ETHICS COMMISSION
MUNICIPAL OFFICE COMPLEX
MEETING ROOM 3
MONDAY, AUGUST 4, 2025
7:30 P.M.
SPECIAL MEETING

DRAFT MINUTES

1. Call to Order
   - Chairman Kevin Staehly called the meeting to order at 7:32 pm.
     -Attendance: Kevin Staehly, Chairman; Rebecca Skinner; Paul Stuhlman; Janie Pittendreigh (acting Secretary).
     -Linda Zemienieski and Ethics Commission Candidate Jayne Thomas present in the audience; no others.

2. Approval of Minutes: Special Meeting of January 22, 2025
   -A copy of the draft minutes for the 1/22/2025 Regular Meeting was circulated to the members for review.
   - Mr. Paul Stuhlman motioned to accept the minutes of the 1/22/2025 meeting without amendment.
   - Ms. Janie Pittendreigh seconded the motion.
   - Motion passed unanimously.

3. New Business

   A. Secretary Appointment
      - **Secretary Appointment -** Due to vacancy left by departure of Valerie Almada, Ms. Pittendreigh was appointed by the Chairman to take minutes for this meeting. Voting on a permanent replacement secretary was tabled to next meeting

   B. Commission Membership

- Chairman Staehly noted that Ms. Almada's term expired on June 30, 2025 and that there was now a vacancy on the Commission and that an application for this vacancy had been received.
  - Candidate Jayne Thomas and her application were reviewed and evaluated. Chairman Staehly invited Ms. Thomas to ask questions throughout the remainder of the Special Meeting, as she saw fit, to get a better understanding of the Commission's operations
- Ms. Thomas provided additional information about her qualifications and credentials
- Ms. Thomas asked several thoughtful questions about how the Commission works and how a complainant might fill out a complaint form.
- Chairman Staehly explained in detail and answered all Ms. Thomas' questions, including the difference between moral and legal ethics; and that the East Haddam Ethics Commission is bound to follow the latter as well as the letter of the law. Chairman Staehly mentioned a member of the Ethics Commission may not sit on or run for any other elected (or unelected) Town office or position. Ms. Thomas asked what happens when an issue arises and the Commission meets in Special Session – who gets contacted and how. Chairman Staehly said, due to the current complaint to be discussed in the Executive Session, he had contacted the Town of East Haddam Attorney, Tim Herbst on how to proceed. **That guidelines is included separately as part of these Minutes**.
- Paul Stuhlman asked if Ms. Thomas had any further questions. Ms. Thomas replied she did not.

- **Chairman Staehly asked to have a motion to vote on recommending to the Board of Selectmen the appointment of Ms. Thomas to fill the 3-Year Term vacancy for the Ethics Commission, ending June 30, 2028.** Ms. Pittendreigh so moved. Mr. Stuhlman seconded the motion and the vote was taken. **Ms. Thomas was unanimously approved.** Ms. Thomas should be appointed at the next meeting of the Board of Selectmen, held at 8am on Wednesday, August 6, 2025.
- If appointed, Ms. Thomas will be present at the next Ethics Commission meeting, 7:30om on August 13, 2025, and all future meetings during her tenure on the Commission.

C. Other Discussion
- Chairman Staehly mentioned there will likely be changes to the protocol and/or additions to the existing Code of Conduct, and these would be discussed during the Executive Session due to how they related to the Complaint Petition
- Janie Pittendreigh asked if a Complainant could appeal a Complaint that was denied. Chairman Staehly said no, but the Complainant could resubmit a Complaint under a different statute; or Complainant could seek outside counsel.
- Ms. Pittendreigh asked for the difference between an Executive Session and a Special Session: Chairman Staehly and Paul Stuhlman explained an Executive Session is a closed-door meeting without public participation or audience, while a Special Session is simply a matter of scheduling and applies to an Ethics Commission meeting that is not a regularly scheduled event.
- It was discussed that when a Complaint is submitted to the Ethics Commission, the Commission has 10 days within which to reply/respond to the Complainant.
- Once the Commission adjudicates the Complaint and decides on appropriate action to be taken, that decision is given to the Board of Selectmen, which may or may not decide to accept/act on that recommendation.
- Jayne Thomas asked what role each member of the Ethics Commission has. Chairman Staehly replied he, Kevin Staehly, is Chair; Paul Stuhlman is Vice Chair and takes over if/when the Chair is unavailable; for purposes of this Regular Session only, Janie Pittendreigh is acting Secretary.
- Linda Zemienieski will look at our Minutes and process same, then pass along the Ethics Commission Minutes to the Board of Selectmen.

4. Unfinished Business

A. East Haddam Code of Conduct Updates
   a. Chairman Staehly asked Ms. Zemienieski if everyone had signed the latest East Haddam Code of Conduct; Ms. Zemienieski said yes.

