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Office of the Town Clerk

DURHAM ETHICS COMMISSION

Final (revised) Minutes
7:00 P.M., MONDAY NOVEMBER 23, 2009
ACTIVITY ROOM, DURHAM PUBLIC LIBRARY

1. Bob Fulton made a Call to order and roll call at 7:00 p.m. Present: Bob Fulton, Ellen Piotrowski, Jennifer Fowler, Margie Stahl and Linda Maffei. **Absent:** Bruce Chaplin, Pat Kupcho and Dave Adams.
2. Motion to approve agenda by Ellen Piotrowski, seconded by Jennifer Fowler. Correction to minutes of 9/28/09; still in draft form. Add to agenda and approve.
3. Minutes of 10/26: motion to approve by Ellen Piotrowski, seconded by Jenn Fowler and accepted. Minutes of 9/28: mark Margie Stahl absent on roll call.
4. No public was present for comment.
5. Discussion of the Durham Ethics Commission matters:
 - 1/13/10 The Board of Selectmen will be having a joint session. This session will be open to all committee/board members. This might be a good time to present on the Code of Ethics to take effect 2/1/2010.
 - Bob Fulton will be a guest columnist for The Town Times 12/18/09. The article is due 12/14/09.
 - The Commission members must be prepared to have draft form letters finalized by January meeting.
 - Discussion regarding the reference to “past, present and future contractors” in the Code. Active contractors with the Town as of 2/1/2010 will receive copy of the Code. Decision regarding adherence to Code by contractors will be under the jurisdiction of Selectmen. Any new contracts that come into effect from now until the day the Code takes effect need to be made aware of the Code.
 - Set dates for 2010 Commission meetings: Under FOI, we need to schedule meetings for the 2010 calendar year. Bob Fulton called Beth at Town Hall inquiring about good nights. Valerie Kilmartin about library;

gave list of dates for the library room which appears to be the last Tuesday of the month. Motion to approve schedule of meetings made by Ellen Piotrowski, seconded by Linda Maffei, motion unanimously approved.

5. Old Business: None.

6. New Business: Town Clerk sent a draft acknowledgement of the receipt of the Code of Ethics. Discussion ensued about how to get compliance in returning the signed acknowledgement. Bob will have a discussion with Kim Garvis about how we are going to encourage vendors/contractors to return. Bob Fulton is going to ask Kim Garvis about getting a link to pertinent forms from the Town website.

The Commission has received a budget form for the period July 1, 2010 through June 30, 2011 from the Selectmen. Discussion ensued regarding projected budget items.

Because we don't know what our projected costs will be; unpredictability in past Laura said that she would take care of it through the Selectmen's fund. In the future we may need to go to the Board of Finance. This year we are putting in for \$1000.00 . Margie Stahl suggested perhaps we survey towns of similar size with Codes in place to get a five-year average of costs. Like land use commissions, we have no authority not to act.

Bob Fulton brought up an issue regarding confidentiality: Kim Garvis doesn't open envelopes addressed to the Commission, just date stamped it. But there will be many items going back and forth that potentially could be opened accidentally. We are going to have to send things out certified mail. Suggestion is to get a P.O. Box. That will be a budget item. We can use town facilities for copying purposes, but we will have to do it ourselves to protect confidentiality.

Jennifer Fowler made a motion to allow Bob Fulton to submit budget of \$1k for July 1, 2010– June 30, 2011. Linda Maffai seconded the motion, unanimously approved.

Bob Fulton passed along handout of FOI from Tom Hennick for information purposes to Commission members.

Commission received a request for an advisory opinion. Information was passed along to Commission members for consideration. We are going to review the information and be prepared to discuss at next meeting. In the interim, Bob Fulton will consult with Duncan Forsyth in order to get clarification on what information can and should be shared in the meeting minutes relevant to advisory opinions.

Margie Stahl will resend form letters; Bob Fulton is going to do advisory opinion form and complaint form; Ellen Piotrowski will do timeline.

Bob Fulton was contacted by Laura Francis regarding members on commissions who are not showing up. He's spoken to the Durham Democratic Committee about absentee members and made the suggestion to Republican representatives that they contact their Town Committee.

Motion to adjourn by Margie Stahl, seconded by Linda Maffei. Unanimously approved.

4. Adjourn at 8:20 p.m.