

APPROVED MINUTES

Board of Ethics

June 30, 2011

Members Present: Nancy Arnold, Anthony Fappiano, Deborah Daddio, Ken Wilson and Arthur Benson

Staff Present: Sarah Judge, Secretary of Record

The meeting opened at 3:05pm

Approval of May 5, 2011 minutes:

Upon a motion by Commissioner Wilson, seconded by Commissioner Arnold it is voted to approve the June 30, 2011 minutes as amended.

Public Forum:

Nils Dailey of North Guilford has come to the commission to learn more about it as well as to bring forth some questions.

Commissioner Benson introduced the commission and explained the role of the Board of Ethics.

Mr. Dailey would like to raise some issues.

-The Board of Education formed a committee called the Options Committee for the new high school and Mike Ayles who is on the Board of Finance is the Chairman of the Options Committee. The Town Charter establishes restrictions for Board of Finance members holding other positions or offices within the Town. He has spoken with Mr. Ayles directly to express his opinion on the matter. He feels this impacts his objectivity.

Commissioner Wilson states that he is aware that Mr. Ayles is a liaison between Board of Finance and Standing Building Committee.

Commissioner Benson recommends that the commission discuss this as a Board and determine if a further meeting is needed.

Mr. Daily also brings up that with a disclosure of conflict of interest there is no requirement to sign a form.

Commissioner Benson thanks Mr. Daily for his suggestions and will take it under advisement.

Mr. Daily states that he would like to stay for the remainder of the meeting and observe.

Discuss potential revisions to existing code of ethics:

Review/discuss Commissioner Daddio's changes.

Page 1 - Commissioner Benson suggests a more simple word in place of 'delineate.'

▪it is decided that 'outline' will be used.

Page 2 – no further changes.

Page 3 – (G) no further changes; come back to discuss (H).

Page 4 – (D) Commissioner Benson suggests that language be added regarding discretion in (D) 2.

▪Commissioner Daddio suggests adding 'and may schedule.'

▪(D) 5. – discussion regarding the word 'redaction.'

•change to 'omissions.'

Page 5 – no further changes.

Page 3 - § 31-5. (H) 1 – 3.

▪Commissioner Benson – maybe use just 'influence' and avoid any negative connotation. I would still like to see more wording like favoritism, nepotism, cronyism after influence. Maybe also state 'including but not limited to...'

- Discussion.
 - Clarification regarding influence.
 - Maybe add descriptive sentence at the beginning of the section.

Commissioner Wilson suggests that a final draft be emailed for review and that the commission can respond whether approved as submitted.

Commissioner Benson – the next step is to informally approach Joe Mazza and present the draft and discuss the layout and changes.
 -discussion regarding process.
 -if there are any changes, Commissioner Benson will not take it to Joe Mazza before meeting with the rest of the commission.

Meeting schedule
 -the next scheduled meeting is September 15th and then every three months after that. The quarterly meetings will be set at the September meeting.

Break: 4:15pm – 4:25pm

Return to the public forum matter.

What is the definition of ‘office?’

Commissioner Arnold – I think it is an appointed/elected position.

Commissioner Wilson – I feel it is voter elected.

-How was the committee in question formed? How was the chair chosen?

Commissioner Fappiano – I don’t think it is a standing committee, it has a beginning and an end.

Discussion.

Mr. Ayles is one of about seventeen on the committee.

Commissioner Benson – why do you feel his appointment as chairman had any impact on the outcome?

Mr. Dailey – he should have done one or the other. It is a conflict of interest.

Commissioner Fappiano – how did he get on the committee? Was he appointed as a liaison?

Commissioner Daddio – I see two issues. 1) Does this qualify as ‘holding an office?’ 2) The appearance of impropriety. We need to get the Town’s definition of office.

Does this situation have financial gain?

-no.

Commissioner Fappiano – we need to find out how he was put on the committee and how he became the chairman.

Commissioner Benson – I think we need to look into some things. Let’s table this for further discussion. I will make some inquires and report back to the commission and we will go from there.

Commissioner Wilson – I just want to state that I am uncomfortable that Mike Ayles is not here to speak for himself.

Then with no further business before it, upon a motion by Commissioner Wilson, seconded by Commissioner Arnold it was unanimously voted to adjourn the meeting of the Board of Ethics at 4:55pm.

Respectfully submitted,
 Sarah Judge - Recording Secretary