. Executive Director Robert Kando and Board legal counsel Raymond Marcaccio were also in attendance.

First order of business: Commissioner Gormley moved to approve the minutes of the meeting held on 7/13/2010 the motion was seconded by Commissioner Pierce and passed unanimously.

Next order of business: A vote to consider the Barrington Town Council's request (see attached letter) to fill a school committee vacancy by holding a special election during the regularly scheduled November election of 2010. Attorney Raymond Marcaccio recused himself since he had a previous legal engagement with the Town of Barrington.

Attorney Robert Kando, acted as legal counsel and advised the Board that R.I.G.L. 16-2-5 that addressed school committee vacancies required the town council to fill vacancies until the next general election and did not allow for special elections. Commissioner Gormley moved to deny the request seconded by Chairman Daluz and passed unanimously.

Next order of business: Appeal of the West Warwick Board of Canvassers decision allowing the endorsements of Democratic candidates for town committee and council filed by Democratic candidate James M. Proulx II, citing violations of provisions of Rhode Island General Laws relating to endorsements. Attorney William Murphy represented Mr. Proulx and Mr. Frank Giorgio, Chairman of the West Warwick Democratic Town Committee acted pro se.

Attorney Murphy argued that the endorsement of the West Warwick Democratic Town Committee was not only out of time according to R.I.G.L. 17-12-11, but had also failed to comply with the provisions of 17-12-12.2.

West Warwick Democratic Chairman, Mr. Giorgio, stated that the endorsements were duly voted and passed in conformance with the statute, but due to a clerical error, the second page of the endorsements that contained endorsements for council and school committee were not attached to the endorsements that were filed with the Board of Canvassers. He also stated that he rectified the error by filing the missing page on July 2, 2010, and conceded that the second filing did not contain any signatures.

Commissioner Gormley moved to disallow the council and school committee endorsements since they were not properly filed according to the statute. The motion was seconded by Commissioner West and was passed unanimously.

Next order of business: Appeal of the Providence Board of Canvassers decision accepting the 13th Ward Committee's endorsement of council candidate Bryan Principe and disallowing the Providence City Committee's Chairperson endorsement of Steve Meresi for 13th Ward Council position, filed by Democratic candidate Steven Meresi and Joan Badway, Chairperson of the Providence City Democratic Committee.

Attorney John D'Amico represented Mr. Principe and Attorneys Frank Lombardi and Gerrick Van Deusen represented the 13th ward committee. There was a lengthy opening discussion of the events that lead to the dual endorsements by both Providence Democratic 13th ward committee and its city committee, where all parties agreed that the committee by-laws required a five day written notice to its members; that no notice had been sent; and that a less than unanimous vote of its membership waived notice.

Commissioner Pierce made a motion to allow the city committee endorsement of Mr. Meresi and invalidate the actions of the 13th Ward Committee since committee by-laws required a five day written notice to its members, that no notice had been sent and that a less than unanimous vote of its membership waived notice. Commissioner Gormley seconded the motion and it passed unanimously.

At 5:25 Commissioner West moved to adjourn, seconded by Commissioner DuBois and passed unanimously.

Andreza Skipworth