

Colchester Ethics Commission Meeting Minutes
Tuesday, January 14, 2009
Town Hall, 127 Norwich Ave, Colchester
Cragin Memorial Library Meeting Room B – 7:00p.m.

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NANCY A. BRAY
TOWN CLERK

Members present: Chair Genea Bell, Robert Esteve, Thomas Cleary, Jacqueline Twedt, Dan Henderson (by phone)
Staff present: Audrie Evans, Clerk

1. Called to order at 7:05p.m.

2. Correspondences:

A) Letter received from Selectman Linda Hodge in regards to an issue of a possible breach of ethics from the Colchester Police Commissioner, requesting advisory opinion from the Ethics Commission.

Motion by R. Esteve, 2nd by J. Twedt to redact portions of the letter containing names and personal information.

Vote approved, unanimous.

3. Discussion and Action

A) Discussion on the request from L. Hodge for an advisory opinion regarding whether a company that seeks to enter into a contract with Parks and Rec. creates a conflict of interest. Letter received from Jay Cohen stating that he had no stake in the business of Playwell Technologies.

J. Twedt asked if there is a process that needs to be followed by the applicant. L. Hodge stated that the application will go to the Board of Selectman for final approval.

D. Henderson departed the meeting at 7:12p.m.

The Commission decided they had enough information to move forward with this action.

Motion by J. Twedt, 2nd T. Cleary, that it is the opinion of the commission that there is no conflict of interest between Parks and Rec. and Playwell Technologies.

Vote approved, unanimous.

R. Esteve volunteered to submit a letter to the Board of Selectman.

B) Discussion on the request for advisory opinion regarding whether a Town employees' testimony as part of litigation between the Town and a client of that employees' private company creates a conflict of interest. G. Bell has rescinded herself from the voting due to a conflict of interest.

The commission believes that this issue was resolved at the June 2, 2008 meeting in a letter dated the same.

Motion by T. Cleary, 2nd by R. Esteve, that it is the opinion of the Commission that the letter dated June 2, 2008 provided the needed information.

Vote, approved 3:1; G. Bell abstained.

T. Cleary volunteered to submit a letter to the Board of Selectman.

4) Discussion and Possible Actions:

A) Discussion on a request from L. Hodge in regards to a Town board members' or Commissioners' testimony on behalf of a union in an interest arbitration between the union and the Town constitutes a conflict of interest.

L. Hodge stated that a union contract is a binding contract with similarities of a court hearing. A board member or commissioner may be called to testify but are not subpoenaed and therefore may decline to testify. They are not compensated for their appearance and gain no benefits to their testimony.

The commission decided that there is no conflict of interest for a board member or commissioner to testify based on the fact that there is no compensation, however finds that a paid Town employee would be a conflict of interest because compensation.

Motion by T. Cleary, 2nd by R. Esteve that the commission finds that there is no conflict of interest for a Town board member or Commissioner to testify on behalf of a union in as interest arbitration between the Town and the Union.

Vote approved, unanimous.

J. Twedt volunteered to submit a letter to the Police Commission

5. Adjournment:

Motion by T. Cleary, 2nd by R. Esteve to adjourn.

Vote approved, unanimous. Meeting adjourned at 8:01 p.m.

Respectfully submitted,
Audrie Evans
Clerk