GREENWICH BOARD OF ETHICS
Minutes of Regular Meeting on February 2, 2022

Members Present: Paul deBary, Chair, Jennifer Paul Cohen, Secretary, Rev. Stephanie Johnson, Robert Sisca

Members Absent: Robert Grele

Others Present: Aamina Ahmad, Assistant Town Attorney
Mark R. Kordick, RTM member District 9
Richard Neuman, Chair, Town Services Committee

The virtual meeting was called to order at 5:33 P.M. by the Chair, who noted that a quorum was present and that a revised agenda for the meeting had been provided to all the members, posted online and posted in Town Hall in accordance with Freedom of Information Act requirements.

The Chair began with item 2a and 2b on the revised agenda, approval of Minutes. The Secretary had distributed a draft of the minutes of the Board’s regular meeting on December 7, 2021, and the minutes of Board’s special meeting on January 5, 2022. After review, there were no further revisions requested to the draft minutes. The Chair then moved for adoption and the minutes of both the December 7, 2021, and January 5, 2022, meetings of the Board were unanimously approved. The adopted final minutes are attached to these minutes as Exhibit A.

The Chair began with Item 4 on the revised agenda, a request for an Advisory Opinion regarding participation of RTM representatives as members of Committees which may be involved in matters in which they have a financial interest. Said request was submitted to the Board of Ethics on January 31, 2022, and acknowledged by the Chair on February 1, 2022. A discussion ensued concerning the applicability of the Code of Ethics as it related to the scope of general responsibilities an RTM representative might incur as differentiated from more specific responsibilities a representative might incur while serving as a member and/or an alternate on a Committee and/or Subcommittee charged with more targeted oversight and duties.
The Chair indicated that the Board would establish a working group to prepare a draft Advisory Opinion.

At 5:56 PM: Messrs. Kordick and Neuman left the meeting.

The Chair then moved to item 3a on the revised agenda, a review of the Temporary FOIA Rules for Electronic and Hybrid Meetings. The Chair reviewed the Board’s practices for providing access to virtual meetings for members of the public, and for providing a summary of the meeting’s proceedings in the Board’s minutes which are posted online.

[At 6:07 PM, Robert Sisca excused himself and returned at 6:08 PM.]

The Chair then moved to item 3b on the revised agenda, the Safe Harbor Policy Initiative. The Chair indicated that the Chair of the Historic District Commission reported that the Safe Harbor Policy had been circulated among Commission members and that the Policy would be adopted in approximately one week.

The Chair then moved to item 5a on the revised agenda, the 1st Selectman’s request for recommendations concerning referrals by Town entities and officers. The Chair requested that members begin reaching out to Town Departments who might have encountered this issue to learn how requests are handled and what best practices might look like. The Chair also suggested that members research state and federal government practices relating to requests for referrals.

The next item on the revised agenda was item 7, a review and preliminary investigation of reports concerning possible violations of the Code of Ethics. Under State law and the Board’s Statement of Procedures, such considerations are required to be done confidentially until the Board makes a determination that there is probable cause to believe that a violation of the Code has occurred. Accordingly, at 6:19 PM a motion to adjourn into executive session was made by the Chair and unanimously approved. At 8:13 PM the Board returned from executive session and reconvened in regular session.
The Board then established a working group consisting of Robert Sisca and Jennifer Cohen to prepare a draft Advisory Opinion, and the Chair reviewed the process of preparing and circulating a draft Advisory Opinion.

Following this discussion, there was no further business before the Board and the meeting was adjourned by unanimous consent at 8:22 P.M.

Respectfully submitted,

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Jennifer Paul Cohen
Board of Ethics, Secretary

___________________
Paul A. deBary
Board of Ethics, Chair
GREENWICH BOARD OF ETHICS
Minutes of Regular Meeting on December 7, 2021

Members Present: Paul de Bary, Chair, Jennifer Paul Cohen, Secretary, Rev. Stephanie Johnson, Robert Sisca

Members Absent: Robert Grele

Others Present: None

The meeting was called to order at 5:33 P.M. by the Chair, who noted that a quorum was present and that the agenda for the meeting had been provided to all the members, posted online and posted in Town Hall in accordance with Freedom of Information Act requirements.

The Chair had distributed a draft of the minutes of the Board’s meeting on September 14, 2021, and the Acting Secretary had distributed a draft of the minutes of Board’s meeting on November 1, 2021. After review, there were no further revisions requested to the draft minutes. The Chair then moved for adoption and the minutes of both the September 14, and November 1, 2021, meetings of the Board were unanimously approved. The adopted final minutes are attached to these minutes as Exhibit A.

