Call To Order/Pledge of Allegiance
The Board of Ethics meeting was called to order by Chairman John Bashar at 7:05 PM in Room 204 at Shelton City Hall.

The Pledge of Allegiance was recited.

Attendance
John Bashar, Chairman
Paul Bueker
Walter Drozeck

Also Attending:
Cyndee Burke, Clerk
Judson Crawford
Ethan Fry, Valley Independent Sentinel

Public Portion:

Judson Crawford, 8 Jordan Avenue, Shelton
Mr. Crawford stated I have a question, back on June 13, 2013 at the regular Board of Aldermen meeting, Item #10.3 Waiver of Bid for Propane Supplier/Filling Station, was moved into Executive Session. The city had just purchased 60 brand new school buses. My only question is does a supplier of propane fuel fall under executive session? I did not file with the FOI Act because more than 30 days have expired, but the City of Shelton has a propane company here that could have been looked into, but since this went into executive session, of course, I cannot ask any questions of any Board of Aldermen member.
Just so you know, this is what I am referring to: (Mr. Crawford showed a single page of the Board of Aldermen Agenda identifying the Item number).

Mr. Crawford said please give due consideration to Items 3 and 4 on your agenda tonight. I remember when I first started, the Ethics Board came down to meet with all elected officials, and we had to sign a form. This goes back a long, long time ago. I would still like to see that put into operation.

Mr. Crawford asked, how can I go about finding out if propane falls under the term for going into executive session? Chairman Bashar asked if he had any further comment? Mr. Crawford replied negative.

Chairman Bashar said in my own personal response, I don't think the Board of Ethics is the proper forum to be raising that question. I would suggest to you that I don't think our job is to oversee the process of the Board of Aldermen and what procedures they take. I would suggest that the proper forum would be to address the Board of Aldermen and potentially discuss this with Corporation Counsel because he is the one who advises them whether to go into executive session or not and if their executive session is proper. I think this Board would only have authority if a complaint were to be filed, and then we would have to address it once a complaint is filed.

Mr. Bueker said I was trying to think of what case would be appropriate for us to look at, and if the propane contract that came out of that executive session had some type of conflict of interest in it, then it would be appropriate for us to look at it. I assume there was a contract as this was four months ago. Mr. Crawford said it is with Hocon Gas Company. Mr. Bueker asked is there any conflict of interest with a principal of Hocon or someone who would benefit financially from that contract that would be a city employee or official? Mr. Crawford said that question that you are proposing right now, I cannot give you a direct answer. Mr. Bueker said that, to me, would be cause for us to look at that.

Chairman Bashar said I think the question initially was whether or not it was proper to go into in executive session? Again, that is not in our jurisdiction to look at. If there was a conflict, absolutely we need to look at.

Mr. Crawford said I am looking at it from the standpoint we have a company here within the City of Shelton who is paying taxes to the City of Shelton. Chairman Bashar said you were on the Board of A&T, you know what the rules are, that it
goes to the lowest responsible bidder. So if there is a bidding process and that was addressed by the Board of Aldermen and it was granted based on the lowest responsible bidder, the fact that there is another business in Shelton is not necessarily consideration of bidding the contract. Mr. Crawford said you cannot weigh who decided because it went into executive session and that is where the public stops right there.

Mr. Drozeck said it would seem to me that the provider of propane at this juncture would have an issue to deal with whether we had an open bid for the process of supplying the gas or not. Chairman Bashar said I think the answer is with Corporation Counsel. Mr. Crawford thanked the gentlemen for their time.

Chairman Bashar said you made reference to Item 3 and 4. What are you referring to? Mr. Crawford replied what is on your agenda for this evening.

Mr. Drozeck asked can we acknowledge the fact that Valley Independent Sentinel got an award from The Great Give 2013? They were acknowledged as receiving an award. Mr. Bueker commented it benefits the community greatly.

Public portion ends at 7:12 pm.

**Agenda Items**

1. **Accept Minutes of Special Meeting of July 11, 2013**
   Mr. Drozeck moved to accept the minutes of the Special Meeting of July 11, 2013. Mr. Bueker seconded. **Passed unanimously 3-0.**

2. **State Code of Ethics**
   Mr. Bueker said I called the woman who is responsible for education and training, and I also went on the State site and looked at the on-line training (which you probably had to take). I scanned through the Task Force from 2008/2009 as another background piece of information. I talked with her for quite awhile this afternoon about what they have and what they were proposed. She is more than willing to help and share although due to budget constraints they won't come out and do the training. They will help us with it. She was helpful. Chairman Bashar commented that I have dealt with them on a number of occasions in my position and they are very cooperative and helpful in answering questions.
Chairman Bashar said what I passed out last time the Public Act that was changing the revisions of the Code of Ethics, I didn't realize until I read it through for this meeting, those changes that were made were basically in their definition area, which I think is more addressed towards lobbyists and that kind of thing. There is another section that I now made a copy that is more pertinent to us and that deals with Prohibitive Activities. It is a lot less pages than the other one. The other one is so long because it applies to three different types of organizations. Mr. Bueker added, and the training is split that way. Chairman Bashar said I think we ought to review the Prohibitive Activities for the next meeting to see whether or not there is anything in there pertinent to us. I think after looking through the revisions on the definitional part, there are some definitions we can probably adopt, most of them are pretty extensive. I think we can pare it down dramatically for our own purposes. Mr. Bueker commented that it's clearly sophisticated. Chairman Bashar agreed and said I am one of the managers that is required to file the financial information and people in my office are very upset about the fact why are we responsible just because we are managers.

