

BOARD OF ETHICS MINUTES OF MEETING OF JULY 31, 2019

The meeting of the Board of Ethics was held at the S.B. Church Memorial Town Hall, Oxford, CT.

Members Present: David VerNooy, Chairman; William Lieder, Vice Chairman; Ben Blue, Paul Schreiber and Mary Androski. Absent - Laura DiLeo

Chairman David VerNooy called the meeting to order at 7:05 pm.

1. OLD BUSINESS

The Chairman welcomed everyone and stated we had reviewed Attorney Dominick Thomas' letter at the last meeting of July 9, 2019.

Attorney Thomas was present to talk about 2 issues; the first issue is whether a moderator is an official as per the definitions in the Oxford Code of Ethics, and the second issue is if the Complaint is filed by the person or persons grieved by the alleged actions of the moderator.

The Chairman explained to the audience the role of the board and asked Attorney Thomas to make his presentation in response to the Complaint on behalf of the Respondent.

Atty Thomas discussed and explained his client's position and answered questions from the Board. He stated that a moderator is not a town official. A discussion followed concerning the definition of an official with the Board and the audience. Atty Thomas' position was that an official is sworn in by the Town Clerk as to his or her duties and then becomes a town official. A moderator is not sworn in and was only voted upon by those attending the town meeting and therefore not an official.

After discussion of the distinction between a moderator and a town official a motion was made by Mary Androski to state that the Board of Ethics does not have jurisdiction for an ethic's violation of a moderator. The motion was denied by a vote of 3 to 2.

The second issue of where the Complaint filed by the two individuals are the proper parties, since the complaint stated someone from the audience sought a hand vote. Atty Thomas presented his argument and audience members also expressed their respective views and some made comments about being present at the town meeting.

A motion was made by Mr. Schreiber that the Complaint filed by the two individuals deserves to be acted upon and it was seconded by Mr. Blue. The vote was 4 approved and 1 decent.

There was a discussion as to whether actions by the moderator concerning Roberts' Rules of Order is that a violation of Oxford Code Section 2.2.2.

The next discussion was about Paragraph 2 in the Complaint which concerns alleged misconduct by the respondent and her statements about counsel's interpretation and advice of the procedures to be followed.

Mr. Schreiber spoke about the possibility of the town hiring a professional moderator to conduct the town meeting and not a volunteer. The Chairman spoke about Robert's Rules of Order and the distinction between legal advice and overruling Robert's Rules of Order.

A motion was made by Paul Schreiber, seconded by Mr. Lieder that the Respondent did not violate Code Sections 2 2.2 of the Code of Ethics of the Town of Oxford, it was seconded by Mary Androski. The motion was approved by a vote of 3 to 2.

The chairman stated he would send out a letter to the Selectman, the Parties and the Board.

NEW BUSINESS

No new Business

A motion to adjourn was made at 9:45 pm by Mr. Lieder seconded by Mr. Blue, the motion passed by vote of 5-0.

Respectfully submitted for approval,

Mary B. Androski, Secretary

19 AUG - 1 PM 4:48
TOWN OF OXFORD, CT
TOWN CLERK
Mary B. Androski