

GREENWICH BOARD OF ETHICS

Minutes of Regular Meeting on June 7th, 2016

Members Present: Paul de Bary, Chair, Robert Grele, Rev. Ian Jeremiah, Secretary, John Margenot, Robert Sisca

Members Absent: None

Others Present: None

The meeting was called to order at 5:34 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 Board's meeting on April 13th, 2016, as filed with the Town Clerk.

He also noted that it would be appropriate to correct the title of the Greenwich Board of Ethics Minutes of Meeting on September 15th, 2015 that had incorrectly showed the date as September 15th, 2016. Upon motion made by Mr. Robert Grele and seconded by Mr. John Margenot, the correction was unanimously adopted.

After review of the draft April 13, 2016 minutes, there were no revisions requested to the draft minutes. Upon motion made by Mr. Robert Grele and seconded by Mr. Robert Sisca, the minutes of the April 12th, 2016 meeting of the Board were unanimously approved as attached to these minutes.

The Chair then reported on an agenda item that had been deferred at the previous meeting of April 12th, 2016 concerning certain emails that had been sent to the Board and the Chair with assertions that various unethical behavior was occurring, but that she did not have the resources or ability to file a formal Complaint about them. The sender of emails had indicated that she would once again be unable to attend the meeting and had requested a further postponement of the item till September 2016. The Chair reported that, at the time that the individual in question had requested the last postponement, he had advised her that it would be appropriate to focus her further correspondence on the question of whether the circumstances she was complaining of involved a violation of the Code of Ethics and whether her circumstances warranted the Board making an exception to its Statement of Procedures as to the requirements for a formal Complaint. In the interim, however, she had continued to send a flurry of emails to the Chair on a wide range of other concerns. The Board then reviewed the email correspondence that she had sent that either was specifically addressed to the Board or contained assertions that the Town was acting in an unethical manner.

Following the Board's thorough review and discussion, a resolution was proposed as follows:

RESOLVED, that following the Board's consideration of voluminous materials which had been sent to the Board and the Chairman by an individual, the Board hereby determines (1) that such materials do not constitute or include a formal complaint of a specific violation or violations of the Code of Ethics; (2) that such materials do not contain information that could serve as a basis for a Complaint that the Code of Ethics had been violated; and (3) that the Board has found no basis to waive the requirements of its Statement of Procedure requiring a formal complaint in connection with such submissions; and FURTHER RESOLVED that the Board hereby requests that the Chair advise this individual (a) that the Board will not consider this matter further unless or until a formal Complaint is filed and; (b) that this individual is free to file such a formal Complaint in accordance with the Board's requirements and is free to attend future meetings of the Board if she may wish to address the Board personally.

Mr. John Margenot moved the resolution. The motion was seconded by Mr. Robert Sisca and approved unanimously.

The next item to be addressed was the Contact List of the Town of Greenwich, specifically as it related to the members of the Board of Ethics, distributed by the Chair. He indicated that the list had been revised to correct a typo in the home address of one of the members.

The next item to be addressed was the Annual Reminder Letter to be circulated to all Town Officers. The Chair distributed a draft of a letter to be sent out under his name and, having received a favorable reaction from the other members, advised the Board that no further action was required to be taken by the Board in order for him to complete the letter.

Following this discussion, there was no further business before the Board and the meeting was adjourned by unanimous consent at 6:45 P.M.

GREENWICH BOARD OF ETHICS

Minutes of Meeting of April 12th, 2016

Members Present: Paul de Bary, Chair and Acting Secretary, Robert Grele, John Margenot, Rev. Ian Jeremiah

Members Absent: Robert Sisca

Others Present: None

The meeting was called to order at 5:42 P.M. by the Chair, who noted that a quorum was present. He reported that Mr. Sisca had asked him to apologize to the other members of the Board for being unable to attend the meeting. As acting Secretary, the Chair had distributed a draft of the minutes of Board's meeting on December 8th, 2015. He noted that the error with regard to the year (2016 instead of 2015) in a prior draft had been corrected. After review, there were no further revisions requested to the draft minutes.

Upon motion made by Mr. Grele and seconded by Mr. Margenot, the minutes of the December 8th, 2015 meeting of the Board were approved as attached to these minutes. Rev. Jeremiah abstained from the vote as he was not a member of the Board and had not attended the prior meeting.

The Chair then formally announced that the Selectmen had appointed Rev. Jeremiah to the Board and he was welcomed by the other members and thanked for his willingness to be of service to the Town. The Chair and other members then provided Rev. Jeremiah with a brief orientation describing the operations of the Board and providing him with the Board's Statement of Procedures, the Official Reports of the Board of Ethics and other materials to assist him in his service.

The next item on the agenda was a review of email correspondence sent to the Board via the Board's Hotline email address, copies of which had been sent to the members in their meeting materials, which had also been posted on the Board of Ethics pages on the Town website. The Chair advised that the sender of the emails had indicated that she would be unable to attend the meeting and had requested that the item be postponed until the June meeting. The Chair had agreed to postpone the item on the understanding that the sender would review the matter carefully and seek assistance in preparing a formal complaint. He had also requested the sender's consideration in allowing the Board to use their time efficiently by concentrating on matters within the Board's jurisdiction.

