Call to Order
Acting Chairman Byron Peterson called the meeting of the Board of Ethics to order at 7:04 p.m. in Room 104 at Shelton City Hall. The Pledge of Allegiance was recited.

Roll Call
Byron Peterson – Acting Chairman
Ben Winnick

Excused – Maria Davis, Chairman

Also in Attendance
John Anglace, President of Board of Alderman
Allyson Burke, Substitute Clerk

Public Portion:
Alderman John Anglace, President of the Board of Alderman, of 676 Long Hill Avenue, Shelton, CT addressed the Board.

Alderman Anglace: “I would like to take this opportunity to welcome to the Board of Ethics Attorney Ben Winnick whom we are very pleased that he accepted the appointment to this very important body of the City and I wish him well throughout his deliberations. “

“I am here tonight to share with you where we are in the development of the Ethics Ordinance. I know we have an Ethics Ordinance on the books but you had submitted an amendment to that ordinance and the Board had considered, well you know the history as well as I do, the Board of Alderman (BOA) conducted the ordinance process on the amended Ethics Ordinance that you submitted to us. A Public Hearing was held. The Ordinance was subsequently rejected without prejudice
because many of us felt there were a lot of positive things in that Ordinance as presented but there were still a lot of unanswered questions. We then consulted with the state and the CCM (Connecticut Conference of Municipalities) who recommended that we were well beyond the initial program stages where they could provide assistance. CCM comes in and they will just tell you how to go about the fundamentals of the Code of Ethics. With that we decided to take a different approach. I want to read to you what I wrote to Maria Korenowski, she is the CCM person I sent it to. This is not everything but just part of it:

After two and a half days of intense study I have decided to use the Shelton Board of Ethics proposed Code of Ethics as my starting point, since their document follows the State Task Force Recommendations. I have made changes to their document and provided rationale for these changes. That, I hope, will give us a starting point where I can proceed to review the document with our Corporation Counsel, our Mayor, and our Board of Alderman. To revisit the "How to Write A Code of Ethics" would be redundant at this point. Shelton has had a Code of Ethics in place since 1977 with a revision taken place in 2004. So we have most of the basics in place. What we are doing now is fine-tuning. One major difference that I have with the State version is that I refuse to create a bunch of financial disclosure documents. Instead, I have opted to require the production of such document if and when a complaint is filed. It saves a lot of work and avoids the privacy issue.

That’s what I wrote to her since they were nice enough to come out and talk to us and everything, so I thought I would give some closure to her. And then what I created was a document called the Historical Ethics Summary.”

The Board had already received a copy and was familiar with the document.
Alderman Anglace continued, “In essence what I tried to do was take it and say this is what I have difficulty with and this is my rationale with that difficulty. And this is based on maybe 30 years of experience working with the City in various capacities. Maybe it would be appropriate to just read into the record the first and last parts of this without getting into all the details.

What I tried to capture was that State laws establishes a Code of Ethics to Govern the State Office of Ethics, the Citizens’ Ethics Advisory Board, and The State Ethics Commission. It does not apply directly to municipalities but municipalities have copied its content in building their local Code of Ethics. State Ethics Codes have existed since sometime in the mid 70’s. Shelton has had a code in place since 1977. So we are in pretty good shape. The State hasn’t bothered to do too much amending and when they were given the task at looking at this thing. They appointed a task force that worked two years on it and the legislature would not adopt it. And the reason they would not adopt it was because they were afraid it was going to cost the state money. And that seems to be the reason. The 2008 State Task Force attempt to (inaudible) for all Connecticut Municipalities died in committee. Your Board of Ethics has drafted a proposed Amended Code of Ethics, the BOA waited for the State Task Force document which never materialized, the BOA met in joint session with the Board of Ethics to discuss the proposed Code of Ethics and this substantially lead to a withdrawal from the process from the Board of Ethics. Basically, you had determined that you had been through this for two agonizing years yourself and you didn’t want to go through it with us. But we are in a different position now. I think now we are in a position where what we have tried to do is understand what the differences may be and a lot of the work you produced can be accepted with some modifications. And I don’t think the modifications are bad things, I think the rationale, we just have to talk them through. “

Alderman Anglace Continued: “We have two consultants. I appointed Ken Nappi and Marty Coughlin, a Democrat and a Republican. I asked them to serve with the BOA as consultants because the board only has one Democrat and 7 Republicans. I thought we needed some balance. They have been very out spoken. I told each of them what I have been doing and I asked each of them to write up their thoughts and ideas as to what we needed to do and how we can move forward from where we
are at. I did receive comments from Marty Coughlin but I didn’t receive them yet from Ken Nappi, and I don’t know if he will have time to do them or not because he works for the State.”

Alderman Anglase passed out copies of the comments to the Board.

Alderman Anglase continued: “This will give you some idea of how Marty feels about it. And I don't want to speak for him, but I think after you look at this you will see that we need to be at the table together and I think we need to have an open discussion about it and determine if what is said has merit. I will give you an example. One of the things that Marty said, Marty thinks that when the complainants comes in and files a complaint. The complainants should have the ability to be represented by counsel if he chooses to do that. He feels real strongly abut it. Whether you agree or not, that deserves to be put on the table and be talked about. We need to say Marty you are right or Marty you are wrong and here is why you are right or why you are wrong. The same thing with anything I suggested. What I suggested may not have merit but I think they do, but we need to get them on the table and talk about it. We can’t get it on the table and we can’t have everyone’s dialogue if the Board of Ethics is not at the table. In essence, I am here tonight, well before I get to that, one other thing, well two things. I got for you, well us, a copy of the Code of Ethics for the Public Schools, I got that from the Superintendent. And then I have a Code of Ethics hat was adopted by the Police Department. I told them both, I said the City has an Ordinance and you are subject to that Ordinance, your code does not supersede the Ordinance. They both understand that.

