

TOWN OF SOUTHBURY ETHICS COMMISSION

COMPLAINT #11-002

STIPULATION OF FACTS

The Board of Selectmen for the Town of Southbury hereby stipulates to the following facts with regard to Ethics Complaint No. 11-002:

1. Section D of the existing Town of Southbury Code of Ethics/Conflict of Interest Ordinance (approved March 18, 2010) states in part as follows:

If a formal written complaint is made to the Board of Selectmen that any Town officer, employee, or member of any Town board or commission has an undisclosed conflict of interest, the Board of Selectmen shall record the claim in its minutes.
2. On or about August 10, 2011, town resident Franz Pielmeir (hereinafter, "Complainant") submitted an ethics complaint to the Ethics Commission of the Town of Southbury alleging a violation of the Town's Code of Ethics/Conflict of Interest Ordinance.
3. Said complaint was received by the then First Selectman's office and most likely was filed in one of several large boxes of correspondence previously received by the Town from the Complainant.
4. There is no indication that at the time said Complaint was distributed to members of the Board of Selectmen. Said Complaint was not noticed at any Board of Selectmen meeting.
5. The Complainant received no response from the Board of Selectmen in regard to said complaint.
6. On or about October 17, 2011, the Complainant addressed a letter to the Board of Selectmen questioning its lack of response to the August 10 correspondence.
7. There is no indication that the October 17 letter was distributed to members of the Board of Selectmen. This follow up letter was not noticed at any Board of Selectmen meeting.

CONCLUSION

The Board of Selectmen, through the actions of the then First Selectman's office, violated Section D of the then existing Code of Ethics/Conflict of Interest Ordinance when it failed to acknowledge or otherwise consider the Complaint referenced in Paragraphs 2 and 6 above.

RESOLUTION

The Board of Selectmen hereby agrees to the following resolution of Ethics Complaint #11-002:

The Board of Selectmen will comply with its procedural obligations under Section D of the existing Code of Ethics/Conflict of Interest Ordinance.

FOR THE BOARD OF SELECTMEN



Ed Edelson, First Selectman

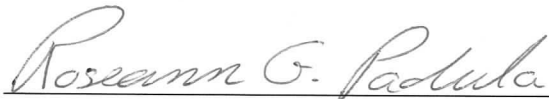
9-24-12

Date

The above Stipulated Facts, Conclusion and Resolution are hereby adopted by the Town of Southbury Ethics Commission.

It is worth noting that the substance of the Complaint referenced in Paragraphs 2 and 6 above has since been the subject of an investigation by the Town of Southbury Ethics Commission established by the Board of Selectmen in November 2011. (See, Ethics Complaint #11-001.)

FOR THE TOWN OF SOUTHBURY ETHICS COMMISSION



Roseann G. Padula, Chair

9-24-12

Date