



STATE OF RHODE ISLAND AND PROVIDENCE
PLANTATIONS

Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

CLOSED MINUTES BOARD MEETING

TIME: 9:00 a.m.
DATE: Tuesday, January 26, 2010
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni, Chairman
John R. Capobianco
Frank Montanaro
Gerald Goldstein
Elizabeth Dolan
Ellen Jordan

OTHERS PRESENT: Robyn H. Golden, Administrator
Lisa L. Ribezzo, Labor Board Case Agent
Margaret L. Hogan, Esq.

Chairman Lanni called the meeting to order in Open Session at 9:20 a.m.

Elizabeth Dolan made a Motion for the Board to go into Closed Session for the purpose of reviewing the Unfair Labor Practice Charges, Miscellaneous Matters, and the Minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. Ellen Jordan seconded the Motion, and it was unanimously

VOTED: for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 11:30 a.m.

All Board Members reviewed the closed minutes of the November 19, 2009 Board Meeting. A Motion was made by Frank Montanaro and seconded by Gerald Goldstein, to accept the closed minutes as written and to seal the minutes. It was unanimously

VOTED: by all Board Members accepted the minutes as written.



STATE OF RHODE ISLAND AND PROVIDENCE
PLANTATIONS

Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

Page 2
Closed Minutes
Board Meeting 1/26/10

UNFAIR LABOR PRACTICE CASES:

1. Case No. ULP- 5977 Town of Scituate/Scituate Fire & Rescue Engineering Board & International Association of Fire Fighters (IAFF)

Board Member, Frank Montanaro, recused himself from participating in this matter.

A Motion was made by John Capobianco and seconded by Elizabeth Dolan to reconsider the vote taken on October 27, 2009, in the above-entitled matter, to wit: to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

A Motion was then made by John Capobianco and seconded by Elizabeth Dolan to table the matter, to allow for the Administrator to contact the Union for supplemental information relative to the identity of the Employer. After discussion, all Board Members voted in favor of the Motion. Motion passed.

2. Case No. ULP- 5984 Town of Westerly & RI Laborers' District Council, Local 808

A Motion was made by John Capobianco and seconded by Elizabeth Dolan to table this matter until the next monthly Board Meeting. After discussion, all Board Members voted in favor of the Motion. Motion passed.

3. Case No. ULP- 5992 Tiverton School Department & NEA Tiverton /NEARI

After review of the informal notes and attachments in this matter, a Motion was made by Frank Montanaro and seconded by John Capobianco, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

Telephone: (401) 462-8830

Fax: (401) 462-8776

TTY via RI Relay 711

An Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.



Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

Page 3
Closed Minutes
Board Meeting 1/26/10

4. Case No. ULP- 5994 Town of Johnston & International Association of Fire Fighters (IAFF)

Board Member, Frank Montanaro, recused himself from participating in this matter.

After review of the informal notes and attachments in this matter, a Motion was made by John Capobianco and seconded by Walter Lanni, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

5. Case No. ULP- 5996 Portsmouth School Department & NEA Portsmouth /NEARI

After review of the informal notes and attachments in this matter, a Motion was made by Frank Montanaro and seconded by John Capobianco, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, all Board Members voted in favor of the Motion. Motion passed.

6. Case No. ULP- 5997 Tiverton School Department & NEA Tiverton /NEARI

After review of the informal notes, as well as the attachments in this matter, a Motion was made by Elizabeth Dolan and seconded by Ellen Jordan, to administratively dismiss the Unfair Labor Practice Charge filed in this matter. After discussion, Walter Lanni and Gerald Goldstein voted in favor of the Motion. Frank Montanaro and John Capobianco voted in opposition to the Motion. Motion passed.

7. Case No. ULP- 5998 Lincoln Water Commission Union & RI Laborers' District Council, Local 1033

After review of the informal notes and attachments in this matter, a Motion was made by Frank Montanaro and seconded by John Capobianco, to uphold the charge in this matter, issue a Complaint, and proceed to formal hearing. After discussion, Walter Lanni, Gerald Goldstein, and Elizabeth Dolan voted in favor of the Motion. Ellen Jordan voted in opposition to the Motion. Motion passed.



STATE OF RHODE ISLAND AND PROVIDENCE
PLANTATIONS

Rhode Island State Labor Relations Board

1511 Pontiac Avenue
Building 73, 2nd floor
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

Page 4
Closed Minutes
Board Meeting 1/26/10

MISCELLANEOUS CASES:

1. Closed Minutes – February 26, 2008; March 11, 2008; May 27, 2008; April 21, 2009

(Motion to Open and Post Minutes)

After review, a Motion was made by Elizabeth Dolan and seconded by Frank Montanaro to publish the closed minutes from the above-mentioned closed Board Meetings. After discussion, all Board Members voted in favor of the Motion. Motion passed.

John Capobianco made a Motion that the Board Meeting resume in Open Session for the purpose of adjournment. Elizabeth Dolan second the Motion and it was unanimously

VOTED: to resume the meeting in Open Session at 11:30 a.m.