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Town of Hebron  
Ethics Study Committee  
July 7, 2010  
Minutes

2010 JUL 14 A 11:15  
Ann C. Hughes  
HEBRON TOWN CLERK

**Members Present:** Stan Marchut, Robert Zamojcin, Elaine Griffin, Linda Blakely, Ann Hughes, Donna Ferree, Glen McGrath  
**Absent:** Peter Moon, Charles Redfern  
**Guests:** None

Vice Chairman Stan Marchut called the meeting to order at 7:07 p.m.

**Pledge of Allegiance**

**Approval of June 2, 2010 minutes:** G. McGrath made a motion to accept the minutes as written, seconded by L. Blakely, motion carried.

**Finalize Draft with Last Comment from BOS:** S. Marchut felt that the paragraph titled Conflict of Interest, 1<sup>st</sup> paragraph dealt specifically with business entities and should be more inclusive with non-profit organizations, religious organizations and unions. D. Ferree expressed her belief that the non-profits, religious and unions is included and dealt with in the second paragraph of Conflict of Interest. Discussion.

A. Hughes expressed a concern from a few individuals she talked with in regard to the second paragraph of the Conflict of Interest section. She assumed the confusion was within the first sentence "No person governed by this code shall engage in or participate in any business or transaction, including outside employment..." She believes that those individuals feel that no outside employment is allowed. Discussion. D. Ferree made a motion to remove "including outside employment" and leave the rest of the paragraph as is, seconded, discussion. It was discussed that if your involvement with outside employment did not interfere with your commitment to the Town as stated in the Employee Handbook, or if your involvement did not only benefit yourself then outside employment would not be considered a conflict of interest. Vote called on the motion. A. Hughes, L. Blakely, R. Zamojcin, and S. Marchut voted no and E. Griffin, D. Ferree, and G. McGrath voted yes, motion declined.

**Review Code Acknowledgement Form:** E. Griffin obtained the oath of office verbiage from the Clerk's office. She made a motion to put the oath on the Acknowledgement Form as a second paragraph, seconded, motion carried.

**Advisory Examples:** Members individually reviewed the scenarios submitted from boards and commissions and offered their opinions.

- 1) *If an RFP is only offered to a select few rather than offered through advertisement, this could be a violation of the Code. Or, if additional information regarding a project, which could affect a bid, is provided to a limited few, that could constitute a violation of the Code.*

The committee believes that all bids are advertised publicly and it is the practice of the Town to issue identical bid packages to everyone interested.

- 2) *Disclosure and Recusal -- A scenario could include the selection and awarding of a contract to an individual or company with whom the "person" is connected. The "person" must recuse himself from the selection process or be in violation of the Code. Under the Draft Code of Ethics this is true.*
- 3) *Conflict of Interest definition -- The spelling should be "ones" and should omit the apostrophe. The committee will review this and make changes if necessary.*  
*Masculine Gender definition -- How about titling it just "Gender" since you're going on to describe both masculine and feminine anyway? Or it could be labeled "Masculine and Feminine" as was done with "Singular and Plural"? Members were in agreement and will change "Masculine Gender" to Gender.*
- 4) *My concern centers around the Town's services provided by Public Utilities i.e., electric, natural gas, cable TV and water. If an individual and/or family member is employed by a Public Utility serving the Town's needs, does he/she violate the DRAFT Code of Ethics serving on a Board or Commission? This issue must have been resolved previously at the State and other Town level. Might want to caveat Public Utilities or redefine somewhere in the document. Because public utilities service the entire town this does not violate the Draft Code of Ethics.*
- 5) *A florist in town becomes elected to a board, say the Board of Selectman. Does that now mean that the Town of Hebron cannot do business with this local florist? This is not subject to the Town Bidding process, but the Town can do business with the florist as long as the florist isn't in anyway exploiting the BOS position to advance the company.*
- 6) *Parks & Recreation employee working full time for the Town, but is sometimes asked to work weekends or after hours by a company that the Town regularly uses for landscape or concrete purposes. Can he work for that company? Yes, as long as he isn't involved with the negotiation of the contract and it doesn't interfere with regular Town hours.*
- 7) *Parks & Recreation Director is often asked to consult with various towns after hours to review weed control for their towns. Can he do this paid or not paid? As long as it doesn't interfere with his regular Town hours.*
- 8) *Parks & Recreation Director is asked to consult with the Town's School (RHAM) regarding landscaping and weed control. Can he do this even if it's paid or not paid? The members felt they need more information to justly answer, but suggested that he consult with the Town Manager to solidify his job description when working with local schools.*
- 9) *Employee for the Parks & Recreation department is certified to referee basketball. He is registered with the same referee association that is in Hebron's County. Can he referee for the Town of Hebron and / or other towns? Yes, he is able to work as a referee after hours as it doesn't interfere with his current job requirements.*
- 10) *As I have said before, I think that the code should be worded to be more direct to those who would attempt to abuse the system. Suggested wording to include phrases like "it is the responsibility for every elected official to make decisions based on what will benefit the town". Members believe this is covered under the Draft Code of Ethics, II. Purpose.*

