



## TOWN OF HAMDEN Board of Ethics

*Draft/Unapproved 01 23 2023*

**Meeting Recording:**

<https://us06web.zoom.us/rec/share/MDqM0aP3fz23ETHpSJcHW3b3M5FS-owmdpXhRo-ySkmXVR4GP379up7klzOVnkK4.nAqT7dNrkJZGTUu4>

Passcode: b53?A8+Z

**Minutes: The Board of Ethics, Town of Hamden held a special meeting at 7:00 p.m. on Tuesday, January 10, 2023, via virtual Zoom; the following issues were discussed:**

**Attending:** Philip Kent, Chair; Jean Larson; Ann Pari; Lynda Rosenfeld; Ellen Rosenthal; and Edward Simon. Also in attendance: Susan Gruen, Town Attorney; and Patrice LeMoine, Clerk for the Board.

- 1. Call to order:** Mr. Kent called the meeting to order at 7:04 p.m. Roll call was held and for the record, a quorum was present.
- 2. Approval of Minutes:** Chairman Kent requested a motion to approve the minutes of the December meeting. Ms. Larson motioned to approve the minutes of the regular meeting on December 6, 2022, and was seconded by Ms. Rosenthal. The chair called for a vote:

|           |     |              |     |
|-----------|-----|--------------|-----|
| P. Kent   | aye | L. Rosenfeld | aye |
| J. Larson | aye | E. Rosenthal | aye |
| A. Pari   | aye | E. Simon     | aye |

The vote passed.

- 3. Correspondence:** Earlier this evening, the BofE received an email from Ms. Alexa Panayotakis, Deputy Chief of Staff, with a link to the Town's webpage which reflects some of the rules and procedures for complaints or inquiries addressed to the Board. The Board discussed the documents that need updating and posting to the BofE webpage. Mr. Simon and Ms. Larson will review the documents with Ms. LeMoine, who will update the forms and documents and forward them to Ms. Panayotakis for posting.

Mr. Kent noted for the record, he received an inquiry for an opinion. This inquiry will be discussed in executive session this evening.

The 2023 meeting schedule was updated to reflect changes from the new town charter. Everyone agreed with the amended schedule (Attachment A).

**4. New Business:**

- a. Report on inquiries re: advisory opinions/potential complaints – As Mr. Kent noted, we received an inquiry for an opinion.
- b. Charter Commission meeting updates – The revised Town Charter was passed by the Legislative Council and voted at the last mayoral election by the town’s voters. Attorney Gruen noted a few changes from the Charter that affect the boards and commissions.

**5. Old Business:**

- a. Continued discussion on updating Procedures and Requirements – Mr. Simon presented a draft of the BofE document about procedures. Ms. Larson noted the issues regarding the form and opinion being public. The Board addressed the matter with Attorney Gruen and noted the complaint shall remain confidential, but when the matter won’t be held confidential.
- b. Discussion regarding the status of code revisions, forms and website changes/revision – as discussed earlier, Ms. Larson and Mr. Simon will review the final documents and Ms. LeMoine will present them to the Deputy Chief of Staff for posting.

**6. Confidential Session, pursuant to Connecticut General Statutes §1-82a and §7-148h:**

Mr. Kent requested a motion for the Board to go into confidential session.

At 7:36 p.m. Mr. Kent requested a motion to go into confidential session. Ms. Larson motioned to go into confidential session and Dr. Rosenfeld seconded. The chair called for a vote:

|           |     |              |     |
|-----------|-----|--------------|-----|
| P. Kent   | aye | L. Rosenfeld | aye |
| J. Larson | aye | E. Rosenthal | aye |
| A. Pari   | aye | E. Simon     | aye |

The vote passed.

At this time, Ms. LeMoine assigned Mr. Simon as co-hosts and all members of the Board were sent to “unrecorded-workroom #1” and Ms. LeMoine withdrew from the meeting. At 8:19 p.m. Ms. LeMoine and the Board returned to the meeting room.

At this same time Chairman Kent entertained a motion to end the confidential session. A **motion** was made by Ms. Larson and seconded by Ms. Rosenthal to end the confidential session. The chair called for a vote:

**Commented [SG1]:** I think this refers to your discussion about requests for advisory opinions and when the request and opinion become public. If that is correct, the minutes should be amended to reflect this.

