

**Town of Windsor  
Board of Ethics Minutes  
Town Hall –Dr. Primus Room  
January 9, 2007**

**APPROVED MINUTES**

**PRESENT:** Committee Chairman George Griffin, Ruth Jefferis, George Morgenthaler, James Parker

**STAFF:** Peter Souza, Town Manager; Assistant Town Manager Emily Moon

**1. CALL TO ORDER**

The meeting was called to order by Chairman George Griffin at 7:01 PM.

**2. PUBLIC COMMENT**

Moved by Mr. Parker, seconded by Ruth Jefferis to move item 4 (a) Request for advisory opinion from Town Manager before item 3 (a) Review of proposed amendments of Code of Ethics ordinance.

Motion Passed 4-0-0

**3. NEW BUSINESS**

**a) Request for advisory opinion from Town Manager**

Mr. Souza gave an overview of the issue concerning Jack Regier. The Ethics Commission is being asked to consider whether there are any concerns over a potential conflict of interest or prohibition per the Town's Code of Ethics.

Mr. Regier is a volunteer firefighter and has recently become employed with Shipman's Fire Equipment Company of Waterford, CT as an equipment specialist. Mr. Regier is not an officer in the fire department and is not involved in making policy or purchasing decisions for the Windsor Volunteer Fire Department. Mr. Regier has been generally assigned to the Hartford area service region. His compensation from Shipman's Fire Equipment is salary based and is not based on a sales commission or a quota system.

In terms of purchasing, the Fire Department is required to follow the town wide procurement processes which are overseen by the Finance Department. The Fire Department has one full-time staff person, the Fire Administrator. The Fire Administrator working under the direction of the Fire Chief coordinates all purchases for the department utilizing the town's procurement standards.

In speaking with Mr. Regier and Fire Chief Bill Lewis, they agree it would be appropriate to have the Board of Ethics review the situation to assess if there is any potential conflict of interest or prohibition per the Town's Code of Ethics (attached) prior to Mr. Regier engaging in representing his employer on business with the Town of Windsor.

Mr. Parker asked what is considered an "employee" per Section 7, Sec. 2-26 of the Code of Ethics and suggested that Mr. Regier is not an employee. Mr. Parker expressed that he could not find anything in the Code that would show that Mr. Regier would be in a position to advocate a policy or purchase, and therefore there wouldn't be a conflict.

Mr. Morgenthaler stated that he didn't think it was a problem for Mr. Regier to continue volunteering while working for Shipman's.

Mr. Griffin also stated that he didn't feel it was a problem.

Moved by Mr. Morganthaler, seconded by Mr. Parker, that based on the information provided, as long as Mr. Regier remains a volunteer firefighter, the Ethics Commission does not find that there is a potential for a conflict of interest.

Motion Passed 4-0-0

The Town Manager suggested that town staff will draft an opinion from the Commission to review and approve. Then the approved opinion will be distributed.

#### **4. OLD BUSINESS**

##### **a) Review of proposed amendments of Code of Ethics ordinance**

Mr. Parker opened up discussion. Mr. Souza explained the work that had been done dating back to 2002.

Moved by Mr. Parker, seconded by Ms. Jefferis to refer amendments to the Code of Ethics dated March 10, 2003 to Town Council for approval and incorporation into the Town Code section governing the Board of Ethics.

Motion Passed 4-0-0

Mr. Parker suggested that a public hearing might be held to allow the public to comment on the possibility of allowing people to submit complaints to the Board of Ethics. Mr. Morganthaler recalled a line from Attorney Oswecki's 8/11/04 opinion that stated that he was not aware of how many complaints had been received by the Town Manager or Town Council that had not been carried forward to the Board of Ethics.

Moved by Mr. Morganthaler, seconded by Mr. Parker that the Town Manager investigate whether data was available that could identify the number of complaints since 1997 that have not been brought forward to the Board of Ethics.

Motion Passed 4-0-0

Board members discussed Suffield's new adopted Code of Ethics. Mr. Parker stated that he felt there were plusses and minuses to allowing complaints to be directly made to the Board of Ethics.

Moved by Mr. Parker, seconded by Ms. Jefferis to hold a public hearing to invite the public, the Town Council, Board of Education, Superintendent and Town Manager to discuss whether the public should have direct access to the Board of Ethics to lodge complaints.

Town Manager Souza stated that he recalled only one instance during his tenure when a resident brought an issue directly to the Board of Ethics and the Board had to instruct the resident as to the appropriate procedure.

Motion Failed 2-2-0 (Mr. Parker and Ms. Jefferis approving and Mr. Griffin and Mr. Morganthaler opposed)

Mr. Parker stated that the intent of his motion wasn't to hold a public hearing or special meeting, but to put an item on the next Board of Ethics meeting to discuss the possibility of allowing the public to directly access the Board.

Mr. Griffin said he would change his vote to allow discussion on the topic at the next meeting.

Moved by Mr. Griffin, seconded by Mr. Parker to reconsider the previous motion to allow public comment and discussion on whether the public should have direct access to the Board of Ethics.

Motion Passed 4-0-0

**5. APPROVAL OF MINUTES**

Moved by Mr. Parker, seconded by Ms. Jefferis to accept the October 10, 2006 meeting minutes as presented.

Mr. Parker asked the Town Manager to look into the attendance figures for the 6/26/06 and 7/18/06 meetings. The next meeting will be April 10, 2007.

**6. ADJOURNMENT**

Moved by Mr. Parker, seconded by Ms. Jefferis to adjourn the meeting at 8:09 p.m.

Respectfully submitted,

Emily Moon, Assistant Town Manager  
Recording Secretary