

**Town of Windsor  
Board of Ethics Minutes  
Town Hall –Dr. Primus Room  
JULY 10, 2007**

**APPROVED MINUTES**

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

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

**1. CALL TO ORDER**

The meeting was called to order by Chairman George Griffin at 7:02 p.m.

**2. PUBLIC COMMENT**

Mr. Adam Gutcheon, 163 Broad Street, supports the proposal of allowing the public to file complaints directly with the Board of Ethics. He stated that he had both submitted, signed and sworn in complaints to the State and has been investigated through a Freedom of Information Act request. Mr. Gutcheon stated this revised process of approaching the Board directly would help dispel rumors and innuendos as it would allow issues to be discussed more openly.

Mr. Gutcheon added that the Board needed to have clear procedures on how it will review actionable complaints (complaints where there are allegations of violating the Code of Ethics.) He believes complaints should clearly state what the alleged violation was. He stated that the Board should be allowed to have a separate process for providing advisory opinions and reviewing complaints for violations.

Mr. Gutcheon also suggested a process for reviewing filed complaints.

Mr. Parker stated that the Board of Ethics had met with the State Ethics Commission and had heard how they review complaints. He added that the State's first step is to determine if what has been filed is a complaint.

Mr. Gutcheon said he would like the Board to establish a hearing process and ensure people understand the procedures. He thought it would be best to require complainants to sign their names to complaint and to file certified affidavits.

Ms. Jefferis inquired whether it would be good to require the Board to hold an initial meeting to receive the complaint and screen the complaint prior to holding a public hearing to act upon the complaint.

Mr. Bill Generous, 30 Karen Circle, read his prepared comments. He felt that it was not necessary and it was inconvenient to require residents to submit complaints during regularly scheduled meetings. He stated that he Board could establish protocols that

would help mitigate the number of frivolous complaints filed. He commented that the Board of Education allows time for a "question and answer" period prior to its meetings and suggested that the Town Council could do the same and perhaps minimize the number of complaints filed. He continued by stating his support for establishing procedures and said he felt there is at least a minimal amount of filtering happening under the current system by having the Town Manager and/or Town Council review a complaint prior to it being sent to the Board of Ethics. He thought it was okay for people to initially submit a complaint anonymously, but that they should be required at the time of the public hearing to reveal their names.

Mr. Generous did not state that the current system had additional shortcomings, but felt that a change in the process would increase the public's abilities.

Mr. Griffin closed the public comment period.

### **3. OLD BUSINESS**

#### **a) DISCUSSION CONCERNING HOW THE BOARD OF ETHICS CURRENTLY RECEIVES REQUESTS FOR ADVISORY OPINIONS AND WHETHER THE BOARD SHOULD ALLOW THE PUBLIC TO APPROACH THEM DIRECTLY**

Moved by Mr. Mason, seconded by Ms. Jefferis that the citizens of Windsor be able to directly approach the Board of Ethics with complaints/violations regarding the Code of Ethics.

Mr. Parker added a friendly amendment to the motion to add the ability to request advisory opinions for citizen inquiries. Mr. Mason accepted the friendly amendment.

Mr. Parker stated that he feels the Board's hands are tied by the fact that it cannot place anyone testifying under oath and that the Board needs to establish procedures for filing complaints.

Mr. Parker expressed his frustration with the lack of progress the town has made in adopting the amendments to the Code. Town Manager Souza explained that the Town Council had tabled this action to allow the State to update its code first. As this did not occur again during this legislation session, Town Manager Souza said he thought it was now the appropriate time to ask the Town Council to consider the Board's amendments.

Motion Passed 3-2-0 (Mr. Griffin and Morgenthaler opposed)

### **4. NEW BUSINESS**

Mr. Parker asked that the next Board of Ethics agenda include a discussion of what protocols and procedures the Board should adopt to implement a new complaint-filing procedure.

Town Manager Souza stated that the town staff could piece together some suggestions for the Board to consider. He also stated that the Town Attorney could review these suggestions.

Mr. Parker asked if the amendments could be reviewed by the Town Council once again. Town Manager Souza stated that he will re-refer the proposed amendments to the Town Council for its 8/6/07 meeting.

**5. APPROVAL OF MINUTES**

Moved by Mr. Parker, seconded by Ms. Jefferis to accept the April 11, 2007 meeting minutes as presented.

Motion Passed 4-0-0 (Mr. Mason abstained)

**6. ADJOURNMENT**

Moved by Mr. Parker, seconded by Mr. Morganthaler to adjourn the meeting at 8:02 p.m.

Motion Passed 5-0-0

Respectfully submitted,

Emily Moon, Assistant Town Manager  
Recording Secretary