



Providence Ethics Commission

Regular Meeting

~ Meeting Minutes ~

Wednesday, October 5, 2016

5:30 PM

Committee "A" (City Hall 3rd Floor)

PRESENT: Chairwoman Susann G. Mark, Vice-Chairman Daniel E.

Chaika, Ethan Gyles and M. Zachary Mezera – 4.

ABSENT: Jose Batista, Vanessa Crum and Elsa Dure – 3.

Also present are Adrienne Southgate, Deputy City Solicitor, Law Department; Kathryn Sabatini, Municipal Integrity Officer, Law Department; Tina L. Mastroianni, First Deputy City Clerk and Donna M. Peligian, Assistant Clerk.

(Subsequently, Mr. Batista joins the meeting.)

1. Report of the Chairwoman to Commission Members.

Discussion was held relative to the foregoing matter and no votes were taken.

2. Motion to convene into Executive Session, Pursuant to Rhode Island General Laws § 42-46-5(a)(2) and (4), to conduct an Initial Determination.

CHAIRWOMAN MARK: Now, I need a motion to move into Executive Session.

MR. MEZERA: Motion to convene into Executive Session pursuant to Rhode Island General Laws 42-46-5 (a)(2) and (4) to conduct an internal initial determination.

MR. GYLES: Second.

On motion of Mr. Mezera, Seconded by Mr. Gyles, it is voted to enter into Executive Session pursuant to Rhode Island General Laws 42-46-5(a)(2) and (4), by the following Roll Call Vote:

ROLL CALL:

Chairwoman Mark – Aye
Vice-Chairman Chaika – Aye
Mr. Batista – Absent
Ms. Crum – Absent
Ms. Dure – Absent
Mr. Gyles – Aye
Mr. Mezera – Aye

EXECUTIVE SESSION

RECONVENTION

On motion of Vice-Chairman Chaika, Seconded by Mr. Gyles, it is voted to
Reconvene into Open Session by the following Roll Call Vote:

ROLL CALL:

Chairwoman Mark – Aye
Vice-Chairman Chaika – Aye
Mr. Batista – Aye
Ms. Crum – Absent
Ms. Dure – Absent
Mr. Gyles – Aye
Mr. Mezera – Aye

CHAIRWOMAN MARK: I would also like now to have a motion to Seal
the Record.

MR. BATISTA: So moved.

MR. MEZERA: Second.

On motion of Mr. Batista, Seconded by Mr. Mezera, it is voted to Seal the
Minutes of Executive Session.

CHAIRWOMAN MARK: All those in favor.

COMMITTEE: Aye.

CHAIRWOMAN MARK: All opposed, abstentions. The motion carries.

Going on the record, I would like to acknowledge that the Commission received a complaint from Mr. Alan Hanse, dated August 2, 2016 alleging a violation of the Providence Ethics Code by Council President Aponte. We spent quite a long time in Executive Session, both in our September meeting and again tonight. We have reached a conclusion that the complaint does not state sufficiently a knowing and willful violation of the Providence Code of Ethics. Under our regulations, we would now notify both parties. So, I would like to first have a motion to dismiss the complaint.

MR. MEZERA: So moved.

MR. BATISTA: Second.

On motion of Mr. Mezera, Seconded by Mr. Batista, it is voted to Dismiss the complaint on a Roll Call Vote:

RESULT:	DISMISS [UNANIMOUS]
MOVER:	Mr. Mezera
SECONDER:	Mr. Batista
AYES:	Chairwoman Mark, Vice-Chairman Chaika, Mr. Batista, Mr. Gyles and Mr. Mezera – 5.
ABSENT:	Ms. Crum and Ms. Dure – 2.

CHAIRWOMAN MARK: Motion carried. It would be appropriate for our counsel to please draft the letter notifying both the complainant and the respondent for my signature and advising them that we have, in fact, dismissed the complaint. Thank you.

3. Discussion relative to the evaluation of a complaint based only upon the information received in the complaint.

Discussion was held relative to the foregoing matter and no votes were taken.

ADJOURNMENT: On motion of Vice-Chairman Chaika, Seconded by Mr.

Batista, it is voted to adjourn the meeting at 7:10 o'clock P.M.

Jina L. Mastroianni
First Deputy City Clerk

Donna M. Peligion

Assistant Clerk