



STATE OF RHODE ISLAND
RHODE ISLAND ETHICS COMMISSION
40 Fountain Street
Providence, RI 02903
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Email: ethics.email@ethics.ri.gov
Website: <https://ethics.ri.gov>

NOTICE OF OPEN MEETING

DATE:	Tuesday, October 21, 2025
TIME:	9:00 a.m.
PLACE:	Rhode Island Ethics Commission Hearing Room – 8 th Floor 40 Fountain Street Providence, RI 02903
LIVESTREAM:	The Open Session portions of this meeting will be livestreamed at: https://us02web.zoom.us/j/85904863309 This is an in-person meeting held at the physical location listed above. Livestream access is being provided only as a convenience, but it is not an official meeting place and we do not guarantee virtual access to view or participate in the meeting. If the livestream virtual broadcast of the meeting is interrupted or cut off for any reason, the meeting will continue in person.



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AGENDA

15th Meeting

1. Call to Order.
2. Motion to approve minutes of Open Session held on September 30, 2025.
3. Director's Report: Status report and updates regarding:
 - a.) Complaints and investigations pending;
 - b.) Advisory opinions pending;
 - c.) Access to Public Records Act requests since last meeting;
 - d.) Financial disclosure; and
 - e.) General office administration;
4. Advisory Opinions:
 - a.) Jim Palmisciano, a member of the Richmond Town Council, who in his public capacity is also a member of the Richmond town administrator search committee, requests an advisory opinion regarding whether he may, consistent with the Code of Ethics, participate in the committee's and the town council's interviews of a particular candidate for the position of town administrator, given that the candidate is a customer of the Petitioner's spouse's online soap business and that the business participated in a one-day, farm festival market organized by a local farm by which the candidate is employed. [Staff Attorney Papa]
 - b.) Casandra West, a member of the Fort Getty Ad Hoc Committee, a committee created by the Jamestown Town Council to advise the town council on proposed future uses and layout of the Fort Getty Park, requests an advisory opinion regarding whether her children's past and future attendance at a summer camp that operates within a portion of the park creates a conflict of interest under the Code of Ethics with her duties as a member of the ad hoc

committee. [Staff Attorney Papa]

5. Motion to go into Executive Session, to wit:

- a.) Motion to approve minutes of Executive Session held on September 30, 2025, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
- b.) In re: John M. Hoyle, Jr., Complaint No. NF2025-1, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
- c.) Motion to return to Open Session.

6. Motion to seal minutes of Executive Session held on October 21, 2025.

7. Report on actions taken in Executive Session.

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

9. Motion to adjourn.

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 October 16, 2025

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: October 21, 2025

Re: Jim Palmisciano

QUESTION PRESENTED:

The Petitioner, a member of the Richmond Town Council, a municipal elected position, who in his public capacity is also a member of the Richmond town administrator search committee, requests an advisory opinion regarding whether he may, consistent with the Code of Ethics, participate in the committee's and the town council's interviews of a particular candidate for the position of town administrator, given that the candidate is a customer of the Petitioner's spouse's online soap business and that the business participated in a one-day, farm festival market organized by a local farm by which the candidate is employed.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a member of the Richmond Town Council, a municipal elected position, who is also a member of the Richmond town administrator search committee may participate in the committee's and the town council's interviews of a particular candidate for town administrator, notwithstanding that the candidate is a customer of the Petitioner's spouse's online soap business and that the business participated in a one-day, farm festival market, organized by a local farm by which the candidate is employed.

The Petitioner is a member of the Richmond Town Council, having served in that position since his election in November 2024. He represents that he currently also serves as the town council's liaison to the Richmond town administrator search committee. The search committee was formed because the former town administrator retired. The Petitioner states that the search committee is comprised of seven members and includes, in addition to the Petitioner, the police chief, the town treasurer, and four Richmond residents. The Petitioner further states that, at the close of the application period, the town had received 95 resumes. He explains that the resumes were initially received solely by the town treasurer who redacted the personal information of the applicants in order to protect their identity. The treasurer then assigned a letter code to each candidate. The Petitioner informs that the redacted resumes were then forwarded to the other search committee members for review. He represents that the committee then determined that eight applicants were qualified to

advance to the face-to-face interviews with the full search committee. The Petitioner explains that following the completion of all interviews, the committee will forward the names of three or four candidates to the town council for further interviews and selection of the successful candidate for town administrator.

