

**Town of Guilford  
Board of Ethics  
Special Meeting Minutes  
October 10, 2019  
Town Hall**

Members Present: Chair Deborah Daddio, Paul Chello via phone, Ken Wilson  
and Aaron Hershman

Excused: Barbara Hemming

Chair Deborah Daddio called the meeting to order at 4:42 p.m.

**1. Request for Advisory Opinion**

This is a continuation of the discussion held at the September 17, 2019 meeting which was tabled due to insufficient information.

Chair Daddio expressed a concern of a potential conflict of interest or the appearance of one. This however is not currently addressed in the Code of Ethics.

Pursuant to Section 31-E of the Guilford Code of ethics.

1. As an elected Selectman serving on the Board of Selection.
2. As the Selectman's firm has represented residents and/or businesses of the Town of Guilford appealing the Town's assessment of their real property
3. As the Board of Selectman (BOS) does not approve the Board of Assessment Appeals

Chair, Daddio updated the Commission on her meeting with the In-House Counsel Pam Millman along with Ken Wilson. The following points were clarified:

1. The BOS does not select the outside counsel which represents the Town.
2. All legal bills are reviewed and approved by the In-House Counsel, not the BOS.
3. Approval and payment of bills come from the In-House Counsel budget and are additionally approved by the Board of Finance (BOF).
4. The In-House Counsel selects the Town's Counsel based on a number of specialties. Peter Barrett, Town Counsel has the final approval.

5. The Tax Assessor approves the compromises of Tax Assessments.
6. The In-House Counsel reviewed the situation with Chuck Andrus of LeClair Ryan as a representative of the Town himself, and he did not see any conflicts.

The concern is if another attorney in the Selectman's firm represents a client, will the Selectman benefit monetarily.

The Ethics Code 31-6E does not include the appearance of impropriety. This may need to be revisited at such time as the code changes to include the appearance of impropriety.

Given the statements of the Selectman that due does not personally handle tax appeals within his firm and that tax appeals are a small part of his firm's business.

Given the due diligence to confirm no opportunity for the BOS to medal in the process, there does not appear to be any conflict of interest.

**Motion:** *Upon motion by Commissioner Ken Wilson and seconded by Commissioner Aaron Hershman, it was unanimously voted that there is no conflict of interest by Lou Federici's firm in the role of Board of Selectman.*

To be included in the response letter to Mr. Federici is a statement that if something changes in the firm's roles as stated by Mr. Federici that this issue may need to be reviewed again by the Board of Ethics.

## 2. Adjourn

**Motion:** *Upon motion of Paul Chello and seconded by Ken Wilson the meeting was adjourned at 5:25 p.m. It was unanimously approved.*

*Respectfully Submitted*

*Sally J. Berezowskyj*

*Recording Secretary*