- 11) *Also, that it would be improper for an elected official to take actions which would unduly benefit themselves such as attempting to circumventing competitive bidding practices if such are in place. Existing business arrangements could be continued if deemed to be in the best interest of the town. I think that the potential net that this code throws out is going to create more problems than it solves.* Members agreed with the basics of this statement.
- 12) *How does it interact with the employees hand book?* The handbook was reviewed closely and the Draft Code of Ethics does align itself with the Employee Handbook.
- 13) *What about a person elected to an office whose spouse or family member works for the town?* This is covered under Conflict of Interest. An individual would need to recuse themselves from any negotiations with regards to the family member.
- 14) *What if a person works for CIRMA? Would that person be allowed to run for an office?* Yes, they could run for office. CIRMA goes through a bidding process and would not be a conflict of interest.
- 15) *What if a local business (say, the hardware store) is owned by someone in town who wants to run for an elected office? Would the town still purchase from them?* Yes, the Town could purchase from them through a bidding process. The elected official should not abuse his position in office to further his business.
- 16) *Some of these issues would become mute if we had a general bidding process in place for routine service work, but none now exists.* Statement, no response required.
- 17) *On the employee side, we have the Fire Dept whose members all have outside jobs which may or may not create conflicts. I hope other town employees speak up if they see issues which could cause issues.* Statement, no response required.
- 18) *Recently a political committee utilized the Senior Center in the evening, then left stacks of flyers regarding a meet and greet for one of their endorsed candidates. Approaching individuals stating that something can't be done is often not enough. They want to know where it's cited that a particular activity, behavior, notification, etc. is not permissible. Something in writing would be most helpful.* This appears to be a policy issue and should be referred to the Town Manager or the BOS.
- 19) *Not in the ethics code draft, however, is there something written somewhere regarding "separation of church and state" issues, etc. that can guide some matters such as the following –* This appears to be a policy issue and should be referred to the Town Manager or the BOS.

**Schedule BOS Presentation:** S. Marchut questioned the committee regarding the Example for Establishing a Commission. E. Griffin stated it should be stressed that it is a general guide line and if an Ethics Commission forms they may need to tweak this document themselves.

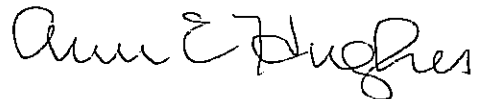
Though the Ethics Study Committee was not charged with creating procedures for an Ethics Commission, members would be willing to continue and refine that document if the BOS proposes.

The next BOS meeting is scheduled for July 15<sup>th</sup>. The committee would like to be placed on the agenda.

**New Business:** There is one more regular meeting scheduled. It was decided to keep that meeting and if not needed cancel.

**Adjournment:** A motion was made to adjourn at 8:43 pm, seconded, motion carried.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Ann E. Hughes".

Ann E. Hughes

Next meeting: Wednesday, July 21, 2010, 7 PM, Town Office Building