

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

OCTOBER 16, 2013

TOWN HALL

5:00 P.M.

The meeting was called to order at 5:00 P.M. Council members present were Mr. McGee, Mr. Zwolenski and Mr. Flaherty. Ms. Alves was unable to attend because of a business commitment and Mr. Yazbak was unable to attend due to a family matter. Also in attendance were Town

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Administrator Hamilton, Town Solicitor Lombardi, Attorney Michael DeSisto of the Interlocal Risk Management Trust, Attorney Patrick Dougherty, representing the Town, and Judge Frank Williams, mediator.

NARRAGANSET IMPROVEMENT LITIGATION

Mr. Flaherty explained that mediation involving these three lawsuits would be taking place tomorrow. Any proposed settlement would still have to come back before the Town Council for approval.

Ms. Mali Jones questioned why a vote had never been taken in open session stating that the town was moving forward with mediation. She felt a lot has been done to move forward with this decision without people being made aware of it.

Mr. Lombardi explained that because it was non-binding mediation, no vote had to be taken.

Mr. Zwolenski will listen to what mediation may potentially do and is unsure if there will be an acceptable agreement.

MOTION by Mr. Zwolenski, seconded by Mr. McGee, and voted 3 to 0 on a roll call vote to proceed with non-binding mediation tomorrow to see if there is an opportunity to resolve these lawsuits prior to a full trial.

EXECUTIVE SESSION

MOTION by Mr. Zwolenski, seconded by Mr. McGee, and voted 3 to 0 on a roll call vote to enter into executive session at 5:18 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation to discuss 1.) Narragansett Improvement Company, et als v. Jill Gemma et als, C.A. PC08-7468, 2.) Narragansett Improvement Company, et als v. Vincent Marcantonio, et als, C.A. No. PC08-6504, and 3.) Town of North Smithfield v. Narragansett Improvement Company, et als, PC08-3674.

MOTION by Mr. Zwolenski, seconded by Mr. McGee, and voted 3 to 0 on a roll call vote to come out of executive session at 6:34 P.M. and to seal the minutes. No motions were made and no votes were taken.

**MOTION by Mr. McGee, seconded by Mr. Zwolenski, and voted 3 to 0
on an aye vote to adjourn at 6:35 P.M.**

Respectfully submitted,

Debra A. Todd, Town Clerk