## **TOWN COUNCIL/LIBRARY BOARD OF TRUSTEES**

## **SPECIAL JOINT MEETING**

**May 1, 2017**

## **ROLL CALL**

Town Council Members present:

Kristine S. Trocki, President

Michael G. White, Vice President

Blake A. Dickinson

Mary E. Meagher

Eugene B. Mihaly

Library Board of Trustees Members present:

Mary Lou Sanborn, Chair

Peter Carson, Treasurer

Paul Housberg

Christopher Walsh

Christian Infantolino

Jennifer Cloud

Marianne Kirby

Also in attendance:

Andrew E. Nota, Town Administrator

Christina D. Collins, Finance Director

Michael C. Gray, Public Works Director

Donna Fogarty, Library Director

Peter D. Ruggiero, Town Solicitor

Cheryl A. Fernstrom, Town Clerk

## **CALL TO ORDER**

Council President Trocki called the special joint meeting of the Jamestown Town Council and Library Board of Trustees to order at 6:01 p.m. in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue.

Councilor Meagher stated she originally thought this meeting could in open session, but after seeing the agenda and attachments and based on statements by the Solicitor she would prefer to proceed in Executive Session.

**A motion was made by Councilor Meagher with second by Councilor Mihaly** **to enter into Executive Session at 6:02 p.m. pursuant to RIGL §42-46-5(a) Subsection (1) Personnel and Subsection (2) Potential Litigation.**

President Trocki noted she would like to open the meeting first. Councilor Dickinson called for a point of order and stated he would like to address the motion proposed by Councilor Meagher.

Library Board of Trustees Chair Mary Lou Sanborn called the special joint meeting of the Library Board of Trustees and the Town Council to order at 6:04 p.m. in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue.

## **UNFINISHED BUSINESS**

The Town Council and Library Board of Trustees shall consider, review, discuss and/or take other action including a vote regarding a proposed Memorandum of Understanding between the Town Council and the Library Board of Trustees, pursuant to the relevant requirements of Rhode Island General Laws, Chapter 29 of Title 4 and Section 422 of the Jamestown Code of Ordinances. As part of the consideration of this agenda item, the Town Council and Library Board of Trustees may seek to go into Executive Session pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Town Administration/Library Board of Trustees and Library staff relations and interactions) and/or Subsection (2) Potential Litigation Potential Litigation to review, discuss and/or take action including a vote in executive session and/or open session.

Discussion ensued of whether this meeting should proceed in Executive Session or remain in open session. Council members voiced their opinions on whether the discussion should be in open or closed session and why, as discussion would involve personnel and potential litigation. The Clerk noted the document marked “confidential” was done as it was not approved and/or adopted and it was not indicated to her as a public document.

Chair Sanborn stated the Library Trustees prefer the discussion in Executive Session as the conversation may involve personnel.

President Trocki did not agree this should be in closed session. If this is personnel or litigation it could be held in executive session and any persons affected would receive proper notice and have the option of discussion in open or closed session. Council members noted the Solicitor determined the discussion could be in executive session under litigation and personnel. President Trocki stated the original plan was to proceed in open session.

Solicitor Ruggiero noted there are issues involving potential litigation and personnel and this session is eligible to be held in executive session based on the representation of the topics for discussion and the Memorandum of Understanding. Notice was sent to the parties who may be discussed, and the Library Director responded she prefers discussion of her position in executive session. Town Administrator Nota stated he thought this session would focus on the function of the Library and would not be worthy of a closed session, but agreed if there is discussion of an employee he has no objection to executive session, and it is his opinion the majority of the discussion is eligible for open session. President Trocki affirmed her preference for open session.

Trustee Chair Sanborn stated the discussion of the MOU should be in closed session. Trustee Infantolini noted the MOU discussion was originally held in executive session, there has been no response and/or signing of the proposed MOU, and discussion should continue in executive session. Councilor Mihaly stated the MOU represents the relationship between the Town and Library as outlined in State law and to continue to executive session is appropriate. Councilor Dickinson referenced the history of the MOU. Vice President White stated the MOU should at some point be discussed in open session.

**A motion was made by Trustee Infantolino with second by Trustee Walsh to enter into Executive Session at 6:19 p.m. pursuant to RIGL §42-46-5(a) Subsection (1) Personnel and Subsection (2) Potential Litigation.**

**Trustee Chair Sanborn, Aye; Trustee Treasurer Carson, Aye; Trustee** **Housberg, Aye; Trustee Walsh, Aye; Trustee Infantolino, Aye; Trustee Cloud, Aye; Trustee Kirby, Aye.**

Back to the Town Council vote on the motion at 6:19 p.m. **President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel and/or Subsection (2) Potential Litigation** **the following vote was taken: President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

The Town Council reconvened the special meeting at 7:11 p.m. President Trocki announced the Council and Library Board of Trustees met and convened an Executive Session where personnel matters were discussed. That session has adjourned, the special joint meeting is reconvened, and at the conclusion of this session, the regular Town Council Meeting will proceed.

Library Trustee Treasurer Carson memorialized activities over the last year and the Board of Trustees awareness of responsibilities that prior Trustees were not aware of. They have come to the Town Council to work through these responsibilities from a managerial perspective, some of which involved Library employees, and they are defining those relationships, and will continue to do so.

President Trocki announced that no votes were taken in the Executive Session. Trustees Chair Sanborn announced that no votes were taken in the Executive Session.

**A motion was made by Councilor Mihaly with second by Councilor Dickinson to seal the Minutes of Executive Session. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**A motion was made by Trustee Cloud with second by Trustee Infantolino to seal the Minutes of the Executive Session.** **Trustee Chair Sanborn, Aye; Trustee Treasurer Carson, Aye; Trustee** **Housberg, Aye; Trustee Walsh, Aye; Trustee Infantolino, Aye; Trustee Cloud, Aye; Trustee Kirby, Aye.**

## **ADJOURNMENT**

**A motion was made by Vice President White with second by Councilor Dickinson to adjourn. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Trustee Cloud with second by Trustee Infantolino to adjourn.** **Trustee Chair Sanborn, Aye; Trustee Treasurer Carson, Aye; Trustee** **Housberg, Aye; Trustee Walsh, Aye; Trustee Infantolino, Aye; Trustee Cloud, Aye; Trustee Kirby, Aye.**

The special meeting was adjourned at 7:13 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

Town Administrator

Finance Director

Solicitor