

BOARD OF ETHICS

The Board of Ethics held a special meeting on January 13, 2010 at 7:00 p.m. which was called to order by Chairperson Tom Fitzpatrick in the Town Manager's Conference Room at 505 Silas Deane Highway, Wethersfield, CT.

Present from the Board: Tom Fitzpatrick, Heidi Lane, Mark Dean and alternate Board members John Lepper and Lorinda Coon.
Attorney for the Board – Attorney Andy Houlding

Present for the Respondents – Attorney Elliott Gersten for Respondent 1 and Attorney Ray Hassett for Respondent 2.

The Chair called the meeting to order and a motion was made and seconded to adjourn the meeting to go into executive session for legal and procedural advice. The motion passed 5-0.

The Board went into executive session at 7:05 and reconvened.

Attorney Hassett stated that the Complainants are only asking for an investigation. The Board does not have the authority to investigate complaints. The Board of Education has the authority to investigate, not the Board of Ethics. He discussed his client's Motion to Dismiss. Attorney Gersten stated that after a full hearing, the Board would find that there is no violation. He further stated that the information provided by the Complainants is protected by the federal law protecting students' identities (FERPA). He questioned how the hearing would be able to go forward if it is based on records illegally obtained. His client joins in the Motion to Dismiss.

The Board of Ethics went back into executive session at 7:50 and reconvened at 8:10. The Chair explained that the Board had voted to proceed to a hearing for each Respondent. The Motion to Dismiss was denied and the Board found that there was probable cause to convene a hearing on the allegations in the complaint dated December 17, 2009, alleging violations of Section 10-66 of the Town Code.

A hearing has been scheduled for February 25, 2010 at 7:00 at a place to be determined.

Submitted this 19th day of January 2010.

By Heidi Lane, Secretary