

Town of Hebron
Ethics Study Committee
April 7, 2010
Regular Meeting
Meeting Room – Town Office Building

RECEIVED

2010 APR 15 A 8:13
Ali A. Pomjancin
HEBRON TOWN CLERK

Members Present: Stan Marchut, Glenn McGrath, Robert Zamojcin, Charles Redfern, Ann Hughes, Linda Blakely, Peter Moon, Donna Ferree, Elaine Griffin

Chairman, R. Zamojcin called the meeting to order at 7:04 p.m.

Public Comment: None

Approval of Minutes: A. Hughes motioned to approve the minutes from the March 17, 2010 meeting without changes. S. Marchut seconded the motion. The motion passed unanimously.

Review of Latest Draft Code:

R. Zamojcin led a review of the Hebron Code of Ethics (Revised 3/17/10). S. Marchut expressed hesitance in inserting the term "Persons Governed By This Code" everywhere previously discussed citing concerns with excessive repetition but stated that it should probably be inserted. L. Blakely agreed that it should be present despite sounding monotonous. R. Zamojcin felt it would appeal to the Board of Selectmen. Board members agreed.

R. Zamojcin led the board through a discussion of definitions to include in the code and suggested they be listed at the beginning of the Code, immediately after the Preamble with the following phrase introducing the section: "As used in this code, the following terms have the following meaning". A. Hughes presented members with a handout outlining a list of various definitions compiled from notes and minutes of prior meetings. A review of the material reflected on the handout yielded the following results:

Persons Governed By This Code – Board members accept the definition proposed by the committee at a prior meeting.

Code - Board members accept the definition proposed by the committee at a prior meeting.

Masculine Gender – Board members accept the definition as it appears in the town charter.

Immediate Family – R. Zamojcin suggested removing "dependent" from the definition proposed by the committee at a prior meeting, and inserting "same" before "household".

Town – Board members accept the definition to be "Town of Hebron".

Conflict of Interest - Board members accept the definition proposed by the committee at a prior meeting.

Singular & Plural - Board members accept the definition proposed by the committee at a prior meeting.

Vendors/Independent Contractors – D. Ferree suggested combining the vendor definition used by the NJDOT with the definition of Independent Contractors proposed by the committee at a prior meeting as a new combined definition.

Financial Interest – S. Marchut suggested removing the first paragraph from the Code's Conflict of Interest section and using the verbage as a definition for financial interest and personal interest.

Gifts – A lengthy discussion took place over different possible ways to define and outline Gifts with the eventual outcome that the definition proposed by S. Marchut and recorded by A. Hughes be used as the definition, and that the Draft Code remain as it appears in the current version.

With the board in agreement with the definitions as discussed above, R. Zamojcin requested that A. Hughes send the approved definitions to S. Marchut to include in the next revision of the Draft Code.

**Ethics Study Committee
Meeting Minutes
April 7, 2010
Page 2**

Remaining Work Items:

R. Zamojcin opened discussion on the board's position on forming an Ethics Commission. S. Marchut read from the State Chapter 98 outlining Municipal Powers, Section 7-148H prescribes that such a commission needs to operate as a quasi judicial legal entity, with residual costs for legal counsel associated with potential litigation over rulings. E. Griffin stated that the current policy directs complaints to the Town Manager, and are brought before the Board of Selectmen before legal counsel is sought. G. McGrath noted that legislation requires a code, but not the formulation of a commission. C. Redfern stated that most town codes automatically refer to a commission, as if it's a foregone conclusion. G. McGrath recommended several members focus, as a study, to see what other towns do, and that the serious nature of ethics complaints may require more than informal proceedings, a commission would have costs involved and require a budget. A. Hughes suggested an introductory period to see if the current process for handling complaints is sufficient. E. Griffin noted that there have been very few complaints with merit over the past eighteen years. C. Redfern offered to call CCM to obtain information on the towns that do not have a commission and outline how they handle complaints. E. Griffin suggested the possibility of sharing the commission between other towns. P. Moon stated that it is the committee's charge to investigate pro's and con's, and to let the Board of Selectmen decide. S. Marchut volunteered to print out relevant parts of the statute and distribute it to the board members for review.

R. Zamojcin inquired of the timing necessary to coordinate a public hearing. E. Griffin stated that the hearing take place before the code is presented to the Board of Selectmen and that advertisements need to be posted 14 days prior to the event. A. Hughes suggested the hearing take place on May 19, 2010 citing the public's commitment to the town budget referendum as a possible timing conflict. R. Zamojcin agreed that the tentative date of May 19 is a good one.

E. Griffin requested dedicating time during a future meeting to decide what to provide at the public hearing. D. Ferree noted that any advertisement should reflect that copies of the Code are available at Town Hall and are able to be viewed on the town's website.

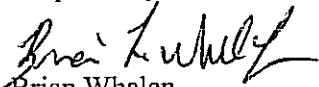
Adjourn

C. Redfern motioned to adjourn the meeting. G. McGrath seconded and the motion passed unanimously.

The meeting adjourned at 9:00 p.m.

The next meeting is scheduled for April 21, 2010 at 7:00 p.m.

Respectfully submitted,



Brian Whalen
Board Clerk