Alderman Anglase handed out both the Shelton Public School’s Code of Conduct and the Shelton Police Department Code of Ethics to the Board Members.

Alderman Anglase continued, “To be honest with you, especially with the Board of Education it doesn’t come anywhere near representing ethical interests. The Superintendent and Chief of Police both said they would be willing to participate in any way that we wanted them to, any points of ownership. That brings me to the point where I am here tonight to invite the Board of Ethics to join the Board of Alderman to discuss the recommendations in these documents. Which I hope will
form the basis for us to reach a consensus for an amended Code of Ethics, which we can then take to public hearing and then we can adopt it. “

Ben Winnick questioned: “Do you recommend the full BOA or a committee of the Board?”

Alderman Anglace responded: “The Full Board.”

Mr. Winnick continued: “The full Board, the Board of Ethics and then the two consultants?”

Alderman Anglace: “That is correct. The reason I say that is because all 8 Alderman are going to be the decision makers.”

Mr. Winnick: “I understand that. But at the same token the BOA does also operate by committee’s recommendations?”

Alderman Anglace: “We would, but in this case, we have had other meetings.”

The Board discussed the previous meeting they had briefly.

Mr. Winnick added “The thing we need to keep in mind is there is a distinction between criminal activity and ethical activity. If you commit a crime, that is not within our jurisdiction. Only ethical conduct, when you commit a crime it may very well be an ethical problem too, but jurisdiction…

Alderman Anglace continued “But I think we need to clear the air on the issues raised in these documents before we can proceed to adopt an Amended Code. And I think everyone is well to do that. We have to keep it simple. “

Mr. Winnick questioned the logistics of the proposal: “What you are suggesting is a working session? We sit down, given enough time, take it section by section…”
Alderman Anglace responded: “I wouldn’t go section by section. I would take the two documents we have, the document that I presented and the document that Marty Coughlin presented and if Ken presents a document take his too, just take those issues there because we are pretty much in agreement with all the rest. These are the only issues we have to deal with. They are very concerned about creating the financial documents. They think it could be done another way and I do too. “

Byron Peterson explained to Mr. Winnick how the Board of Ethics felt the last time they went over this with the BOA. Then added “This gives us some common ground, lets review the differences. I think a couple of them were OK and a couple of them were revised. “

Mr. Winnick clarified the Mr. Anglace is making the suggestion they all get together and the reasons for it.

Mr. Anglace continued: “And to move this forward because I don’t think we need, example: the Democrat candidate for Mayor has come to one of our meetings, the only thing you have to do is add to this to what exists that to the current Code of Ethics there will be no gifts of value taken. I believe that was the way he put it. You know that it should be zero amount.”

Mr. Winnick added “That will not work.”

Alderman Anglace: “I know”

Mr. Winnick: “So if I am driving my car and a police officer or someone helps me out, ya know…”

Alderman Anglace: “Currently I think we have $50 and $100 values, and its worth while. There have been lapses of judgment in recent years and as we all saw, those were criminal lapses. They are serving time for that, they are not ethical lapses. If someone wants to take me to play golf, I immediately invite them to play at my course. Something of equal value. I appreciate the opportunity to be here.”

Mr. Winnick asked “When would you suggest that this meeting be held?”
Mr. Anglace responded “As soon as you tell me you are willing to participate I will schedule it.”

The Board was favorable but Chairman Davis needed to be informed and check with Mr. Anglace. There was discussion about times and availability.

**Agenda Items:**

1. **Accept the minutes of the Regular Meeting of February 3, 2011**
   Byron Peterson made a motion to accept the Minutes of the Regular Meeting of February 3, 2011. Ben Winnick seconded the motion. The motion passed.

2. **Formally accept the correspondence of Alderman John “Jack” Finn of July 8, 2011.**
   Byron Peterson made a motion formally accept the correspondence of Alderman John “Jack” Finn. The motion was seconded by Ben Winnick. The motion passed.
   * The correspondence was sent to Board members via email on 7/12/11.

3. **Continued Consideration of Ethics Complaints – all in CLOSED SESSION:**
   Byron Peterson made a motion to move into closed session. The motion was seconded by Ben Winnick. The motion carried and members of the Board went into closed session at 7:29 p.m.
   A motion was made to reopen the meeting to the public. The motion passed and open session resumed at 7:52 p.m.

Byron Peterson made a motion to accept John Anglace’s proposal to join the Board of Alderman in an open discussion/work session regarding the proposed Ethics Ordinance. The motion was seconded by Ben Winnick. Motion passed.
Adjournment:
Byron Peterson made a motion to adjourn the Special Meeting of the Board of Ethics. The motion was second by Ben Winnick. Motion passed

The meeting was adjourned at 7:55 pm.

Respectfully submitted,

Allyson Burke, Clerk
Filling in for Cyndee Burke