

**MINUTES**  
**Town Council**  
**Town of East Greenwich**  
**Regular Meeting/Joint Meeting with School Committee**  
**July 24, 2017 at 7:00 PM**  
**Swift Community Center, 121 Peirce Street, East Greenwich, RI 02818**

(1) Call to Order and Pledge of Allegiance to the American Flag

Town Council Present (4/5): S. Cienki, A. Deutsch, N. Granatiero, M. Schwager (S. Todd - absent)

Town Staff Present: G. Corrigan, M. Antunes, D. D'Agostino, L. Dykeman, L. Carney, J. Duarte, W. Schmidle, C. Bradley, E. McAndrew, S. Brown, S. Cirella, R. McGillivray, S. Hughes

School Committee Present (6/7): C. Mark, M. Fain, Y. Sun, L. McEwen, M. Plain, J. Dronzek, (M. Winters - absent)

Others: Dr. V. Mercurio, M. Oliverio, Esq., C. Malaga

At 7:03pm, President Cienki called the Town Council meeting followed by Chairwoman Mark who called the School Committee to order.

The Pledge of Allegiance was recited by the assembly.

(2) JOINT MEETING WITH EAST GREENWICH SCHOOL COMMITTEE

(a) Report from Superintendent and Town Manager

Ms. Corrigan presented the One Town Status Report providing details on the timeline through June 30, 2018 and the Finance Director/Business Manager Consolidated Position. Ms. Mark clarified that what is being presented is a draft for review only and the School Committee has not made any decisions based on what is being presented. Dr. Mercurio explained the organizational chart for the Finance Department depicts what it could look like based on a matrix management format. He spoke briefly about the next steps to take for the Finance Department consolidation, IT Department analysis and consolidation plan and an in-depth spending analysis for both municipal and school. The CDBG program is part of the in-depth spending analysis. The RFQ for an outside consultant to analyze both IT Departments is pending.

Dr. McEwen did not agree with the dotted line concept in the organizational chart from the Finance Director to the Superintendent. She asked where the Human Resources Director position went. Ms. Corrigan replied that the Town's Charter assigns the Town Manager as the Personnel Director and any new position would come as a result of a desk audit.

Mr. Fain asked what the existing organizational chart would look like as of July 1, 2017. Ms. Corrigan replied that the Finance Director position would have Business Manager after it. No changes in HR have been made on the school's side. The positions in the MOA that the Town is paying for on behalf of the schools stay the same.

Ms. Mark clarified that the consolidated HR position previously announced was put on hold and the Finance Director is working for both the Town and schools with separate agreements. The chart being presented is not actual. Ms. Corrigan agreed and added that the percentages of time the Finance Director/Business Manager works for each side may change as the year progresses. The

draft job description will be finalized once the position is truly consolidated.

A lengthy discussion followed on the dotted line concept (report to/work for) and who would ultimately have the authority to hire, fire and make high level decisions about employees. RIDE requirements are a major concern to support the district's mission.

Mr. Dronzek commented that it would be worthwhile to look into opportunities to generate revenue on both sides. He cautioned that the Director of Administration position is much more than just a financial one and operates more so as a COO reporting to the Superintendent.

Chairwoman Mark was concerned with the School Facilities Director reporting to the Finance Director on the organizational chart.

Mr. Plain requested to see a component on the allocation of time for the consolidated Finance Director position. He clarified that the hiring of the Business Manager on the school side is not a permanent position only an interim one. Also, that the Town Manager has no authority over the school's human resources. He would like to see clarification on the Supervision Required section of the draft job description as it relates to the dotted line concept.

Dr. Sun pointed out that the time line for the IT consolidation is very aggressive. She was concerned about the risks associated with it and the potential for a disruption in services.

