

CITY OF STAMFORD
Board of Ethics
Stamford Government Center
(Meeting held virtually via Zoom)
May 19, 2021

Present Members:

Allan Lang, Chair
Thomas Hynes, Vice-Chair
Myrna Sessa, Member
Monica Smyth, Member
Christine Dzujna, Member
Benjamin Folkinshteyn, Member
Fred Springer, Alternate
Kevin Quinn, Alternate

Other:

Stephen Conover, Counsel
Kimberly Hawreluk, Human Resources Processing Technician
Jonathan Jacobson, Board of Representatives Member

The meeting was called to order by Chair Lang at 7:03 p.m.

1. Mr. Lang moved to accept the minutes of the April 21, 2021 Meeting of the Board of Ethics ("BOE"). Subject to a change Mr. Hynes suggested in section 2 regarding the commencement of a public hearing on the Jacobson matter, Mr. Springer seconded the motion to accept the minutes, all others in favor. Motion passed.
2. Mr. Lang addressed the draft advisory opinion prepared for Jonathan Jacobson, a Board of Representatives ("BOR") member. Discussion ensued about the correct interpretation of section 19-14 D(2)(b) of the Code of Ethics ("Code") on maintaining the confidentiality of a complaint. Mr. Conover advised that a constitutional interpretation that would be less restrictive on citizenry regarding confidentiality could be taken, or an approach could be taken that would allow the BOE to prohibit the continuation of frivolous or non-compliant complaints during a complaint's investigative phase.

Under a strict interpretation of the Code, the BOE agreed that confidentiality should be maintained through the investigative phase and once a probable cause finding is reached, however, the spirit of the code indicates that one might wait until the public hearing on a probable cause finding has commenced.

The draft advisory opinion will be amended to include a quote the entirety of 19-14 D(2)(b), and to amend the subsequent paragraph as follows: *“Based on the above reading of the Code, it is the considered opinion of the BOE that a complainant is released from the requirement of confidentiality once the investigating committee has filed its finding of probable cause.”*

Subject to the revisions suggested above, a motion to accept the advisory opinion was made by Mr. Lang, seconded by Ms. Smyth, all others in favor. Motion passed.

3. Mr. Lang addressed the draft advisory opinion prepared for Sandra Dennies, the City’s Director of Administration. Discussion ensued about revisions needed in order make certain sections of the draft opinion clearer, and Ms. Smyth will revise the opinion. Subject to the suggested revisions, a motion to accept the advisory opinion was made by Mr. Lang, Mr. Springer seconded, all others in favor. Motion passed.
4. Mr. Lang informed the BOE that the BOR committee working on revisions to the Code invited us to attend their meeting on June 2 to offer feedback. Discussion ensued as to how to provide the BOE’s revision feedback to that committee and it was decided that we need not attend their meeting but can submit our comments in writing.

Any BOE member who has not submitted comments and revisions will do so in the next 48 hours to Mr. Conover who will then distill all BOE members’ comments and send them back to the full BOE for review. The BOE will hold a special meeting to discuss the collective feedback on June 1 before Mr. Lang submits the comments to the BOR committee.

5. Mr. Springer moved to adjourn the meeting, Ms. Smyth seconded, all others in favor. Motion passed. At 8:37 p.m. the meeting was adjourned.

Respectfully submitted,

Christine Dzujna, Secretary