



# BOARD OF SELECTMEN

Clifford J. Hurgin Municipal Center, 1 School Street  
Bethel, Connecticut 06801 Telephone: (203) 794-8501

*Robert Burke, First Selectman  
Paul Szatkowski, Selectman  
Kevin L. Cleary, Selectman*

**RECEIVED**

**OCT 27 2009**

**TOWN OF BETHEL  
TOWN CLERK**

## MINUTES OF SPECIAL MEETING

Thursday, October 22, 2009

7:00 p.m.

CJH Municipal Center – Meeting Room “A”

**PRESENT:** First Selectman Burke, Selectman Szatkowski and Selectman Cleary. Also in attendance were William Hagan, Town Attorney, Kevin Riley and his counsel, Martin Lawlor.

First Selectman Burke called the Special Meeting to order at 7:00 p.m.

### **Reconvene the Special Meeting of April 14, 2009 – Consideration of Ethics Commission findings regarding C-2009-001:**

Discussion took place regarding the complaint. Selectman Cleary disagreed with Attorney Hagan’s interpretation that the Ethics Commission followed proper protocol; Selectman Cleary said that the Ethics Commission failed to submit a report of a finding of probable cause and a recommendation to the Board of Selectmen.

Attorney Lawlor questioned the validity of the Ethics Commission vote as he noted one of the members of the Ethics Commission should not have been seated as he had been a member of the Republican Town Committee; Attorney Hagan countered that the Ethics Code does not require a unanimous vote of its membership so even without the member in question, the vote still passed.

It was noted that the Code of Ethics needs to be amended to comply with state statutes.

Selectman Szatkowski and Selectman Cleary agreed that this matter has taken too long and felt the matter should just be dropped regardless of the Ethics Commission finding that Mr. Riley did violate C9-3 of the Charter.

First Selectman Burke offered that the Board of Selectmen has the choice to close the hearing, bring in the Ethics Commission and/or impose a penalty. Selectman Szatkowski and Selectman Cleary agreed that the hearing should be closed.

Selectman Szatkowski made a motion, which was seconded by Selectman Cleary, to drop the entire matter. Voting in favor of the motion: Selectman Szatkowski and Selectman Cleary. Voting against the motion: First Selectman Burke. Motion carried.

As there was no further business on tonight's agenda, Selectman Cleary made a motion, which was seconded by Selectman Szatkowski, to adjourn the Special Meeting at 7:36 p.m. Vote, all in favor, motion unanimously approved.

Respectfully submitted,

  
Wendy Smith, Recording Secretary