

**Beacon Falls Code and Ethics Board
10 Maple Avenue
Beacon Falls, CT06403**



**BEACON FALLS CODE and ETHICS BOARD
Meeting**

September 21, 2016

MINUTES

(Subject to Revision)

1. Call to Order / Pledge of Alliance

Chairman Brian Cloney called the meeting to order at 7:00 P.M.

Member Present: Brian Cloney, Rod Farrell, Ned Grace, Jim O'Dell, Lars Edgren, and Eva Newell

Others Present: Joe Roderigo, Chairman of Board of Finance; Wendy Roderigo, Town Treasurer; Doug Bousquet; Jim Tucciarone; Dominick Sorrentino; Luke Marshall, Citizens News; and 8 members of the public.

B. Cloney indicated that he will be running the meeting but will be stepping off the Board for tonight's meeting since he has a family relation to one of the parties involved in the Ethics Violation Complaint.

2. Comments from the Public

B. Cloney asked three times if there were any comments from the public and there were none at this time.

3. Discussion of Ethics Violation Complaint Filed

B. Cloney noted that copies of the Ethic Violation Complaint as well as copies of the Ethics Code were sent to the Board Members. B. Cloney asked the members if they had the time to review everything and Members confirmed that they did.

B. Cloney indicated that the Ethics Board's responsibility is to determine if the complaint is an ethics violation as spelled out in the Code. R. Farrell asked if they will hear any evidence and B. Cloney indicated that the first thing that the Board must decide if the complaint is an Ethic Violation. R. Farrell asked if the Members determine that if the complaint is true and is brought to a level of an Ethics violation as defined by the Ordinance and Statutes. Ned Grace asked to review/read the complaint and then determine if it falls under our jurisdiction. J. O'Dell asked if this should be held under Executive Session and then opened up to the public. After a brief discussion, the Members determined that the discussion should be held in a public forum, not in an Executive Session.

R. Farrell noted that the basis of the complaint is that Joe Rodorigo was in the Building Dept. office and apparently going through drawers and the computer. J. Rodorigo is a real estate broker and the action could be used as personal gain. R. Farrell noted that the person who filed the complaint, Doug Bousquet, did not witness this. The complaint notes that Kevin McDuffie and Jim Tucciarone did witness J. Rodorigo.

The letter that was written was to the Board of Selectmen and not to the Ethics Board. L. Edgren asked if D. Bousquet is authorized to make the complaint by J. Tucciarone. There is a question that J. Tucciarone witnessed J. Rodorigo but J. Tucciarone is not the one who filed the complaint. N. Grace mentioned that the complaint is considered hearsay and asked if D. Bousquet has standing in terms if he is an agreed party. N. Grace also mentioned that he does not see anything in the ordinance that indicates that the person has to be aggrieved party. L. Edgren asked if D. Bousquet had consent from J. Tucciarone to make the complaint on his behalf. R. Farrell noted that he doesn't think he needs to have consent to make a complaint.

R. Farrell indicated that the letter that was referred to the Ethics Board states that two people saw J. Rodorigo sitting at the desk, going through files and going through the computer. R. Farrell noted that if those people were present tonight and wanted to testify, it would add some credulity to the complaint. R. Farrell also noted that copies of the ordinance were given to this Board but there are statutes that were not given but mentioned. N. Grace asked if this Board has jurisdiction, and if we do have jurisdiction, then the Board would go forward with what R. Farrell just mentioned. B. Cloney agreed that the question is if the complaint meets the requirements of an Ethics violation.

N. Grace noted that he reviewed the ordinance several times and did a brief summary of it. N. Grace also noted that the ordinance mostly deals with financial matters, money gotten that is unethical.

E. Newell indicated that it appears to be a confidentially issue for the town and would like to know the town's policy and precautions. J. O'Dell indicated that he also had the same questions. N. Grace asked if those problems are for us to deal with tonight's. B. Cloney indicated that this Board must decide if the complaint is an Ethic violation based on the Ethics Code as written. B. Cloney also indicated that if the complaint is not an Ethics violation then the Selectmen have to deal with on their own.

E. Newell asked if a statement was received by Joe Rodorigo as to his explanation. B. Cloney indicated that the way this works is that the Board would decide whether or not the complaint is an Ethics violation. If the Board does decide that the complaint is an Ethic violation, then another meeting would be held in order to decide as to how to handle the violation.

R. Farrell mentioned that the ordinance says that it adopts in its entirety the statutes. Statute 185 was read by R. Farrell to the Board. R. Farrell noted that J. Rodorigo is a real estate agent and by looking at the documents, would he get information that would help him with his job. R. Farrell noted, by stretching it, the complaint could come up Statute 185. The direct monetary gain is the question under the statute and by J. Rodorigo's actions. N. Grace noted that the key phrase is "official activity" and he does not see anything that this is indicating that it is official activity. The complaint does not seem to spell it out and seems to deal more with the manner in which information was looked for and gained, if this is happened.

L. Edgren indicated that there is a valid issue where an elected official went through a town employee's files and records. L. Edgren noted that there may have been other avenues taken. L. Edgren also questions someone making a complaint on other's behalf.

B. Cloney asked if there was any more discussion. Since there was no more discussion by the Board, B. Cloney asked for a motion to vote whether or not if the complaint an Ethic violation. If the vote is to accept the complaint as an Ethic violation, it should be tied to a specific violation as stated in the ordinance.

Motion to vote if the complaint by Doug Bousquet is an Ethic violation: **Motion made by R. Farrell and seconded by N. Grace; no discussion; all ayes.**

Motion to deny the complaint by Doug Bousquet as being an Ethic violation under the ordinance and/or statutes: **Motion made by R. Farrell and seconded by N. Grace; no discussion; all ayes.**

4. Adjournment

Motion to adjourn meeting at 7:19P.M.: **Motion made by N. Grace and seconded by J. O'Dell; no discussion; all ayes.**

Respectfully submitted,

Marla Scirpo
Clerk, Code and Ethics Board

DRAFT