Councilor Schwager received clarification from Ms. Corrigan that Linda Dykeman was appointed as the Town's Finance Director with a salary and no contract. The \$133,000 savings in FY18 resulted from the school's Business Manager resigning and the layoff of the Town's Finance Director which is now one person with a percentage of time allocated to the schools and a percentage allocated to the Town. Chris Spagnoli is working as the school's Business Manager and Rose Emilio is still employed as the Human Resources person for the schools. Only the Human Resources position on the Town side has not been filled. Ms. Corrigan clarified again that the \$133K savings comes from the difference between the salaries and benefits of the school's former Business Manager, the Town's former Finance Director and what is currently being paid to Ms. Dykeman. He was concerned about the Town hiring a school department employee, namely Ms. Dykeman, without Council's consent. He asked why the process of posting vacancies, advertising and interviewing was avoided to which President Cienki replied that only union positions requiring posting. His major concern was the flawed process undertaken before the consolidation took place. He added that the Town Council met on June 26th in Executive Session to discuss the Town Manager's proposal to consolidate two departments between the school and Town. The plan was announced on June 30th which eliminated two Town employees and appointed two School Department employees. Councilor Schwager was disturbed by the hiring of consultants who now occupy the two most important positions in the Town, the lack of involvement with the School Committee and demanded a more formal and transparent process going forward.

Councilor Deutsch felt confident with the draft documents as presented and was optimistic about the future.

Chairwoman Mark noted that because the School Committee was just seeing this for the first time, she suggested that they review the information and discuss at their next meeting on August 1st in order to make recommendations for the next version.

Solicitor Oliverio emphasized that statutory requirements must be met regarding the management of school department employees.

- (b) Ratification of Memorandum of Agreement between the Town Council and School Committee to further and implement One Town Plan.

President Cienki stated that it was understood that the School Committee has already approved to document and was seeking Town Council's approval.

Chairwoman Mark replied that that was not exactly the case. The MOA originated out of the School Committee's desire to codify some agreements made through the budget process. Since the time the School Committee approved it, both Solicitors have been back and forth negotiating on the context of the existing draft document. One element requires further discussion and more time is needed before it is ratified.

Solicitor Oliverio explained that on June 20, 2017, the School Committee met to amend their budget to conform to the level funding appropriation made by the Town Council. He drafted the MOA to document what the Town had promised as far as absorbing some costs for school personnel, etc. Solicitor D'Agostino requested some revisions which were incorporated; however, the clause related to the School Committee supporting the One Town plan is a concern since the School Committee has not had ample time to review it.

President Cienki suggested that the language is cleaned up and both parties vote on the amended version at subsequent meetings. Also, any Special Education needs could also be included in the revision.

Chairwoman Mark asked how the Council wanted to address the issue of the \$45,000 for sewers. President Cienki replied it would be discussed further but tabled for now.

With no further comments from the School Committee, Mr. Fain motioned to adjourn, seconded by Mr. Plain. Voted 6-0 all in favor, motion carried.

(3) Town Council Minutes

- (a) June 8, 2017 (Special Session)

**Motion to approve**

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

(4) Reports and Communications

- (a) Municipal Court - report from Judge Bazar

Judge Bazar reported that he and Ms. Corrigan had discussed the creation of the court, its statutory nature and the importance of the Town maintaining its jurisdiction. After further discussion on the urgency of purchasing and installing new software and her authority as Town Manager to administer the court, it was indicated that temporarily moving traffic violations to the Rhode Island Traffic Tribunal would allow for more time to gather more information to make a final decision. He later learned that the Town Manager posted a memo on the Town's website which seemed misleading; indicating a reduction in expenses but not the loss of revenue and that change was permanent. It was agreed that this is just a pause to reevaluate and collect more data. He felt it would be a mistake to not take back the traffic jurisdiction as soon as possible.

(5) Consent Calendar

- (a) Release of Fry Brook Condominium Project Performance Bond and extension of time for completion.

**Motion to approve the release of the performance bond and give an extension to September 30th for the implementation and delivery of the structure**

Item 5a was removed for separate consideration.