The Petitioner represents that one of the candidates withdrew their name from consideration. He further represents that the first three interviews were conducted on October 1, 2025; another one was conducted on October 2, 2025; and the final three interviews were scheduled for October 16, 2025. The Petitioner explains that the committee members learn the names of the candidates before they are interviewed. The Petitioner notes that one of the candidates scheduled for the last round of interviews is a customer of the Petitioner's spouse's online soap business. The Petitioner notes that the purchases by this customer are made in the ordinary course of business and that there is no ongoing contractual agreement between this customer and his spouse or her business. Additionally, the Petitioner represents that he is not a co-owner or an officer of his spouse's business. The Petitioner states that recently, his spouse and her business participated as a vendor at a seasonal, one-day, farm festival market organized by a local farm by which the customer is employed but of which the customer is not an owner. The Petitioner explains that his spouse's business had never previously participated in the festival and was asked to participate because the farm's regular soap vendor was not able to attend. The Petitioner further explains that his spouse does not have a contractual agreement with the farm.

Given this set of facts, the Petitioner seeks guidance from the Ethics Commission regarding whether he may participate in the committee's interview of the customer and, further, if the customer's name is forwarded to the town council, whether he may participate in the town council's interviews, discussions, and decision-making relative to the selection of the new town administrator. The Petitioner represents that the customer's interview has been postponed until the receipt of the instant advisory opinion.

The Code of Ethics provides that a public official shall not have any interest, financial or otherwise, direct or indirect, or engage in any business, employment, transaction, or professional activity which is in substantial conflict with the proper discharge of his duties in the public interest. R.I. Gen. Laws § 36-14-5(a). A public official has an interest which is in substantial conflict with the proper discharge of his duties in the public interest if he has reason to believe or expect that he or any person within his family, his business associate, or any business by which he is employed or which he represents will derive a direct monetary gain or suffer a direct monetary loss by reason of his official activity. R.I. Gen. Laws § 36-14-7(a). A public official has reason to believe or expect a conflict of interest exists when it is "reasonably foreseeable," specifically, when the probability is greater than "conceivably," but the conflict of interest need not be certain to occur. 520-RICR-00-00-1.1.5 Reasonable Foreseeability (36-14-7001).

A public official is further prohibited by the Code of Ethics from using his public office or confidential information received through his holding any public office to obtain financial gain, other than that provided by law, for himself, his business associate, his employer, or his family member. § 36-14-5(d). Additionally, a public official is required to recuse himself from participation when any person within his family or his business associate appears or presents evidence or arguments before his public agency or authorizes another person, on his behalf, to appear or present evidence or arguments before his public agency. 520-RICR-00-00-1.2.1(A) Additional Circumstances Warranting Recusal (36-14-5002). The Code of Ethics also provides that a public official shall not participate in any matter as part of his public duties if he has reason to believe or expect that any person within his family is a party to or a participant in such matter, or will derive a direct monetary gain or suffer a direct monetary loss, or obtain an employment advantage, as the case may be. 520-RICR-00-00-1.3.1(B)(1) Prohibited Activities – Nepotism (36-14-5004) (Regulation 1.3.1). The definition of any person within his family specifically includes “spouse.” Regulation 1.3.1(A)(2). A business associate is defined as “a person joined together with another person to achieve a common financial objective.” R.I. Gen. Laws § 36-14-2(3).

Applying these provisions of the Code of Ethics, it is clear that the Petitioner must recuse in his public capacity from any matter that involves or financially impacts himself, any member of his family, or his current business associates. See, e.g., A.O. 2016-45 (opining that a member of the Tiverton Planning Board was prohibited from participating in the planning board’s discussions and voting relative to a matter in which her business associate appeared as an expert witness, given that they had worked together professionally in the past on projects, often referred work and clients to each other, and would continue to refer work and clients to each other).

