

**Central Falls Detention Facility Corporation Meeting Minutes  
Wednesday, July 20, 2011  
Donald W. Wyatt Detention Facility Training Building  
935 High Street  
Central Falls, RI 02863  
6:00 P.M.  
TDD/TTY 401-727-7450**

A meeting of the Central Falls Detention Facility Corporation was held on the above date; in the Training Building at 6:00p.m.

**1. Roll Call**

Director Barajas – Present  
Director Adamo\* – Present  
Director Golenia – Present  
Director Romanowicz\* – Present  
Director St. Pierre – Present  
Quorum Present

\*Clerk received letters of appointment from Justice Flanders, the Receiver in Central Falls, appointing Sallee Adamo and Albert Romanowicz to the Board this evening prior to the meeting.

**2. Executive Session pursuant to R.I. General Laws § 42-46-5 for the following purposes:**

**Section 42-46-5(a)(2) the purpose of reviewing issues regarding litigation relative to the following matters; Ng, Avcorr, Cornell Corporation, and ICE. Further to review financial issues including the Indenture of Trust, reserve accounts, per-diem rates and audit.**

**Section 42-46-5(a)(3) for the purpose of receiving an update from the CEO regarding security.**

**Section 42-46-5 (a)(4) for the purpose of reviewing investigative proceedings in reference to Avcorr, Novo and Salisbury.**

Attorney Peg Lynch-Gadaleta, Legal Council to the Board, made a recommendation to the Board that the following items be excluded from tonight's Executive session and tabled until the next meeting:

- Avcorr
- Cornell
- Financial issues including the indenture of trust reserve accounts
- Audit
- Investigative proceedings

She advised that the remaining items could be discussed this evening:

- Ng
- ICE
- Per-diem rates
- Security

Motion to accept the recommendations of Attorney Lynch-Gadaleta made by Director Romanowicz; seconded by Director St. Pierre. All were in favor; so voted.

Motion to go into Executive session made by Director Golenia at 6:05 p.m.; seconded by Director St. Pierre. All were in favor; so voted.

Motion to return to open session made by Director Romanowicz at 6:34 p.m.; seconded by Director St. Pierre. All were in favor; so voted.

**3. Old Business** – No discussion of old business.

**4. New Business** –

Motion to seal the minutes of Executive session made by Director Romanowicz at 6:34 p.m.; seconded by Director St. Pierre. All were in favor; so voted.

a. **July 15<sup>th</sup> Bond Payment** – payment was made as scheduled

b. **Average Daily Population** –

Historical comparison of ADP:

- year-to-date, 2011: 673
- 2010 - 605
- 2009 - 582

Current count: 637, with 28 scheduled to depart on the bus on Friday. Budgeted target number - 653. M. Fair, CEO, stated that this was a best guess at a break-even number, but not a commitment to be running at a surplus or to pay fees to the City.

Attorney Lynch-Gadaleta commented that Mr. Fair walked into a facility that was not only affected by the withdrawal of ICE detainees, but was also in financial disaster. There were millions of dollars missing from two reserve accounts.

Director Romanowicz requested a record of how those monies (from the reserve accounts) were depleted. Attorney Lynch-Gadaleta agreed to provide everything that she could, absent it's involvement in an investigation.

c. **Update on State task force (T. Fracassa)**

Director St. Pierre stated that the newly established task force is comprised of seven members: two from the Senate, two from the House, two from RI Department of Corrections, and the City Clerk. They are supposed to approach the Board for anything that they are requesting.

Attorney Fracassa provided a summary of Senator Crowley's bill's travel and where it stands now and the bondholders' stance in this situation. He mentioned that there is a covenant in the indenture of trust (7.10) that requires the Corporation to defend the bondholders' tax-exempt status. Failure to do so could result in a finding of default. Senator Crowley's bill was subsequently pulled back. Consequently, the task force was formed.

d. **Status of bondholder-mandated follow-up review of the corporation as to certain financial, operational, and correctional matters being conducted by Ernest Almonte**

Attorney Lynch- Gadaleta commented that Ernie Almonte's report should be out by the end of July.

e. **Status of newly appointed Corporation Trustee**

Mr. Fair informed the Board that the Bondholders have selected a new bank. US Bank has replaced Bank of New York as the trustee.

**5. Adjourn** – Motion to adjourn made by Director Barajas; seconded by Director Golenia. All were in favor. Meeting adjourned at 7:00pm.