Solicitor D'Agostino explained that due to the lag time between the deadline imposed as a condition of the Middlebury project and the delivery/installation of the final culvert, an extension of time is necessary. A cash escrow has been setup which protects the Town so releasing the bond is appropriate.

Thomas Primeau added that the manufacturer has indicated that the earliest delivery date is early to mid September. Mr. Duarte was not adverse to adding an extension but delayed construction conflicts with school buses and wet weather. If the bond was pulled, project completion would be pushed to next year. All documentation has been provided per Mr. Primeau and he has forwarded several thousand of dollars as cash escrow. Once delivered, installation takes one week.

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

- (b) Reappoint Susan Aitcheson to the Affordable Housing Commission for a three year term to expire July 14, 2020.
- (c) Reappoint Marc Gertsacov to Board of Assessment Review and move from alternate member to regular member for a three year term to expire July 1, 2020.
- (d) Reappoint Elyse Pare to the Board of Assessment Review as an alternate member for a one year term to expire July 1, 2018.
- (e) Reappoint Mark Shapiro to the Cove Management Commission for a three year term to expire July 1, 2020.
- (f) Reappoint Bethany Warburton to the Cove Management Commission for a three year term to expire July 1, 2020.
- (g) Reappoint Benjamin Lupovitz to the Planning Board and move from an alternate member to a regular member for the remainder of a three year term to expire April 30, 2020.
- (h) Reappoint Richard Land to the Zoning Board as a regular member for a five year term to expire July 1, 2022.
- (i) Reappoint Melody Alger to the Zoning Board as an alternate member for a one year term to expire July 1, 2018.
- (j) Reappoint Barry Golden to the Zoning Board as an alternate member for a one year term to expire July 1, 2018.

**Motion to approve all re-appointments on the Consent Calendar**

**Mark Schwager/Nino Granatiero/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

**(6) New Business**

- (a) Application for a NEW Virtualing License for Guruhari LLC. d/b/a Sunny Hill Convenience Store, 1002 Main Street (formerly Sunnybrook Farms).

**Motion to approve**

Applicant was not present and there was no Council discussion.

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

- (b) Council authorization to allow Main Street Association of East Greenwich to use Town properties for an outdoor movie screening on August 12 (rain date of August 13), to include coverage under the Town's insurance policy. Discussion and request for Council to waive overtime fees, building rental fees and insurance requirements for the Main Street Association's Outdoor Movie.

**Motion to approve**

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

- (c) Discussion and request for Council to waive overtime, detail costs and miscellaneous Town fees (i.e. liquor license, amplified music permit, etc.) for Summer's End.

**Motion to approve**

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

- (d) Discussion and request for Council to waive the insurance requirement for the Farmer's Market and to authorize use of Town property for said Farmer's Market.

**Motion to approve**

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

- (e) Appointment of a Regular Member to the Planning Board for the remainder of a three term to expire April 30, 2020.

**Motion to appoint Katie Keefe**

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

- (f) Appointment to the Personnel Board to fill the remainder of a three year term to expire March 31, 2019.

**Motion to appoint Matthew Leathers**

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

- (g) Review of Town Council Rules and Guidelines

Councilor Granatiero requested that number 24 be revised to say that an operational review will be presented monthly to the Council by the Finance Director, instead of just financial reports.

Councilor Schwager was concerned about a singular Councilor sending out messages that were not approved by Council and the inappropriate use of the Town's website and email to do so.

President Cienki recommended reviewing number 11 related to public comments.

Councilor Schwager requested that any new policies to be disseminated using the Town's website or by mail as it relates to the relations campaign be approved and signed off by all members of Council and voted on.

Solicitor D'Agostino offered to review and make some suggestions.

- (h) Discussion of Town Manager position

**Motion to remove the designation of "acting" as it relates to the appointment of Gayle Corrigan as the Town Manager**

Solicitor D'Agostino addressed questions that have arisen related to the hiring of an 'acting' Town Manager. He referred to Section C-67 subsections (e) and (f) of the Town Charter as it relates to the appointment of the Town Manager and the term 'officer'. He added that at the time of the appointment, some things were not known such as the departure of the former Town Manager. He recommended that due to the emergence of the One Town initiative, appointing Gayle Corrigan as the Town Manager would be appropriate without the 'acting' designation.