The Board then reviewed a draft of proposed amendments to the Code of Ethics that would authorize the Board to establish an electronic system for ethics disclosure reporting as an alternative to the existing paper filing system. The preparation of the draft had been approved by the Board at its last meeting following discussions with the 1st Selectman, the Town Attorney and the Director of Human Resources at the Board's meeting of September 15th, 2015. Following the Board's review and discussion of the draft, Mr. Grele moved that the proposed amendment, in the form attached to these minutes as Exhibit A, be submitted to the 1st Selectman for consideration as an

amendment to the Code of Ethics to be proposed to the Greenwich Representative Town Meeting. The motion was seconded by Mr. Margenot and approved unanimously.

The next item to be addressed was the election of a Secretary for the Board. Mr. Grele made a motion that Reverend Jeremiah be elected to serve as Secretary and Rev. Jeremiah indicated that he would be willing to serve as Secretary. Mr. Margenot seconded the motion. While Rev. Jeremiah abstained, the motion was unanimously adopted by all the other members.

Following this discussion, there was no further business before the Board and the meeting was adjourned by unanimous consent at 6:58 P.M.

Exhibit A

Draft Proposed Technical Amendment to Code of Ethics

Section 5 of the Code of Ethics is hereby amended to add the following additional sentences at the end thereof:

In lieu of filing reports as provided above, the Board of Ethics may permit Town Officers to submit reports regarding substantial financial interests in actions or transactions by the Town in digital format using an electronic system. Such system need not require statements to be signed under oath and may provide for the filing of reports at the time the Town Officer becomes aware of an interest (but not later than would otherwise be required under this Section). Each Town Officer using such electronic system shall be required to agree to the terms and conditions established for the use of the system by the Board of Ethics. The Board of Ethics is also authorized from time to time to evaluate the threshold for reporting provided for in this Section and to make such adjustments to the threshold as the Board of Ethics' determines in its reasonable discretion to represent a substantial financial interest at the time the adjustment is made. The Board of Ethics shall coordinate with the Town Clerk to ensure that appropriate details from reports made using any such system become part of the official records of the Town and are made reasonably available to the citizens of the Town in a manner consistent with the purposes of this Code.

**BOARD OF ETHICS OF THE TOWN OF GREENWICH
RECORD OF VOTES BY THE BOARD**

DATE: JUNE 7, 2016

MOTION/RESOLUTION: (1) TO CORRECT THE TITLE OF THE GREENWICH BOARD OF ETHICS MINUTES OF MEETING ON SEPTEMBER 15TH, 2015 THAT HAD INCORRECTLY SHOWED THE DATE AS SEPTEMBER 15TH, 2016.

Member	Yea	Nay	Abstain	Absent
Paul de Bary	X			
Robert Grele	X			
Rev. Ian Jeremiah	X			
John Margenot	X			
Robert Sisca	X			

**BOARD OF ETHICS OF THE TOWN OF GREENWICH
RECORD OF VOTES BY THE BOARD**

DATE: JUNE 7, 2016

**MOTION/RESOLUTION: (1) TO APPROVE THE MINUTES OF THE
APRIL 12TH, 2016 MEETING.**

Member	Yea	Nay	Abstain	Absent
Paul de Bary	X			
Robert Grele	X			
Rev. Ian Jeremiah	X			
John Margenot	X			
Robert Sisca	X			

**BOARD OF ETHICS OF THE TOWN OF GREENWICH
RECORD OF VOTES BY THE BOARD**

DATE: JUNE 7, 2016

MOTION/RESOLUTION: (1) THAT FOLLOWING THE BOARD'S CONSIDERATION OF VOLUMINOUS MATERIALS WHICH HAD BEEN SENT TO THE BOARD AND THE CHAIRMAN BY AN INDIVIDUAL, THE BOARD HEREBY DETERMINES (1) THAT SUCH MATERIALS DO NOT CONSTITUTE OR INCLUDE A FORMAL COMPLAINT OF A SPECIFIC VIOLATION OR VIOLATIONS OF THE CODE OF ETHICS; (2) THAT SUCH MATERIALS SENT DO NOT CONTAIN INFORMATION THAT COULD SERVE AS A BASIS FOR A COMPLAINT THAT THE CODE OF ETHICS HAD BEEN VIOLATED; AND (3) THAT THE BOARD HAS FOUND NO BASIS TO WAIVE THE REQUIREMENTS OF ITS STANDARDS OF PROCEDURE REQUIRING A FORMAL COMPLAINT IN CONNECTION WITH SUCH SUBMISSIONS: AND FURTHER RESOLVED THAT THE BOARD HEREBY REQUESTS THAT THE CHAIRMAN TO ADVISE THIS INDIVIDUAL (A) THAT THE BOARD WILL NOT CONSIDER THIS MATTER FURTHER UNLESS OR UNTIL SUCH A FORMAL COMPLAINT IS FILED AND; (B) THAT THIS INDIVIDUAL IS FREE TO FILE SUCH A FORMAL COMPLAINT IN ACCORDANCE WITH THE BOARD'S REQUIREMENTS AND IS FREE TO ATTEND FUTURE MEETINGS OF THE BOARD IF SHE MAY WISH TO ADDRESS THE BOARD PERSONALLY.

Member	Yea	Nay	Abstain	Absent
Paul de Bary	X			
Robert Grele	X			
Rev. Ian Jeremiah	X			
John Margenot	X			
Robert Sisca	X			