Mr. Bueker said the other thing that I was surprised at was when she told me that there is a person responsible. It seemed like sort of an ombuds person that is the Ethics liaison. To me there should be an ombudsman removed from the employment structure or from the department. It seems there would be something in there that they would be uncomfortable talking about. That did not seem to be a great approach. As you look through the State website, and she also suggested we beef up our website and not make it 10 clicks down in the bowels of the website, I think we can do more to beef up what is out there to make it more English language (easy to understand) and then make it more accessible. I wouldn't necessarily want to do the recertification the way they do it, but I think we could implement something that would be reasonable.

3. Training Aspects of Ethics for City Officials & Employees
Mr. Bueker said as far as training goes, there was training delivered two or three years ago by Peter Lewengowski. Chairman Bashar said the last person I heard of was Byron Peterson. Mr. Bueker said this guy might have done something here. She is going to find the training and email it to me. I am hoping with a combination of that and what I saw on the website with ours, put together something. If you go onto the State website they do it in more of a Power Point presentation. Just make sure that the simplified points are delivered.
Chairman Bashar said one of the things go to the acknowledgement aspect of it, State employees are required once or twice a year. We get these acknowledgements on email that we have to acknowledge that we received copies of all this stuff and have read it. It is at least annually. Mr. Drozeck asked Mr. Lewengowski came to Shelton? Mr. Bueker said I was told he came here and delivered some training - that is what I was told. Whatever she comes up with I will have it shortly and be able to walk through that along with the other documents we have been able to accumulate. Chairman Bashar said to Mr. Bueker that you talk to Byron and you can touch base with him and ask him if he has copies of what he presented and give us ideas. Mr. Bueker said this shouldn't be difficult to put together and implement now that we have been around this a couple of times.

4. Annual Ethics Acknowledgement for City Officials & Employees
Chairman Bashar said at a minimum the two things that are probably important is this training aspect and the acknowledgement that the employees have reviewed a presentation of ethics and they've received it. The State requirement for disclosure of financial is a bit much for municipal employees and officials. Mr. Bueker agreed and said it was interesting too going to the high points of this obviously thick document that looks like War And Peace actually, but one of the closing statements there is a CT State-Wide Association of towns and cities. Chairman Bashar said CT Conference of Municipalities. Mr. Bueker said they commented that they had done this survey work of everything that was in place and they said the results of the survey shows steady increases in the number of municipalities implementing local ethics policies. I didn't realize that not everybody had one. It clearly indicates that no mandate from the State is needed. Everything that you see in here is from CCM and from their point of view and they don't want to put a mandate out that is one-size-fits-all. They really feel that each municipality or each whatever governmental organization ought to really put together something that fits them and do the training that fits them. So that is the spirit I think we can do this in. But I think the mandate coming the other way, is clearly something ought to be done and not let go.

Mr. Bueker said I would think that for the next session (first quarter of 2014) I would like to have the responsibility for submitting an outline, doing a draft of what we should have for training, maybe a process that goes with that. I will draft it and you can comment on it, public can comment on it. Chairman Bashar said I will try to draft something based on the new statute that I picked up.
Mr. Drozeck said this provision of the General Statute would be more beneficial to review than open this up. Once you focus in on something, then you go to the section on it. Chairman Bashar said wait for the internal comment before getting it posted.

Chairman Bashar said the section I gave to you last time dealt with a lot of definitional items. They are repetitive because they were affecting three different statutes - 79, 80 & 81. I think the 1-84 Prohibited Activities is something we ought to take a look at. That will be more in line with what we ought to be looking at with regard to municipal employees.

5. 2014 Schedule of Meetings
Ms. Burke stated this being your last meeting of the year you need to schedule your meeting dates for 2014. There was discussion on dates for next year

Mr. Bueker indicated he will be phoning in for January's meeting. Mr. Bueker asked the Clerk for a list of the members email addresses so that I can draft something and email it around. Is there a place if we are drafting something we can post it for public comment? Mr. Drozeck commented that we will look at the draft for the January 9th meeting. Then after that we will open it up to the public. We will make our adjustments to it. Chairman Bashar said in the meantime I will try to draft something and send it out to everybody on the proposed changes to the Board of Ethics Ordinance.

Motion:
Mr. Bueker moved to adopt regular meetings for 2014 on the second Thursday of each month of the quarter at 7:00 PM to be held at Shelton City Hall. Both Chairman Bashar & Mr. Drozeck seconded. Passed unanimously 3-0.

Dates are as follows:
January 9, 2014
April 10, 2014
July 10, 2014
October 9, 2014

5. General Discussion
Mr. Bueker asked have we received any Ethics complaints? Ms. Burke replied no, but if we did receive one, I would notify you all immediately. There is a process you have to follow in our current ordinance.
Mr. Drozeck said I noticed in the book that we received “Questions & Answers for Shelton,” there were two errors. One had to do with Hazardous Waste and the other had to do with the Ethics Commission - it said three members. Are we getting anywhere with appointments? Chairman Bashar stated I have not had an opportunity to talk to the Mayor about it. Ms. Burke stated that I did give the Mayor a copy of the minutes and highlighted that section. He is aware. Chairman Bashar said I actually did give him some names.

**Adjournment**

Mr. Drozeck moved to adjourn the meeting. Mr. Bueker seconded. **Passed unanimously 3-0.**

The Special Meeting of the Board of Ethics adjourned at 7:31 p.m.

Respectfully submitted,

Cyndee Burke

Cyndee Burke, Clerk

One tape on file in C/T Clerk’s Office