President Cienki clarified that the appointment would not stop the process of searching for a full-time Town Manager but rather just eliminate the term 'acting'.

Solicitor D'Agostino reiterated that the Town Charter allows for the Town Council to appoint and/or remove the Town Manager at any time with or without cause and without appeal.

Further discussion was had on the creation of a search committee and the Charter language pertaining to the Town Manager's appointment, etc.

Councilor Schwager was concerned about the absence of a contract with Ms. Corrigan and whether

or not her appointment is temporary or permanent.

Solicitor D'Agostino added that the job duties are not changing and that the removal of the term 'acting' helps to reduce legal exposure.

Councilor Deutsch wanted reassurance that the search committee will be formed to find the next Town Manager as a permanent replacement. President Cienki commented that after speaking with other Town Council Presidents in North Kingstown and Smithfield about the search process, the processes took from one to two years and included a nationwide search. A job description needs to be created based on the contents of the Charter. She agreed the search committee was a good idea.

Councilor Schwager stated that the intent of the Charter is not being followed as far the appointment of an officer of the Town as the 'acting' Town Manager to serve until the search process was completed and a permanent replacement was appointed. Without a formal contract in place with Ms. Corrigan, he is unsure how she is getting paid. He requested codifying an agreement with her before the search process begins. President Cienki replied that Council will address those concerns in Executive Session.

Solicitor D'Agostino provided further clarification that Council had used the term 'acting' during the original appointment of Ms. Corrigan based on the situation at the time and he recommended its removal from any future designation.

#### **Andrew Deutsch/Nino Granatiero/Motion Carried**

#### **Ayes: Cienki, Deutsch, Granatiero, Schwager**

##### **(7) Town Manager's Report**

None

##### **(8) Council Comments**

None

##### **(9) Public Comments (30 minute time limit)**

David Caldwell, 8 Aurora Road, commented about the lack of respect constituents are sensing and not being able to get answers from elected officials. He remains critical of the hiring process and the secrecy surrounding Ms. Corrigan. He asked President Cienki to correct her past comments for the record that secrecy was required when discussing personnel matters. Solicitor D'Agostino referred to RIGL 42-46-5 which states that closed meetings are permissive at the option of the person being discussed. It was further clarified that Council has the option to have personnel meetings held in open session. He asked if the items in Executive Session could be held in open session to which Solicitor D'Agostino replied yes. He asked Ms. Corrigan if she would demand to have the meeting in open session which she declined. He referenced previous comments made by Ms. Corrigan about a discussion she had with Judge Bazar which he stated never happened.

Caren Corenthal, 5 Brookfield Court, commented that what she has been witnessing since January is not good government. She remains concerned about the lack of transparency, the lack of communication and animosity with the schools and the demise of the Town's reputation.

Robert Vespia, Shippeetown Road, commented that the idea of an acting Town Manager gives residents the sense that it is a temporary position and there is no urgency to find a permanent

replacement. He questioned why a search was not done.

John Pierson, 70 Sylvan Drive, commented on the numbers 343, 23 and 37 which represent the number of fire, police and port authority workers that were lost on September 11th. He wanted them all publicly acknowledged and asked that no cuts were made to public safety during the consolidation. We should never forget what happened and respect these people as the public servants they are.

John Paulhus, 43 Fifth Street, commented that the Town is concerned about the transparency of the relationship between the Town Council and Providence Analytics/Management Resource Partners; specifically how much the Town has paid out. President Cienki replied that the information will be available on the Town's website tomorrow. He asked what the current Town Manager has been compensated so far and what it will be. President Cienki replied that nothing has been paid out as of July 1. There is no existing contract and she is an employee at will. The MOU with Providence Analytics will be posted as well. Further discussion will take place in Executive Session.

