

City of Stamford Board of Ethics
Public Meeting
Stamford Government Center
November 4, 2013
Draft Minutes

APPROVED

approved 3/26/14

Present:

Cheryl Bader, chair
Clarence Grebey III, secretary
Allan Lang, member
Sheldon Levine, member
Daniel Sanchez, member
Sarah Summons, member
Joseph Tarzia, complainant
Mary Lou Rinaldi, defendant
Jim Sconzo, counsel for Ms. Rinaldi
Michael Toma, corporation counsel

The meeting was called to order by Chairman Bader at 7:10pm.

1. Approval of minutes of 7 October 2013 administrative meeting

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

2. Approval of Advisory Opinion for Ms. Joanna Gwozdzowski

Subsequent to the Board's consideration of an advisory opinion requested by Ms. Joanna Gwozdzowski at the 7 October administrative meeting, a written opinion was drafted and presented to the Board for approval and/or amendment.

A motion was made, seconded, and carried unanimously, to approve the written advisory. Copies of the Advisory Opinion will be filed with the office of the Town Clerk and sent to Ms. Gwozdzowski.

3. Complaint – Tarzia against Rinaldi

Board member Sanchez, representing the Investigative Panel notified the full Board of a Stipulation Agreement in this complaint. He then read the full Stipulated Agreement to the Board.

Mr. Sanchez noted that under new ordinances approved by the Board of Representatives, an Investigative Panel has three options when considering a complaint:

- a) Confidential consideration of a complaint which could result in a finding of probably cause; dismissal; or a confidential Stipulated Agreement;
- b) A public, post-Probable Cause Stipulated Agreement
- c) A public hearing and determination by a Hearing Panel of the Board to determine if a violation of the City's Code of Ethics has occurred and recommended reprimand or sanctions.

Mr. Sanchez stated that for reasons legal and practical, it was important for this complaint to be brought to light in a public forum. The facts of the complaint were presented to the Board in a public hearing and covered in the local media. However, pursuing a hearing on the matter would entail extraordinary legal costs as a result of the Constitutional challenges and complex and novel legal questions involved. Therefore, the Investigative Panel, the Respondent, and the Complainant determined that a Stipulated Agreement was in the best interest of the City and the involved parties.

Attorney Sconzo, counsel to Ms. Rinaldi, addressed the Board, noting that a public hearing would be extensive and would include novel legal issues. He noted that under the Stipulation Agreement, Ms. Rinaldi does not admit any liability or fault, but she recognizes that it is in the interest of the City not to incur the extensive legal costs and resources a public hearing would require.

Mr. Tarzia addressed the Board and noted that he would have welcomed a public hearing but that he too is aware of the potential for high legal costs and therefore accepts the recommendations of the Investigative Panel.

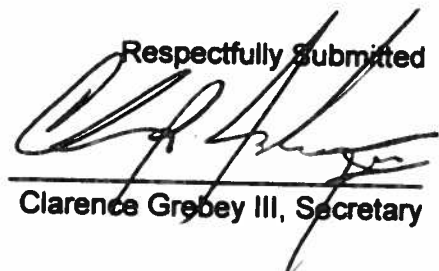
A motion was made by a member of the Hearing Panel and seconded. There was no additional discussion and the Hearing Panel approved the Stipulated Agreement by a vote of 3 to 0, with 1 member absent. Chair Baden then signed the Agreement, which will be filed with the office of the Town Clerk.

4. New Business

No new business was discussed

The motion was made, seconded, and carried, unanimously, to adjourn the meeting at 7:30pm.

Respectfully Submitted



Clarence Grebey III, Secretary