Here, the Petitioner is not a business associate of his spouse’s customer. The Petitioner’s spouse is likewise not a business associate of her customer, given that the customer purchases the soaps in the ordinary course of a commercial business and not pursuant to any contractual agreement. See, e.g., A.O. 2015-19 (opining that absent some direct and ongoing contractual relationship, the normal commercial dealings between the petitioner and the customers of his auto parts store did not constitute a business associate relationship under the Code of Ethics); A.O. 2002-28 (opining that the normal commercial dealings between Arnold Lumber and a building contractor for the provision of building supplies, in the absence of existing contracts or a specific business relationship with that contractor, did not rise to the level of a business associate relationship as defined in the Code of Ethics); A.O. 2001-7 (opining that a Westerly Town Council member was not prohibited by the Code of Ethics from participating in town council matters involving the customers of his haircutting business, where he provided haircutting services in the ordinary course of business and there was no indication that his business would be financially impacted by the town council’s decisions on matters involving his customers). Further, the Petitioner’s spouse’s participation in the one-day farm festival does not constitute a business associate relationship with the customer, who is not an owner of the farm.

Furthermore, even assuming arguendo that the Petitioner's spouse and the customer are business associates, the Code of Ethics does not generally require a public official to recuse from participating in matters that involve or financially impact a family member's business associate, unless there is also a corresponding benefit flowing to that family member. See, e.g., A.O. 2019-40 (opining that a member of the Smithfield School Committee who was also a member of the Smithfield School Building Committee was not prohibited by the Code of Ethics from participating in the review of a request for proposal for, and the selection of, a construction manager for an elementary school reconfiguration project, and from all other building committee matters concerning the selected construction manager, notwithstanding that his daughter was employed by a company that was expected to bid on the project, since his daughter would not be financially impacted by the building committee's decision); A.O. 2008-69 (opining that a member of the Woonsocket Zoning Board of Review was permitted to participate in discussion and voting on a petition for a variance brought by CVS, notwithstanding that the petitioner's sister was employed as an accounting analyst with CVS, since his sister would not be financially impacted by the zoning board's decision regarding the petition).

Finally, there is no indication that the Petitioner's spouse would be financially impacted by the selection of the customer as a town administrator. Based on all of the Petitioner's representations, the applicable provisions of the Code of Ethics, and a review of prior advisory opinions issued, it is the opinion of the Ethics Commission that the Petitioner is not prohibited from participating in the committee's or the town council's interviews of his spouse's customer and in the respective discussions and decision-making relative to the successful candidate for town administrator.

This Draft Opinion is strictly limited to the facts stated herein and relates only to the application of the Rhode Island Code of Ethics. An advisory opinion rendered by the Commission, until amended or revoked by a majority vote of the Commission, is binding on the Commission in any subsequent proceedings concerning the person who requested the opinion and who acted in reliance on it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. Under the Code of Ethics, advisory opinions are based on the representations made by, or on behalf of, a public official or employee and are not adversarial or investigative proceedings. Finally, this Commission offers no opinion on the effect that any other statute, regulation, agency policy, ordinance, constitutional provision, charter provision, or canon of judicial or professional ethics may have on this situation.

Code Citations:

§ 36-14-2(3)

§ 36-14-5(a)

§ 36-14-5(d)

§ 36-14-7(a)

520-RICR-00-00-1.1.5 Reasonable Foreseeability (36-14-7001)

520-RICR-00-00-1.2.1 Additional Circumstances Warranting Recusal (36-14-5002)

520-RICR-00-00-1.3.1 Prohibited Activities – Nepotism (36-14-5004)

Related Advisory Opinions:

A.O. 2019-40

A.O. 2016-45

A.O. 2015-19

A.O. 2008-69

A.O. 2002-28

A.O. 2001-7

Keywords:

Business Associate

DRAFT

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: October 21, 2025

Re: Casandra West

QUESTION PRESENTED:

The Petitioner, a member of the Fort Getty Ad Hoc Committee, a committee created by the Jamestown Town Council to advise the town council on proposed future uses and layout of the Fort Getty Park, requests an advisory opinion regarding whether her children's past and future attendance at a summer camp that operates within a portion of the park creates a conflict of interest under the Code of Ethics with her duties as a member of the ad hoc committee.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner's children's past and future attendance at a summer camp that operates within a portion of Fort Getty Park does not create a conflict of interest under the Code of Ethics with her duties as a member of the Fort Getty Ad Hoc Committee, because the ad hoc committee is not a municipal agency as that term is defined in the Code of Ethics and the Petitioner is, therefore, not subject to the statutory and regulatory provisions of the Code of Ethics.