Rick Tremble, 130 Cindy Ann Drive, commented that mathematically, living in East Greenwich is cost effective based on the educational excellence found in the school system alone. He spoke about the many benefits of living in the community. He was concerned that lowering staffing levels at the schools is cheating the kids and not worth the tax reduction. He continued that the process of implementing the One Town plan should include employees at all levels as real change happens at the bottom and that instituting these changes should be looked at very carefully.

Roberta Anderson, 32 Atherton Road, commented that she was concerned about hiring a person that provided a paid contracted service. She appreciates the heritage, the schools and the government.

John Ireland, 30 Forest Lane, asked what services have been consolidated so far. President Cienki replied that the Town is working on the Finance Department and the Schools are working on IT, Human Resource and Finance with one individual working on both sides. The Town has saved \$133K since July 1st with the structural changes. He does not appreciate the method of secrecy surrounding the changes.

Tracie Truesdell, 163 Spring Street, retracted her support for the Town Council. She asked who sent out the mailer that was from the Town Council to which President Cienki replied it was approved by the Town Council. Councilor Schwager interjected that the finished product was not approved by Council in open session. She asked to be considered for a position on the search committee. When asked when the information would be posted, President Cienki explained that further discussion was needed with all members of the Council. She asked when the contract with Ms. Corrigan will be visible. President Cienki stated that it is being discussed in Executive Session and will be posted as soon as possible. She commented further that giving Ms. Corrigan the title of Town Manager diminishes the credibility of the residents and gives a sense of permanency which she is not okay with.

Carla Swanson, 38 Greene Street, commented that governance and effective leadership should not be partisan. She was disappointed with the seemingly partisan voting happening on basic governmental issues. She added that independent voters are watching and the reluctance of some members to engage is disturbing and disappointing.

Bill Higgins, 88 Greenwich Boulevard, challenged previous comments made by President Cienki about non-union positions not having to be posted. He referred to the Town's personnel ordinance and asked if the Personnel Board was involved in the recent changes. President Cienki replied that the ordinance being referenced was outdated and trumped by the existing Charter. Mr. Higgins disputed that stating that the Charter refers to the personnel ordinance no matter how old it is. He questioned



the votes taken by Council members in favor of laying off three employees and how could they make an educated and informed decision without having any discussions about if they were qualified to fill the newly created positions.

Isaac Mears, 3254 South County Trail, asked if the Town finished the year with a surplus or deficit. President Cienki replied that the Town is currently being audited and the exact number will be presented in November. The Town currently has a surplus of over \$7 million and the schools have over \$4 million.

(10) Executive Session

- (a) Closed pursuant to RIGL 42-46-5 (a)(1), sessions pertaining to discussion of the job performance, character, or physical or mental health of persons in the employ of the Town of East Greenwich. The Council affirmatively asserts that such persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.
- (b) Closed pursuant to RIGL 42-46-5 (a)(2), sessions pertaining to collective bargaining or litigation, specifically to discuss the matter, Pawtucket Credit Union, et al. v. East Greenwich, KC-2017-0084.
- (c) Closed pursuant to RIGL 42-46-5(a)(2), sessions pertaining to collective bargaining or litigation, specifically to discuss with the Solicitor matters pertaining to employment matters, including but not limited to, collective bargaining obligations as it pertains to a Fire Department clerk position.

**Motion to go into Executive Session per RIGL 42-46-5 (a) (2) for sessions pertaining to collective bargaining or litigation**

**Andrew Deutsch/Mark Schwager/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

**Motion to close the Executive Session, seal the Executive Session minutes and return to Open Session**

**Nino Granatiero/Andrew Deutsch/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

**Motion to adjourn**

**Mark Schwager/Andrew Deutsch/Motion Carried**

**Ayes: Cienki, Deutsch, Granatiero, Schwager**

Submitted By:  
Leigh A. Carney, CMC  
Town Clerk

Approved By Town Council