

**TOWN OF BEACON FALLS
ETHICS BOARD
SPECIAL MEETING – S. POSICK COMPLAINT WITH REGARD TO
POSSIBLE ETHICS VIOLATION
MINUTES
JULY 2, 2012
(Draft Only – Subject to Revision)**

Member Joseph Rodorigo called a Special Meeting of the Town of Beacon Falls Ethics Board to order at 7:00 P.M.

PRESENT: J. Rodorigo, A. Holzman, B. Cloney, L. Edgren

ABSENT: J. O'Dell.

ALSO PRESENT: First Selectman G. Smith, Selectman C. Bielik, K. McDuffie, M.E. Fernandes, M. Zollo, B. Herb, S. Posick.

As per the Agenda and Meeting Notice for this meeting, **B. Cloney made motion to nominate J. Rodorigo to serve as Chairman of the Ethics Board, 2nd by L. Edgren. With no other nominations three (3) times, all voted aye to the motion.**

COMMENTS FROM THE PUBLIC

1. K. McDuffie, former Chairman of the Planning & Zoning Commission asked what this meeting was all about. J. Rodorigo noted this meeting was called to determine whether or not S. Posick had a valid complaint with regard to the Town's Ethics Code. K. McDuffie noted that the Town Clerk's Office holds all of the Planning & Zoning Commission's records, with S. Posick noting he felt not all of the records were submitted to the Town Clerk which he felt was a failure to provide documentation he has been looking for. S. Posick noted he has concerns with the H.L. Stone Co, with B. Cloney noting he had never heard of the Stone Co. until this meeting. S. Posick noted the H.L. Stone Company is an excavation company who bought property in the Industrial Park, adding that the Stone property is located next to his property. L. Edgren asked about the impact H.L. Stone has on S. Posick's property, with S. Posick noting this is big gravel bank and his trying to put together all of the pages.
2. M.E. Fernandes asked J. Rodorigo if this is an ethics violation, with S. Posick asking if the Ethics Board would be able to address his complaint. He added if there are no provisions in the Town's Ethics Code to address his concerns, then the next step might be to go to the Board of Selectmen to make some changes to the current Ethics Code.
3. B. Cloney asked S. Posick what exactly his complaint is about, with S. Posick replying that he is concerned about missing or altered papers. J. Rodorigo noted that an ethics complaint has to be about a specific violation of the Ethics Code and in his thinking, this complaint does not address the Town's ethics code. S. Posick added that he believed that J. Rodorigo is right. Discussion on whether or not to go into Executive Session to discuss this in more detail. C. Bielik asked what the purpose of going into Executive Session would be; adding that the Ethics

Board does not have to make any decision at tonight's meeting. Board agreed that the complainant needs to tell this Board what the violation is and include this on the actual complaint.

4. K. McDuffie noted that Public Hearings had already been held on the H.L. Stone Co. and that he was still trying to understand what the violation is. Board agreed there is no reason to go into Executive Session.
5. B. Cloney asked S. Posick what paperwork he is looking for, adding these accusations should be more detailed.

L. Edgren made motion that based on S. Posick's complaint , there is no violation of the Town's Ethics Code, 2nd by B. Cloney. All voted aye to the motion.

J. Rodorigo made motion to include Public Comments as part of this meeting's Agenda, 2nd by A. Holzman. All aye.

S. Posick would like to see all of the newspaper ads with regard to the H.L. Stone's application, adding that he personally feels there might be money involved but he cannot prove his suspicions without the documentation he wants. He feels that the proper procedure was not followed with this application because he has not been able to get all of the paperwork he requested. K. McDuffie said the Planning & Zoning Commission was never supposed to supply Mr. Posick with information.

B. Herb, the Town's Zoning Enforcement Officer said he has spent a lot of time working on this matter and he would like the harassment of Town employees to stop. M.E. Fernandes said this matter is wasting the Ethics Board time and it should stop.

B. Cloney made motion to adjourn the meeting at 7:35 P.M. 2nd by A. Holzman. All aye.

The Board agreed to hold another meeting at the end of September. Clerk will schedule meeting after discussion with Chairman and notify members as to date, time and location.

Respectfully submitted,

Karen A. Wilson
Clerk for the Ethics Board – Meeting July 2, 2012