

Why the council is seeking a new town solicitor

By Dotti Farrington

The search for a new solicitor was announced Jan. 19 as a result of Associate Solicitor A. Lauriston Parks' request last November to take over all work as town solicitor. His appointment as solicitor in North Kingstown was not renewed after a new council was elected and seated there.

Harsch, the main solicitor here, was originally appointed as having Parks as his associate, and assigning colleague Carolyn Mannis as the town's primary criminal prosecutor and a special assistant on a variety of municipal matters. When Parks asked to take over all the legal work, Harsch agreed to end their joint agreement with the town, leaving each free to pursue the appointment separately.

Parks and an associate are among the applicants now seeking the town's legal work. In separate proposals, Harsch has also applied to do all the town work himself or to lead a new collaborative of attorneys to do the work.

There has been virtually no public comment on termination of arrangements between Harsch and Parks, but a number of private remarks have suggested that Harsch and Parks were having difficulties with each other's conflicting legal opinions.

Parks is seen as interpreting state law in ways that favor closed meetings and limited public access. One of his rulings of more than a year ago virtually closed down public forums at Town Council meeting, in part as an effort to discourage opponents of a new highway barn being located at the former town landfill.

It was Harsch's ruling last summer that has re-opened public forums and has opened some town business, such as the contractor bid openings for major town projects, including the new town hall and the current solicitor selection process, to the public.

There has also been speculation that councilors were displeased with some legal outcomes, espe-

cially the failure to recover town claims of losses over allegedly botched engineering for work on the municipal sewer system a few years ago. Some councilors blame Harsch for not leading a successful arbitration effort. Others have cited Parks' written ruling on the engineer as the weak link in the process.

The solicitors also came under criticism because they exceeded the town's budget for legal work

in 2005-06. Harsch contended at the time that the costs represented, among other items, much extra work advising the new town administrator after veteran Maryanne Crawford left to take an off-island school administrative job. Her successor Mark Haddad left abruptly to take an out-of-state job in the private sector, and Police Chief Thomas Tighe served twice within a year as interim town administrator.

In June 2005, when the Harsch team was reappointed to serve until November 2007, Council President David Long said that Harsch and Parks have provided "outstanding service" to the community during their (previous) two years as a solicitor collaborative. With town administrator turnover, the town especially needed continuity that the solicitors could provide, Long said.

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