

Approved: December 27, 2011 as amended in italics

ETHICS POLICY REVISION COMMITTEE

PUBLIC MEETING MINUTES

December 13, 2011

The meeting was called at 7:00 PM in the New Durham Fire Station Community Room by Dot Veisel, Chair.

Present: Carol Allen, Mike Gelinias, Dot Veisel, Barbara Hunter

Also Present: David Bickford

Approval of Minutes: Chair Veisel moved for the review, additions, and omissions in the minutes of November 29, 2011. There being none, motion to approve: Allen. Second: Gelinias. Vote: unanimously approved.

Business:

The committee continued working on the draft Ethics Policy and reached consensus on making the following changes:

- Page one last paragraph:
 - First sentence, “conducts” changed to “hears.”
 - Add the following after the first sentence: “This committee hears inquiries and advises individuals.”
- Page two definitions:
 - Remove the term official.
 - Public Servant will be defined as, “All town officials, boards and employees of the Town of New Durham, whether elected, appointed, paid or unpaid.”
- Page three A(ii) will now read:

(ii) A public servant who wishes to appear on behalf of himself/herself or any party shall publicly disclose the nature and extent of that interest and disqualify him or herself before advising, deliberating, representing that someone and/or voting on the matter involved. The following conditions shall be met:

 - A written public disclosure of the member’s conflict of interest or relationship with an explanation of the representation is provided to the board and included in the minutes.
 - The member, when representing himself/herself or any party shall step down from the board after first publically declaring his/her reason for stepping down.
- Page three (iii) will now read:

(iii) A public servant shall recuse himself/herself in any matter in which he/she or an immediate family member, have a personal interest which may directly or indirectly affect or influence the performance of his/her duties.

- Page five H. Nepotism will now read:

H. No Nepotism

No public servant shall influence or attempt to influence the appointment, hiring, transfer, suspension, promotion, discharge, assignment, reward, discipline, direction of work, or the adjustment of grievances of an immediate family member. If a proposed appointee is a *member of the immediate family of any board member*, that member shall remove himself/herself completely from the process.

- A third bullet is added on page 6 under Section IV: Formation of the Ethics Committee to state:
 - Submit Ethics Policy revisions to the Board of Selectmen.
- Several changes were made to Section V: Inquiries resulting in the following for the entire section:

Individuals who have questions about interpretation/application of the Ethics Policy may submit inquiries verbally or in writing to the Ethics Committee. After review of written inquiries *and* when requested, the Ethics Committee shall in writing reference how the policy relates to the inquiry. At the conclusion of the discussion of an inquiry, a written response will be issued within ninety (90) days.

The Ethics Committee will establish rules of procedures making every effort to protect reputations of all parties.

When submitting a complaint, the individual certifies that he/she has read the New Durham Ethics Policy, and that he/she believes the matter merits review. The Ethics Committee advises but does not judge the merit of an inquiry. It is the responsibility of the applicant to formalize and submit a complaint to the Board of Selectmen.

Hunter will make the above changes and email what becomes the WIP December 13 document to members.

Chair Veisel reminded the committee that before the EPRC is disbanded, the policy needs to be adopted and the existing Board of Ethics disbanded. It was decided that the once the work of the committee is done, the policy will be submitted by the EPRC to the Board of Selectmen at a selectmen's meeting. In addition, a report from the committee along with the Ethics Policy will be given to Alison Webb, Town Administrator, to be included in the 2011 Town Report.

Next Meeting: Tuesday, December 27, 2011 at 7:00 PM in the Fire Station Community Room.

Adjournment: Motion – Allen. Second – Veisel. Vote unanimously in favor. Adjourned at 9:24 PM.

Respectfully submitted,

Barbara Hunter, Secretary