

RI UST Review Board  
August 25<sup>th</sup>, 2005

**Quorum**

The Board meeting, held at 235 Promenade Street; Suite 455; Providence, was called to order by Ms. Brockmann at 12:10 pm. Members present were Commissioners Conti, Gray, Beaudette, Matheson, and Pallozzi. Staff present were Michaela K. Brockmann; Executive Director, Jim Robison; claims analyst, and Lori Cirella. Also present was Richard Kirby; Legal Counsel.

Mr. Kirby, legal counsel to the Board, explained that the governing statute of the RI UST Review Board had been amended and the changes of the new law, reconstituted the Board membership. Due to the fact that the new members had yet been appointed and there were ministerial functions that the Board needed to meet, Mr. Kirby recommended that the floor be open for the nomination of an acting interim chairman. Additionally, Mr. Kirby recommended that after the interim chair is chosen, that the "rule of necessity" be invoked so that the administrative functions of the Board could be met. Lastly, Mr. Kirby recommended that when the Board is fully constituted and the regulations are amended that the quorum issue be addressed.

Commissioner Matheson moved that Commissioner Gray be named interim chairman. Commissioner Beaudette seconded the motion. All those in favor voted in the affirmative.

Chairman Gray then asked for a motion to invoke the rule of necessity. Commissioner Matheson moved to invoke the rule and the motion was seconded by Commissioner Pallozzi. All those in favor voted in the affirmative.

**Executive Director's Report**

Ms. Brockmann stated that there was a fund balance of approximately 2.4 million dollars.

**Signatory Authority for Banking**

Ms. Brockmann recommended that Chairman Gray have signatory authority on the Bank account. Commissioner Conti moved that Chairman Gray have the authority to sign checks, the motion was seconded by Commissioner Pallozzi. All those present voted in the affirmative and the motion carried.

**Reimbursement Recommendations**

The Chairman asked for a motion to accept the recommendations for Group A. Commissioner Beaudette moved to accept group A's recommendations and the motion was seconded by Commissioner Pallozzi. All those present voted in the affirmative.

Commissioner Pallozzi made a motion to approve Group B for reimbursement; the motion was seconded by Commissioner Conti. There was no discussion and a vote was taken. The motion was approved with one abstention from Commissioner Gray. Commissioner Gray then submitted the appropriate Conflict of Interest form.

Commissioner Pallozzi then moved Group C for approval and the motion was seconded by Commissioner Conti. There was no discussion, a vote was taken and all present voted in the affirmative.

Lastly, Commissioner Pallozzi moved approval for reimbursement of Group D. The motion was seconded by Commissioner Conti. A vote was taken and the motion was approved.

**Speedy Issue**

Mr. Robison explained that there were bills outstanding to Lincoln Environmental from the site Speedy. These outstanding bills were a result of the RAP program ending and the regular reimbursement procedures beginning. Due to the fact that this matter was outside the standard functions of the Board,

Mr. Kirby recommended that the matter be placed on an agenda when the full complement of the Board was sitting. Commissioner Conti moved to table the claim for future consideration and the motion was seconded by Commissioner Matheson. All those present voted in the affirmative.

#### **Approval of the Previous Meeting Minutes**

Commissioner Beaudette moved to accept the meeting minutes as submitted. Commissioner Pallozzi seconded the motion. Mr. Kirby recommended that those not present for the previous meeting recuse themselves from the vote. All those present voted in the affirmative.

#### **Audit/Budget**

Ms. Brockmann explained that the audit process began in July. Additionally, Ms. Brockmann stated that the administration, according to the budget, was seeking 2 million dollars at the end of fiscal year 06. Lastly, Ms. Brockmann mentioned the new federal energy law. The new law states that enforcement monies for the Department may be jeopardized if the state fund is dipped into.

Mr. Wadovick, CPA and auditor to the Board, stated that the field work for the audit was complete. He also stated that that once again it was a clean audit. He also discussed the 2 million dollars and how it would affect the fund if it was to be taken by the administration.

Discussion followed as to steps to be taken to avoid this money being taken. Chairman Gray also stated that he raised his concerns with the Budget office.

#### **Old Business**

Ms. Brockmann and Mr. Robison presented to the Board new forms that they plan on phasing in. The new forms are more user friendly and also aid electronic submissions. These forms were also given to Mr. Kirby for a legal review.

The other matter of old business was the work done by consultant Jim Borah on personnel matters. Mr. Kirby was in possession of the report and he made this report available to the Board members.

#### **New Business**

Ms. Brockmann stated that a new deadline and meeting date needed to be set for the next reimbursement. The new dates recommended were October 7<sup>th</sup>, 2005 for the deadline and December 8<sup>th</sup> for the Board meeting date.

Commissioner Pallozzi moved that October 7<sup>th</sup>, 2005 for the deadline date and December 8<sup>th</sup> as the Board meeting date. The motion was seconded by Commissioner Conti, all those present voted in the affirmative.

Commissioner Pallozzi asked if the full complement of the Board would be sitting by the December meeting. Ms. Brockmann stated that it was up to the Governor's office.

#### **Adjournment**

Commissioner Matheson moved to adjourn the meeting at 1:15 pm. Commissioner Beaudette seconded the motion and all those present voted in the affirmative.

Respectfully Submitted By,

Michaela K. Brockmann  
Executive Director