The next item on the agenda was the election of the Secretary. The Chair moved that Jennifer Paul Cohen be elected as Secretary and the motion was approved unanimously. The Chair then reviewed the role of Secretary and suggested that a meeting be scheduled with the Town Clerk to review policies and procedures. The Board also discussed the updated Member Handbook distributed to members by the Chair.

The Chair then reported on the positive feedback received from the Land Use Agencies following the Chair’s presentation of Safe Harbor policies at the meeting on November 1, 2021. Feedback from the Chairs of Planning and Zoning Commission and the Historic District Commission indicates that adoption of the Safe Harbor policies will be discussed at upcoming meetings.

The next item on the agenda was consideration of reports concerning possible violations of the Code of Ethics. Under State law and the Board’s
Statement of Procedures, such considerations were required to be done confidentially until the Board makes a determination that there is probable cause to believe that a violation of the Code has occurred. Accordingly, at 6:26 PM a motion to adjourn into executive session was unanimously approved. At 6:32 PM a motion was made to leave executive session.

The Board then reviewed the next agenda item, i.e. the proposed schedule of regular meetings for 2022. Upon agreement to a schedule, the Chair proposed that the schedule be adopted and hearing no objection the motion was adopted unanimously. The meeting schedule for 2022 is attached as Exhibit B. The Chair will file the schedule with the Town Clerk prior to the first regular meeting, but in no event later than January 31st in accordance with FOIA requirements (FOIA Section 1-225)(b), SP Section 3 (A)).

Following this discussion, there was no further business before the Board and the meeting was adjourned by unanimous consent at 6:47 P.M.
GREENWICH BOARD OF ETHICS
Minutes of Special Meeting on January 5, 2022

Members Present: Paul de Bary, Chair, Jennifer Paul Cohen, Secretary, Robert Grele, Rev. Stephanie Johnson, Robert Sisca

Members Absent:

Others Present: Fred Camillo, First Selectman and ex-officio non-voting member

The meeting was called to order at 5:30 P.M. by the Chair, who noted that a quorum was present and that the agenda for the special meeting had been provided to all the members, posted online and posted in Town Hall in accordance with Freedom of Information Act requirements. This Special Meeting was held by means of electronic equipment using the Town’s Zoom license. The Chair reported that there had been no requests from members of the general republic to attend the meeting.

The Chair had distributed a draft of the minutes of the Board’s meeting on December 7, 2021. Approval of the draft minutes was deferred to the next regular meeting of the Board.

The Chair then reported on outreach efforts to Town Agencies regarding training on safe harbor policies and discussed ways in which the Board might prepare materials and presentations for such training. The Chair also noted that the updated Greenwich Board of Ethics Member Handbook will be distributed to Board members who have not already received their copies and encouraged members to continue to review and propose changes as needed. The Chair also noted the upcoming completion of the terms of two Board members, Robert Grele and Stephanie Johnson, and encouraged them to contact the Selectmen’s Nominations Advisory Committee.

The Board then turned to the next item on the agenda, i.e. a report concerning possible violations of the Code of Ethics. Under State law and the Board’s Statement of Procedures, such considerations were required to be done confidentially until the Board makes a determination that there is probable cause to
believe that a violation of the Code has occurred. Accordingly, at 5:53 PM a motion to adjourn into executive session was unanimously approved.

At 6:40 PM a motion was made to leave executive session.

The next item on the agenda was exploring the issues and the possibility of drafting an advisory opinion on outside consulting services. A discussion followed regarding Town Officers and outside employment focusing on relevant provisions of the Code of Ethics, applicable sections of the Town’s Human Resources Policy Manual, and Connecticut statutes.

The 1st Selectman requested that the Board consider making recommendations clarifying the appropriate responses that should be provided by Town officials and employees in response to inquiries regarding the services of private companies and providers. The Chair indicated that he would work with the members of the Board to develop a set of recommendations for the Selectmen to consider.

Following this discussion, there was no further business before the Board and the meeting was adjourned by unanimous consent at 7:20 P.M.
BOARD OF ETHICS OF THE TOWN OF GREENWICH
RECORD OF VOTES BY THE BOARD

DATE: FEBRUARY 2, 2022

MOTION/RESOLUTION: (1)

Vote to approve minutes for December 7, 2021, and January 5, 2022, meetings

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DATE: FEBRUARY 2, 2022

MOTION/RESOLUTION: (2)

Vote to go into Executive Session

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