The Petitioner is a member of the Fort Getty Ad Hoc Committee, a position to which she was appointed by the Jamestown Town Council in August 2025. The Petitioner states that the ad hoc committee was established through a resolution of the town council in May 2025 to advise the town council on the Fort Getty Park's future uses and layout. Pursuant to the resolution, the ad hoc committee is generally asked to review and report on the park's existing physical conditions, staffing, services provided, and revenues, and to propose potential improvements. The Petitioner states that the ad hoc committee currently consists of nine members, five of whom, including the Petitioner, are citizens-at-large with voting powers, and three of whom are ex officio, non-voting members who include: the town planner, the harbor department executive director, the parks and recreation director, and one member of the Jamestown Conservation Committee. The town's website describes the park as a 41-acre, town-owned facility that is primarily a recreational-vehicle campground,

that also includes a tent camping area, and consists of old fortifications, a rocky beach, a public boat ramp, and a dock.¹

The Petitioner represents that the ad hoc committee has no final decision-making authority on any matters; rather, it only makes recommendations for consideration by the town council. The Petitioner states that the town council is the body that makes final decisions on matters relative to the park and its potential future uses and layout, and although it may take into consideration the recommendations of the ad hoc committee, the town council does not have to accept or rely on such recommendations. The Petitioner represents that the voting powers of the members of the ad hoc committee extend only to whether to make certain recommendations to the town council and do not pertain to final decision-making on any matter. Finally, the Petitioner states that the ad hoc committee does not have a budget, has no hiring or enforcement authority, does not expend funds or manage public property, and does not have authority to enter into contracts.

The Petitioner represents that Conanicut Island Sailing Foundation (CISF), a local, non-profit entity, has a long-term lease with the town to operate a popular summer camp and other educational programs in a portion of the park. The Petitioner states that her children have attended and may attend CISF's summer camp in the future. The Petitioner represents that she is not employed by, nor does she serve in any leadership position within, CISF. The Petitioner explains that, although the ad hoc committee members are aware of the lease between the town and CISF, the scope of their review and recommendations does not include CISF or the portion of the park that is subject to the lease. Given this set of facts, the Petitioner seeks guidance from the Ethics Commission regarding whether the fact that her children are past and likely future attendees of CISF's summer camp creates a conflict of interest under the Code of Ethics with her duties as a member of the ad hoc committee.

Under the Code of Ethics, a public official may not participate in any matter in which she has an interest, financial or otherwise, which is in substantial conflict with the proper discharge of her duties in the public interest. R.I. Gen. Laws § 36-14-5(a). A substantial conflict of interest exists if a public official has reason to believe or expect that she, any person within her family, her business associate, or any business by which she is employed or which she represents will derive a direct monetary gain or suffer a direct monetary loss by reason of her official activity. R.I. Gen. Laws § 36-14-7(a). The Code of Ethics also prohibits a public official from using her public office, or confidential information received through her public office, to obtain financial gain for herself, any member within her family, her business associate, or any business by which she is employed or which she represents. § 36-14-5(d).

For the above-cited provisions of the Code of Ethics to apply to the facts as represented, the Ethics Commission will first determine whether the Petitioner is subject to the Code of

¹ See <https://jamestownri.gov/rvcamping> (last visited October 14, 2025).

Ethics. Pursuant to R.I. Gen. Laws § 36-14-4, the following persons are subject to the Code of Ethics: (1) state and municipal elected officials; (2) state and municipal appointed officials; and (3) employees of state and local government, of boards, commissions, and agencies. As the Petitioner is not a municipal elected official or municipal employee, we must determine whether she is a “municipal appointed official.”

The Code of Ethics defines a municipal appointed official as “any officer or member of a . . . municipal agency as defined herein who is appointed for a term of office specified by the constitution or a statute of this state or a charter or ordinance of any city or town or who is appointed by or through the governing body or highest official of . . . municipal government” R.I. Gen. Laws § 36-14-2(9); see also 520-RICR-00-00-1.1.3(B) Additional Definitions (36-14-2002). This definition requires that the Petitioner be an officer or a member of a “municipal agency.” The definition of a “municipal agency,” as set forth in § 36-14-2(8)(ii), is:

any department, division, agency, commission, board, office, bureau, authority, quasi-public authority, or school, fire or water district within Rhode Island, other than a state agency and any other agency that is in any branch of municipal government and exercises governmental functions *other than in an advisory nature*.

