

# **NOTICE OF OPEN MEETING**

## **AGENDA**

### **6th Meeting**

**DATE: Tuesday, May 21, 2013**

**TIME: 9:00 a.m.**

**PLACE: Rhode Island Ethics Commission**

**Hearing Room - 8th Floor**

**40 Fountain Street**

**Providence, RI 02903**

**1. Motion to approve minutes of Open Session held on April 23, 2013.**

**3. Advisory Opinions:**

**a.) James M. Callaghan, Esq., a Narragansett Town Council member, requests an advisory opinion as to whether the Code of Ethics prohibits him from simultaneously serving as a Bail Commissioner/Justice of the Peace for the Town of Narragansett.**

**b.) Reverend David F. Shire, a member of the Health Services Council, requests an advisory opinion regarding whether the Code of Ethics prohibits him from participating in the Health Services Council's consideration of Care New England Health System's application to merge with Memorial Hospital, given his various connections to Butler Hospital, a Care New England Health System operating unit.**

**c.) Giorgio S. Gencarelli, a member of the Westerly Zoning Board, requests an advisory opinion regarding whether the Code of Ethics prohibits him from participating in the Zoning Board's consideration of Copar Quarries of Westerly, LLC and Westerly Granite Co., Inc.'s appeal of the Westerly Zoning Official's Cease and Desist Order, given that his former daughter-in-law is an abutter to the quarry under review.**

#### **4. Director's Report:**

**a.) Docket Status Update.**

#### **5. Legislative Update:**

**a.) 2013 House Bill 5673. Discussion of hearing before House Judiciary Committee on May 7, 2013.**

**b.) Status of 2013 Joint Resolutions: H 5498 and S 337 (To submit to**

**electors a proposition of amendment to the RI Constitution to restore Ethics Commission's authority to question legislative conflicts of interest).**

**6. Discussion re: Advice provided by Solicitors regarding requirements of Code of Ethics.**

**7. Motion to go into Executive Session, to wit:**

**a.) Motion to approve minutes of Executive Session held on April 23, 2013 pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4).**

**b.) In re: Frank Sylvester, Complaint No. 2011-2, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4).**

**c.) In re: Pamela Fontaine, Complaint No. 2012-2, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4).**

**d.) Discussion re status of pending litigation: Joseph S. Larisa, Jr. v. Rhode Island Ethics Commission et al., C.A. No. PC11-6938, pursuant to R.I. Gen. Laws § 42-46-5(a)(2).**

**e.) Annual discussion and review re: Legal Counsel's Contract.**

**f.) Motion to return to Open Session.**

**8. Motion to seal minutes of Executive Session held on May 21, 2013.**

**9. Report on actions taken in Executive Session.**

**10. Annual discussion and potential vote re: Legal Counsel's Contract.**

**11. New Business proposed for future Commission agendas and general comments from the Commission.**

**12. Adjournment.**

**ANYONE WISHING TO ATTEND THIS MEETING WHO MAY HAVE SPECIAL NEEDS FOR ACCESS OR SERVICES SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CONTACT THE COMMISSION BY TELEPHONE AT 222-3790, 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. THE COMMISSION ALSO MAY BE CONTACTED THROUGH RHODE ISLAND RELAY, A TELECOMMUNICATIONS RELAY SERVICE, AT 1-800-RI5-5555.**

**Posted on May 16, 2013**