**Commented [PK2R1]:** I believe there was a discussion of both opinions and complaints so that the minutes should state at 5a: "Continued discussion on updating Procedures and Requirements – Mr. Simon presented a draft of the BofE document about procedures. Ms. Larson noted issues regarding the form and there was discussion concerning when and whether complaints and requests for advisory opinions are or become public. The Board addressed the matter with Attorney Gruen. Complaints remain confidential prior to a finding of probable cause, unless the Respondent requests otherwise. Opinion requests are public and final opinions are public. Draft opinions are typically discussed confidentially in executive session although the vote to adopt a final opinion is publicly held." Sue and others please confirm.

**Commented [SG3]:** The reason is incorrect and even if it was the correct reason, this was a confidential session and that is all you state.

**Commented [PK4R3]:** Agreed.

**Commented [SG5]:** Dr. Rosenfeld

**Commented [PK6R5]:** Correct.

|           |     |              |     |
|-----------|-----|--------------|-----|
| P. Kent   | aye | L. Rosenfeld | aye |
| J. Larson | aye | E. Rosenthal | aye |
| A. Pari   | aye | E. Simon     | aye |

The vote passed.

7. **Executive Session:** At this time, Mr. Kent requested to go into executive session for the purpose of discussing the draft advisory opinion #2023-01. At 8:21 p.m. Ms. Larson motioned to go into executive session and was seconded by Ms. Rosenthal.

The chair called for a vote:

|           |     |              |     |
|-----------|-----|--------------|-----|
| P. Kent   | aye | L. Rosenfeld | aye |
| J. Larson | aye | E. Rosenthal | aye |
| A. Pari   | aye | E. Simon     | aye |

The vote passed.

At 8:48 p.m. everyone returned to the regular meeting room and Mr. Kent requested a motion to end executive session. At this time, Mr. Simon motioned to come out of executive session and Ms. Pari seconded. Mr. Kent then called for a vote.

The chair called for a vote:

|           |     |              |     |
|-----------|-----|--------------|-----|
| P. Kent   | aye | L. Rosenfeld | aye |
| J. Larson | aye | E. Rosenthal | aye |
| A. Pari   | aye | E. Simon     | aye |

The vote passed.

**Motion:** Mr. Kent requested a motion to adopt the following:

A motion to accept the advisory opinion (#2023-01) re. Intradepartmental Nepotism and approve as final, having duly considered the Town Charter rev. 2022) and the Code of Ethics. .

Mr. Simon made a motion to adopt the Board’s Advisory Opinion #2023-01 as prepared. Dr. Rosenfeld seconded the motion. The chair called for a vote:

|           |     |              |     |
|-----------|-----|--------------|-----|
| P. Kent   | aye | L. Rosenfeld | aye |
| J. Larson | aye | E. Rosenthal | aye |
| A. Pari   | aye | E. Simon     | aye |

The vote passed.

Commented [SG7]: Dr. Rosenfeld

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With no further discussion, Mr. Kent requested a motion to adjourn.

- 8. Adjournment:** At 8:55 p.m. Ms. Rosenthal moved to adjourn and was seconded by Ms. Larson. The motion passed.

Submitted by:

*s/ Patrice A. LeMoine*  
Clerk for the Board of Ethics

Town of Hamden, Board of Ethics  
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## *Board of Ethics*

### *Attachment A*

October 13, 2022  
*(Revised 12 29 2022)*

Town of Hamden  
Attention: Karimah Mickens, Town Clerk  
2750 Dixwell Avenue  
Hamden, Connecticut 06518

Dear Karimah:

For 2023, the Board of Ethics will hold meetings virtually until further notice, or in the Town Attorney's conference room, located in the lower level of Government Center, at the discretion of the Board. The meetings will be held every month on the second Tuesday at **7:00 p.m.** as follows:

|                  |              |
|------------------|--------------|
| January 10, 2023 | July 11      |
| February 15*     | August 8     |
| March 14         | September 12 |
| April 11         | October 17*  |
| May 9            | November 14  |
| June 13          | December 19* |

Respectfully submitted,

Patrice A. LeMoine  
Clerk for the Board of Ethics

/pal

\*accommodates a conflict

*Revised (12 29 2022); due to Town Charter*