

DRAFT MINUTES

Board of Ethics
February 25, 2010

Members Present: Nancy Arnold, Anthony Fappiano, Jeffrey Beatty, and Arthur Benson
Members Absent: Fred Brisbois
Staff Present: Sarah Judge, Secretary of Record
Others Present: Senator Ed Meyer

***NOTE: Please be advised that at this time the following are strictly "Draft Minutes" until approved by the Board of Ethics*
Once approved the minutes will be marked as "Approved Minutes" and will be available in the clerk's office or upon request.**

The meeting opened at 5:12pm

Discussion regarding meetings being made public.

According to 31-5d: a hearing is not required but is an option. Not many of the issues are specific to an individual. The parties should be notified by certified mail about the meeting.

The scope of the regulations is narrow; perhaps they need to be updated. Commissioner Arnold suggests that some definitions be added and the format be changed. Try to check with other Towns and see if there is anything else to be added.

Senator Ed Meyer has some recommendations. He has been trying to get ethics addressed in the State, but it is a tough subject.

- 31.5d: The complaint should be a sworn statement. A sworn statement adds more credibility.
- There should be confidentiality at the complaint stage. Once substantiated it can be made public.
- (d): Elaborate regarding the hearing. Include whether the respondent is represented by an attorney, if there are witnesses, documents, etc.
- North Haven: members of the Town Attorney's firm represent people in these cases. They have certain disciplinary powers and can do a public reprimand.
- Trumbull: Political activities – employees may be involved but they must not effect duties or have any influence. i.e. the First Selectman asking employees to attend a fundraiser and donate.
- looking to create a Model Code of Ethics. Not a mandate – can opt in/out.
- Advisory opinion: full disclosure important.
- Should the Board of Ethics be proactive in any way or only take action as result of complaints brought to them? Most Boards are reactive but proactive is good.

Commissioner Fappiano feels that the current code is very narrow and doesn't have much authority.

Commissioner Beatty feels that a sworn complaint is a good idea. Confidentiality is good but is unsure if it must be made public. Is this Board exempt? Need to check with Town council regarding FOIA. He personally does not want to see the scope expanded too much.

Senator Ed Meyer suggests a compromise, be more public about the Board's existence. Have it be better known in the area, perhaps create a brochure and describe jurisdiction, etc.

Commissioner Beatty: Often complaints come to the Board by way of referral from Town officials. Raising the profile is a good thing but it also speaks well of current departments that already refer openly.

Commissioner Fappiano: GCTV could use this as a public information meeting/discussion.

Commissioner Beatty will make copies of the documents provided by Senator Ed Meyer and will circulate.

Commissioner Benson is concerned that the Board may not be performing its function as well as it could be and that there may be a way to provide better service.

Commissioner Arnold: This code has been in place for a long time, it is time to review it.

Commissioner Benson recommends that the commissioners review the material and be specific about any changes wanted and bring to the next meeting.

Commissioner Beatty states that the Board will need to make a recommendation to the Board of Selectman for changes. Review documents and if changes are needed they can be brought to the Board of Selectmen. He will also speak to the Town attorney regarding confidentiality and FOIA.

Commissioner Arnold asks if the Board of Ethics is listed in Town materials. The other members are unsure. In the Directory provided by the Chamber of Commerce, not all boards and commissions are listed. The Town does a report that lists Boards and Commissions.

Commissioner Arnold: We need to make sure the Board of Ethics is listed in that report.

Commissioner Fappiano: Going to the Board or Selectman meeting will also help expand awareness.

Commissioner Beatty: Sworn statements may help eliminate "angry letters" and will deter frivolous complaints. People will have to think more about their complaints.

Commissioner Fappiano: The opposite could happen as well – someone could avoid coming forward because of the exposure.

Commissioner Beatty: The sworn statements would be limited to complaints, not advisory opinions.

The current code was adopted in 1995.

Commissioner Benson suggests that these matters be carried as Old Business for each meeting until enough is cumulated.

Meeting dates: Thursday, March 4th next meeting.

Then with no further business before it, upon a motion by Commissioner Beatty, seconded by Commissioner Arnold it was unanimously voted to adjourn the meeting of the Board of Ethics at 6:15 pm.

Respectfully submitted,

Sarah Judge - Recording Secretary