5. Audience of Citizens

A. Ms. Zemienieski advised that any changes to the East Haddam Code of Conduct would go to the Board of Selectmen and then to a Town Meeting and then to a Town vote. Mr. Stuhlman, Chairman Staehly, Ms. Zemienieski and Ms. Pittendreigh all observed that the process of amending the Code of Conduct was a lengthy process.

6. Complaint Petition
- Chairman Staehly formally acknowledged that on July 24, 2025, in his capacity as Chairman of the East Haddam Ethics Commission, a Complaint Petition had been delivered to him.
- Per Town Ordinance, this **Complaint Petition is marked as Received by the Commission dated August 4, 2025.**
- Chairman Staehly advised that the Commission would now enter Executive Session (without the public, Ms. Thomas or Ms. Zemienieski present, as well as by turning off public access camera) to discuss the Complaint Petition – as directed by Town Ordinance.
- **Mr. Stuhlman moved to enter Executive Session and Rebecca Skinner seconded; the vote to enter Executive Session was unanimously approved.**

A. Executive Session – Discussion of Complaint Petition

- The Ethics Commission entered into Executive Session at 8:01.
- The Ethics Commission exited Executive Session at 8:39

7. Adjournment
    - Chairman Staehly motioned to adjourn the Special Meeting of August 4, 2025; Ms. Pittendreigh seconded. Unanimous approval.
    - Meeting adjourned at 8:39 pm

Participants unable to attend in person may view the meeting on YouTube Live at the following link:
https://www.youtube.com/watch?v=luwW_jKyhIU

You may also access the YouTube Live link from the Town's website:
www.easthaddam.org

For YouTube Live viewers, public participation will take place via written questions or comments by emailing:
Public.questions@easthaddam.org

Questions/comments may be sent prior to and during the meeting.

Questions/comments will be read aloud during the "Audience of Citizens" section of the meeting. Questions/comments and responses will be included in the minutes and posted on the town website. Every effort will be made to provide responses, if available, during the meeting.

Ethics Commission Complaint Petition Guidelines

Prepared by Timothy Herbst, Esq; for Kevin Staehly, Chairman, East Haddam Ethics Commission
August 2025

I understand the Commission recently received a new ethics complaint, and I wanted to offer some brief guidance on how it should be handled in accordance with East Haddam's Code of Ethical Conduct. I have reviewed the complaint and the attachments that accompany it and I offer the following:

1. The first step in the process is to determine that the complaint is in writing, signed under penalty of false statement, and submitted on the Commission's official form. It also must relate to conduct occurring within the past three years to be considered timely.

2. At your next meeting, I recommend you formally acknowledge receipt of the complaint and begin a preliminary review. You should not place on the agenda or state on the record at the meeting the name of the complainant or the respondent as this is still in the confidential phase. The first determination the Commission needs to make is whether the complaint—*assuming the facts alleged are true*—would constitute a violation of the Code. If not, the Commission can vote to dismiss the complaint and must notify both the complainant and respondent by certified mail.

3. If you dismiss the complaint for lack of probable cause, no further action is required (although I expect that the complainant would seek to appeal this decision).

4. If the complaint is deemed sufficient to proceed, the Commission has 10 days to:
   - Notify the complainant that the complaint was received;
   - Send a copy to the respondent by certified mail.

5. At that point, a confidential investigation begins. All proceedings remain confidential unless the respondent requests otherwise. Within 30 days, the Commission should schedule a probable cause hearing, which must occur within 60 days of the complaint being filed. If the Commission finds probable cause, a public hearing must follow.

6. At the public hearing, the respondent has the right to be represented by counsel, call and cross-examine witnesses, and present evidence. While the Code is somewhat silent on the complainant's role at this stage, best practice is to allow the complainant (or their counsel) to present evidence and witnesses during the public hearing. The Commission, however, retains full control over the hearing process—

including witness examination and the scope of testimony—based on what was gathered during the investigation and what is relevant to the alleged violation.

The complainant's presentation can be structured similarly to a limited opening presentation of evidence, and the Commission can limit cumulative or irrelevant testimony to preserve the hearing's integrity.

7. Any finding of a violation must be made by at least four affirmative votes. If no violation is found, the records remain confidential (unless the respondent requests otherwise). If a violation is found, the Commission must:

    Notify both parties within 3 business days of the decision.

    Make the full record public within 5 business days.

    Issue written findings, including the basis for the decision.

8. The Code does **not** mandate referral to a State Ethics Board, as municipal ethics matters fall within local jurisdiction. However, the Commission **may make a recommendation** to the **Board of Selectmen** for appropriate action (e.g., public censure, removal from boards or commissions if permitted under town charter or ordinance, or other remedial measures), especially if the violation concerns an appointed or elected official.

9. If the respondent chooses to appeal, they may do so under CGS §4-175 or §4-183, and may be entitled to reimbursement of legal fees if successful.