

## Town of Southbury Ethics Commission

### Complaint #14-004

### Stipulation of Facts

Mr. John Geheran an appointed member of the Town of Southbury EDC (Economic Development Commission), appointed member and chairman of the Town of Southbury Blight Committee and appointed alternate member of the Town of Southbury Board of Finance hereby stipulates to the following facts with regards to Ethics Complaint #14-004:

1. Section L, Sub-Section 2 of the existing Town of Southbury Code of Ethics/Conflict of Interest Ordinance (Effective on 12/1/2012) states in part as follows:

"Except as otherwise provided in the Charter or by Ordinance, the First Selectman, the Selectman, the Town Clerk, member of the Board of Finance, and members of the Ethics Commission shall hold no other Town office, and the provisions of Section 9-210 of the General Statutes concerning incompatible Town offices shall apply to the officers described within. "

2. On or about April 17, 2014, three town residents; Thomas Pietrini, Paul von Hardenberg, and Frank Cavallo (hereinafter, "Complainants") 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. Mr. Geheran is currently an appointed member of the Southbury EDC, is an appointed member and chairman of the Town of Southbury Blight Committee and also holds the appointed position of alternate member on the Town of Southbury Board of Finance.

### Conclusion

The complaint received by the Ethics Commission about Mr. John Geheran alleged the following:

1. That there is a material Conflict of Interest of a financial nature by being a member of the Blight Committee and working in the real estate business in the Town of Southbury. Sections B, C, D, E, and F of the Code of Ethics apply to this concern.
2. That there is a material Conflict of Interest of a personal nature by being the listing real estate agent for First Selectman Ed Edelson's home while making decisions as a member of the Blight Committee and as an Alternate Member of the Board of Finance. Sections B, C, D, E, and F of the Code of Ethics Code apply to this concern.
3. That he violated Section L, sub-section 2 of the Code of Ethics during the year 2014 by serving in concurrent incompatible offices, namely serving on the Blight Committee, the EDC (Economic Development Commission) and as an alternate member of the Board of Finance all at the same time.

After an investigation, the Ethics Commission has found no probable cause with respect to items 1 and 2 of the complaint and we do not believe that Mr. Geheran has a conflict of interest just because he is working in the real estate business. The Ethics Commission also found no probable cause for a conflict of interest of a

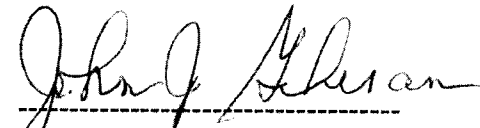
personal nature because First Selectman Ed Edelson has listed his home with Mr. Geheran as his real estate agent.


The Ethic commission did find probable cause and believes there is a violation as it relates to item 3; Mr. Geheran is an alternate member of the Board of Finance and is also a member and chairman of the Blight Committee and is also a member of the EDC. Because he is an alternate member of the Board of Finance, Mr. Geheran should not hold any other "Town office" as indicated in Section L, sub-section 2 of the Code of Ethics. The Ethics Commission interprets "Town office" to mean any elected or non-elected membership role on a commission, board or committee as it relates to this section.

Resolution

The Ethics Commission's recommendation is that Mr. Geheran should resign from his position as an alternate member of the Board of Finance or from the other committees and commissions that he belongs to. If he resigns from his position on the Board of Finance, this would permit him to be free to remain as a member (and chairman) of the Blight Committee and as a member of any other committee, commission, or board, including the EDC.

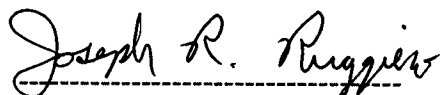
FOR JOHN GEHERAN, COMPLAINANT

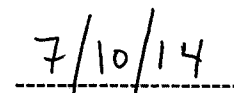
  
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John Geheran

  
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Date

FOR THE TOWN OF SOUTHBURY ETHICS COMMISSION

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

  
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Joseph R. Ruggiero  
Acting Chairman, Southbury Ethics Commission

  
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Date