

City of Stamford Board of Ethics  
Public Meeting  
Stamford Government Center  
7 October 2013  
Draft Minutes

Present:

Cheryl Bader, chair  
Clarence Grebey III, secretary  
Allan Lang, member  
John Martelli, member  
Dan Sanchez, member  
Sarah Summons, member  
Joseph Tarzia, complainant  
Mary Lou Rinaldi, defendant  
Jim Sconzo, counsel for Ms. Rinaldi  
Joanna Gwozdzowski, zoning commission

The meeting was called to order by Chairman Bader at 7:35pm.

1. Approval of minutes of 19 August 2013 administrative meeting

A motion to approve the minutes was made, seconded, and carried unanimously to approve the minutes as submitted.

2. Request for Advisory Opinion

Ms. Joanna Gwozdzowski appeared before the Board seeking an advisory opinion as to any potential Code of Ethics conflicts regarding her acceptance of seasonal employment in the office of the Registrar of Voters. Ms. Gwozdzowski currently holds a seat as an alternate on the City Zoning Commission.

Discussion ensued, specifically with regard to any conflict of interest under Section 19-(4) of the City Code of Ethics.

A motion was made, seconded, and carried unanimously, that on initial review, no such conflict exists. The Board agreed to prepare a written advisory for Ms. Gwozdzowski, which will first be circulated to Board Members for review and signature.

### 3. Complaint – Tarzia against Rinaldi

Chairman Bader provided an overview of the procedure for hearing the complaint filed by Mr. Tarzia alleging violation of Code of Ethics Sec. 19-8, prohibited use of influence or information and Code Sec. 19-5, prohibited interests. The Investigative Panel of the Board found Probable Cause in its initial review of these allegations which occurred in March 2010.

Discussion ensued among board members regarding hearing procedure and a query was made to the Investigative Panel as to whether its notice of probable cause met the requirements of a “report” to the Board as mandated by City Ordinance. Panel members noted that the format probable cause notice was submitted based on counsel from Attorney Tom Cassone, who had been hired as legal counsel to the Investigative Panel by the City’s Legal Department.

Mr. Tarzia, representing himself made a statement and stated that it is his understanding that the Hearing Panel must subpoena witnesses based on the report of the Investigative Panel.

Attorney Sconzo, representing Ms. Rinaldi made a statement on her behalf. He noted disagreement with the counsel of Attorney Cassone and asserted that a full report by the Investigative Panel is required to satisfy due process for his client and to mount an adequate defense.

Attorney Sconzo raised two jurisdictional issues:

- a) The Investigative Panel did not meet the 60-day deadline for consideration of the complaint as mandated by City ordinance.

Mr. Sanchez, speaking on behalf of the Investigative Panel noted that the panel had voted unanimously (three panel members and Chairman Bader) and subsequently filed to extend the 60-day deadline in a timely manner on May 28, 2013 per Sec. 19-4(d-4) of the Code of Ethics, and notified both Mr. Tarzia and Attorney Sconzo of the filing. Therefore, there is no jurisdictional issue regarding the 60-day timeframe

- b) Attorney Sconzo stated that the complaint is time-barred as the initial allegation of violations occurred beyond the 3-year statute of limitation.

A lengthy discussion among the Board, Attorney Sconzo, and Mr. Tarzia followed regarding whether the complaint regards actions by Ms. Rinaldi that subsequent to the initial alleged violation and not beyond the statute of limitations, or did the alleged violation occur at the date which is beyond the statute of limitations.

A motion was made and seconded to postpone further discussion and to seek counsel from the City Law Department. The Chair ruled that a vote was not necessary on the motion and suspended further discussion pending the retention of legal counsel from the City.

### 4. New Business

No new business was discussed

The motion was made, seconded, and carried, unanimously, to adjourn the meeting at 9:00pm.

Respectfully Submitted

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Clarence Grebey III, Secretary