

Town of Newtown  
Board of Ethics  
Regular Meeting  
December 6, 2018, 7:12PM  
Newtown Municipal Center – Meeting Room #3  
3 Primrose Street, Newtown, CT

**Present:** Tim Echeverria, Jackie Villa, Glen Swanson, David Camputo, Joyce Murty, Reginald Heard, Tom Fuchs (by phone 7:30pm)

**Absent:** Maria Zanfini

**Approval of the Minutes** – R. Heard moved to approve the minutes of August 2, 2018. D. Computo seconded, motion unanimously approved.

**2019 Meeting Schedule** – J. Villa explained that last year, they added regular meetings to the schedule, but they were not special meetings. Regular meetings can be added if they are voted on more than 30 days prior. J. Murty moved to approve the 2019 meeting schedule (Attachment A), T. Echeverria seconded, motion unanimously approved.

**Annual Report** – J. Murty moved to approve the Annual report (Attachment B). D. Camputo seconded, motion unanimously approved.

#### UNFINISHED BUSINESS

*Whistleblower protection, Cooperation Clause, Timeliness Standards* – G. Swanson moved that they consider and possibly act on three additions to the Code of Ethics; Whistleblower Protection, Cooperation Clause and Timeliness Standards. G. Swanson articulated that they do not need a second for a motion, page 488 in Roberts Rules states that small boards, less than a dozen, do not need a second. After much discussion it was determined that historically they have not worked that way and will continue to operate as they have and require a second for all motions. The motion was read back by the clerk. Motion was not seconded.

G. Swanson then articulated that Roberts Rules does not allow for members to attend meetings by phone unless it is agreed upon by the board. J. Murty explained that they have operated by phone in the past and it was known before the meeting began. This is a public meeting at the location in town with a member on the phone. T. Fuchs, as the person on the phone, said he is not missing the dimension of the meeting. He hears all of the conversations that are going on and understands the content. G. Swanson clarified that this is not advice; it is a rule of the Charter to follow Roberts Rules. He then elaborated that since January they have not been following any rules; putting new business before unfinished business, having a member attend by phone and requiring a second for motions. They protect the majority, the minority, the public and provide for a consistent, predictable and fair way to conduct business.

*Liability of Board members* – This was previously discussed. The statute says as long as we act in good faith we have no personal liability.

*Anonymous complaints* – G. Swanson moved add a question to the FAQ on the town’s website concerning anonymous complaint, T. Fuchs seconded. G. Swanson provided a draft of the proposed question and answer (Attachment C). After deliberation the following answer to the questions “Can I make an anonymous complaint?” was agreed upon:

No. Ethics complaints are required to be signed by the person making the complaint and notarized. This is to discourage frivolous complaints and fulfills the Boards obligation to inform the subject of the complaint of the name of the person who filed it. The Board of Ethics also requires the person making the complaint to fully complete the Complaint Petition, including contact information, so the board may contact that person to request information for its investigation.

J. Murty moved to approve the addition of the new question and answer above to FAQ. It will be inserted after the existing number 2 and the remaining FAQ will be renumbered. T. Echeverria seconded, motion unanimously approved.

G. Swanson moved that after they review the Code of Ethic: Ethics Procedures; State Statutes, they reconsider the possibility of discussing the three proposed additions to the Code of Ethics. J. Villa explained that this motion was made earlier and was not seconded. If he would like to make this motion at a future and appropriate time, then it would be entertained.

Review Code of Ethics: Ethics Procedures; State Statutes – Not discussed

T. Echeverria moved to adjourn the meeting at 8:52pm. G. Swanson seconded, all in favor.

Respectfully submitted,  
Arlene Miles, Clerk

# Attachment A



## **TOWN OF NEWTOWN**

### **BOARD OF ETHICS**

#### **Regular Meeting Schedule 2019**

*Meetings will be held at 7pm in Shared Meeting Room 3  
Municipal Building, 3 Primrose Street, Newtown, CT*

February 7

April 4

June 6

August 1

October 3

December 5



## **TOWN OF NEWTOWN**

### **BOARD OF ETHICS**

**Annual Report July 1, 2017 – June 30, 2018**

1. During the fiscal year, July 1, 2017 through June 30, 2018, the Board of Ethics received no complaints that were handled in public.
2. The Board of Ethics consists of six (6) regular members and two (2) alternates. All eight (8) positions are currently filled. The three regular seats designated for Republican members are each held by Republican members. The three regular seats designated for Democrat members are held by one (D) Democrat and two (U) Unaffiliated members. The two alternate seats designated for one Republican and one Democrat are each held by (U) unaffiliated members.
3. The Board of Ethics is charged with the administration of the Code of Ethics, and will receive and investigate any complaints of violations of the Code of Ethics.

**Jacqueline Villa, Chairman  
Board of Ethics  
Town of Newtown**

# Attachment C

## Proposed Draft of New FAQ

### **Can I make an anonymous complaint?**

No. The Town Charter requires that an ethics complaint be signed by the person making the complaint. This is to discourage frivolous complaints and to comply with the Charter's second requirement, that the person whose conduct is the subject of the complaint be told the name of the person who filed it. The Board of Ethics also requires the person making the complaint to sign the Complaint Petition and provide contact information. This is so the Board can contact that person to request information for its investigation.