

The Board of Ethics, ("Board") held a meeting on August 15, 2017 at Bolton Town Hall. In attendance were: Chairman Robert Lessard, Timothy Johnston, Richard Tuthill, Richard Hayes and Administrative Officer Joyce M. Stille. Members Paul Edelen and Trace Malucci were not in attendance.

1. Call to Order: R. Lessard called the meeting to order at 7:02 p.m.
2. Public Comments: None.
3. Approval of Minutes: The Agenda for tonight's meeting incorrectly stated the date of the last Board of Ethics Minutes. The correct date of the minutes is June 20, 2017, not June 15, 2017 as stated on the Agenda.

A Motion was made by R. Hayes, seconded by T. Johnston, to approve the June 20, 2017 meeting minutes with the date of June 20, 2017. Motion unanimously passed.

4. Correspondence: A letter was received by an individual expressing a concern of unfair treatment by a Planning and Zoning Commission member from 2 ½ years ago. Since this occurred before the town's ordinance was in effect, there is nothing the Board can do. Chairman Lessard responded in writing to this individual indicating the same information.

5. Unfinished Business:

Consider and act on Draft Board Rules and Regulations: R. Hayes asked for clarification of language in Paragraph 3 on Page 4. Correction was made to add the words "that the" between "cause and alleged" in line 3 of said paragraph.

R. Tuthill stated that there needs to be language added to the Rules and Regulations indicating that the public will be given notice of an unethical finding. There will be no public record made if there is no violation found from a complaint. If there is an ethical violation found, the finding will become part of the public record from the Board. T. Johnston stated that the Board's job is to produce to the Board of Selectmen or Board of Education whether a violation exists. T. Johnston read language from the ordinance stating that it is up to the Board of Selectmen or Board of Education to determine the action taken. R. Tuthill felt strongly that the Board makes a decision on violations and actions. T. Johnston and R. Hayes disagreed in that if a violation occurs, the Board is only in an advisory role as to any actions taken. T. Johnston stated that the Board's recommendation should be the public document.

J. Stille stated that Item 13 of Page 6 & 7 will need to be revised based on this discussion. The first sentence remains the same. In the second sentence, after "as the case may be", this new language was added, " If a finding of a violation exists, the Findings of Fact may include a recommendation for action by the Board of Selectmen or Board of Education. The recommended action may include: a) Reprimand; b) Publicly censure; c) Restitution from any pecuniary benefit received because of the violation."

R. Tuthill stated that the Board's findings will need to be in the meeting minutes as well. T. Johnston stated that in the case of a finding of no violation, it will not be mentioned.

T. Johnston stated that there needs to be some wording in the meeting minutes that states a complaint was received. It will be assigned a number but no details will be stated in the minutes.

R. Lessard asked R. Tuthill exactly how much detail did he think needed to be in the minutes. R. Tuthill reiterated that a non-finding will not be detailed but a finding of a violation will be made public.

R. Hayes stated that the rules need to be made by this commission but that they set forth guidelines and a pattern is established for future board members.

A Motion was made by R. Hayes that the Board of Ethics Rules and Procedures with the following amendments on Page 4 and Page 6 & 7, Item #13 be approved. Seconded by T. Johnston. Discussion followed.

An amendment to the Motion was made by R. Tuthill, to include that all meeting minutes of the Board shall be posted on the Town's website and shall include complaints, docket number assigned, resolution of each docket number with detail of a finding of violation or non-violation; for a violation, details to include persons involved, recommended action and Board to which it was referred. R. Lessard seconded. Motion failed. (1 yes, R. Tuthill and 3 no: R. Hayes, R. Lessard and T. Johnston).

Mr. Lessard called for a vote on the original motion. Motion passed. (3 yes, R. Hayes, R. Lessard and T. Johnston; 1 no, R. Tuthill)

6. Adjournment: A Motion was made by T. Johnston to adjourn the meeting at 7:50 p.m. Seconded by R. Hayes. Motion unanimously passed.

Respectfully submitted,



Joanne M. Castonguay
Board Clerk

Please see minutes of subsequent meetings for approval of these minutes and any corrections hereto.