(Emphasis added.) See also 520-RICR-00-00-1.1.2(I) Additional Definitions (36-14-2001) & 520-RICR-00-00-1.1.3(E).

The Ethics Commission has previously opined that certain public bodies, particularly those that are created on an ad hoc basis to make non-binding recommendations to an ultimate decision-maker, are considered purely advisory in nature. For example, in Advisory Opinion 2020-17, the Ethics Commission opined that the Scituate Capital Committee (SCC), an ad hoc committee that had been recently created by the town council, was not a municipal agency as that term is defined in the Code of Ethics because its powers were purely advisory in nature and that the petitioner, who was a member of the SCC, was therefore not subject to the statutory and regulatory provisions of the Code of Ethics. There, the SCC served the town council strictly in an advisory capacity, the town council was not required to act on the findings of the SCC, and the SCC did not vote on the appropriation of any funds or purchases made by the town council. Additionally, the report of findings presented to the town council by the SCC specifically recommended that the town council consult with subject matter experts when making decisions based on the opinions expressed in the SCC’s report.

Similarly, in Advisory Opinion 2007-48, the Ethics Commission determined that the Town of Charlestown’s Charter Revision Advisory Committee, to which the petitioner had been appointed by the Charlestown Town Council, was not a “municipal agency” as that term is

defined in the Code of Ethics because its powers were purely advisory in nature. As a result, the petitioner was not subject to the statutory and regulatory provisions of the Code of Ethics. See also A.O. 2002-58, (opining that a Tiverton Economic Development Committee (TEDC) member was not required to file a financial disclosure statement since the TEDC acted in a purely advisory capacity and, therefore, was not a “municipal agency” for purposes of the Code of Ethics); A.O. 2000-13 (opining that the Town of Little Compton Harbor Commission was not a “municipal agency” as that term is defined in the Code of Ethics because its powers were purely advisory in nature and, therefore, the members of the commission were not required to abide by the statutory and regulatory provisions of the Code of Ethics).

Here, similar to the above examples, the instant Petitioner represents that the ad hoc committee serves the town council strictly in an advisory capacity, and that the town council is not required to act on the recommendations of the ad hoc committee but, rather, has the power and discretion to disagree or reject the ad hoc committee’s recommendations. Further, the Petitioner states that the ad hoc committee does not have a budget, does not serve as an appellate body, does not have any appointing or hiring authority, nor the authority to expend funds. Accordingly, given the Petitioner’s representations, the analysis of the applicable provisions of the Code of Ethics, and consistent with prior advisory opinions issued, it is the opinion of the Ethics Commission that the ad hoc committee is not a “municipal agency” as that term is defined in the Code of Ethics, because its powers are purely advisory in nature and, therefore, the Petitioner is not subject to the statutory and regulatory provisions of the Code of Ethics. For that reason, the fact that the Petitioner’s children are past and likely future attendees at CISF’s summer camp does not create a conflict of interest under the Code of Ethics with her duties as a citizen-at-large member of the ad hoc committee.

This Draft Opinion is strictly limited to the facts stated herein and relates only to the application of the Rhode Island Code of Ethics. An advisory opinion rendered by the Commission, until amended or revoked by a majority vote of the Commission, is binding on the Commission in any subsequent proceedings concerning the person who requested the opinion and who acted in reliance on it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. Under the Code of Ethics, advisory opinions are based on the representations made by, or on behalf of, a public official or employee and are not adversarial or investigative proceedings. Finally, this Commission offers no opinion on the effect that any other statute, regulation, agency policy, ordinance, constitutional provision, charter provision, or canon of judicial or professional ethics may have on this situation.

Code Citations:

§ 36-14-2(8)(ii)

§ 36-14-2(9)

§ 36-14-4

§ 36-14-5(a)

§ 36-14-5(d)

§ 36-14-7(a)

520-RICR-00-00-1.1.2 Additional Definitions (36-14-2001)

520-RICR-00-00-1.1.3 Additional Definitions (36-14-2002)

Related Advisory Opinions:

A.O. 2020-29

A.O. 2010-37

A.O. 2007-48

A.O. 2003-38

A.O. 2002-58

A.O. 2001-23

A.O. 2000-13

Keywords:

Advisory Body

Conflict of Interest