

## COUNCIL ON ETHICS

### Minutes

of the December 10, 2008 Meeting held at the Church Complex at 36 New Canaan Road.

**Present:** Virginia Benin, Julie Higgins, Stephen Hudspeth, John Ingersoll, Peter Kaskell.

Steve Hudspeth opened the meeting at 11:00 a.m., and the agenda for the meeting was unanimously adopted.

Julie Higgins was welcomed to the Council to serve for one year, filling out the term of Howard Friedman who resigned because of his relocation to Chicago. She is eligible for appointment again next year at this time to a full three-year term. John Ingersoll was thanked for agreeing to accept appointment by the Board of Selectmen to a full three-year term.

Mr. Hudspeth asked for nominations for the officer position of Secretary of the Council. Julie Higgins was thereupon nominated, her nomination was seconded, and she was unanimously elected to the position of Secretary.

A general discussion took place that encompassed an introduction of Mrs. Higgins to the work of the Council, including the recent action taking on a request for an advisory opinion, and to advise her of the Council's resolution adopted at its September 19, 2007 meeting that no member of the Council shall give oral advice to any person asking questions about the Code except to direct them to the relevant provisions of the Code, including the sample forms; all requests that require interpretation or rulings must be presented to the Council as a whole in writing for decision and action. Peter Kaskell drew specific attention to the amendment to the Code occasioned by the points made after its enactment by certain unionized employees of the Town that it is unfair that they be covered by multiple partially overlapping codes. Consequently, an amendment was enacted on March 3, 2008 to the definition of "Employee" found in Section B-1 of the Code to exclude unionized employees provided that they are covered by a code at least as strict as the Code that also provides for the making and adjudication of citizens' complaints. It was noted that the Police Department has such a code and that the Fire Department and Board of Education are working on ones of their own to meet this requirement. It was also noted that unionized officers of the Police Department extend only up to the grade of sergeant and that therefore lieutenants, captains and the Chief of Police as well as the members of the Police Commission are all subject to the Code. There was also a brief discussion of the main points raised at the public meeting held by the Charter Commission on the previous evening to which members of the Council, as well as the general public, were invited.

It was agreed that the next scheduled meeting of the Council shall take place on a date to be selected by agreement among the members during the month of April, 2009 at the Church Complex at 36 New Canaan Road, unless events before then require a meeting sooner. There being no further business, the meeting was adjourned at 11:40 a.m.

Dated: December 11, 2008

Respectfully submitted,

Stephen Hudspeth, Chair