

Town of Tolland Ethics Commission
Special Meeting Agenda
Conference Room B – 2nd Floor

Thursday, August 17, 2023 @ 6:00 PM

1. Call to Order
2. Approval of Special Meeting Minutes:
 - A. June 20, 2023, as amended
 - B. July 24, 2023
 - C. July 27, 2023
 - D. August 2, 2023
3. Executive Session
 - A. Discussion regarding requests pertaining to the confidential portion of Ethics Claim 2022-01
4. Adjournment

Town of Tolland Ethics Commission
Special Meeting Minutes
(Amended)
June 20, 2023
Tolland Town Hall
Conference Room B – 2nd Floor

Members Present: Marie Sauve, David Frates, and Sean Deffely

Others present: Attorney, Jill Hartley

There was no one from the public in attendance.

1. Call to Order: Marie Sauve called the meeting to order at 07:00 p.m..and welcomed new Commissioner Sean Deffely.

2. Review and Approval of April 10, 2023 Meeting Minutes

The minutes from the April 10, 2023 meeting were reviewed. Ms. Sauve made a motion to adopt the April10, 2023 Meeting Minutes, seconded by Mr. Frates; all in favor, motion passed.

3. Executive Session:

A. For the purpose of discussing a new complaint claim #2023-01, Ms. Sauve made a motion, seconded by Mr. Frates, to go into Executive Session at 07:01 p.m. for the purpose of discussing pending complaint claim; all in favor, motion passed.

Ms. Sauve made a motion, seconded by Mr. Frates, to end the executive session at 7:17p.m.; all in favor, motion passed.

Executive session ended at 7:17p.m.. Executive Session attendance included Marie Sauve, David Frates, and Sean Deffely. No others were in attendance.

The Commission acknowledged receipt of and reviewed Confidential Complaint Claim #2023-01.

Mr. Frates made a motion, seconded by Mr. Deffely, to dismiss complaint #2023-01 as the Ethics Commission determined that no articles of the Code of Ethics were violated; all in favor, motion passed.

B. For the purpose of discussing complaint claim #2022-01 and the amendment to complaint #2022-01. Ms. Sauve made a motion, seconded by Mr. Frates, to go into Executive Session at 07:21 p.m. for the purpose of discussing pending complaint claim; all in favor, motion passed.

Jill Hartley joined the executive session via phone at 7:33 p.m..

Jill Hartley left the executive session via phone at 7:57p.m..

Ms. Sauve made a motion, seconded by Mr. Frates, to end the executive session at 8:07p.m.; all in favor, motion passed.

Execution session ended at 8:07p.m. Executive Session attendance included Marie Sauve, David Frates, Sean Deffely, and Jill Hartley. No others were in attendance.

Ms. Sauve made a motion, seconded by Mr. Frates, to dismiss confidential complaint #2022-01 as amended, as the Ethics Commission determined that no articles of the Code of Ethics were violated; Ms. Sauve and Mr. Frates voted in favor, Mr. Deffely abstained, motion passed.

4. Adjournment

Mr. Frates made a motion, seconded by Mr. Deffely, to adjourn the Ethics Commission meeting at 8:08p.m.; all in favor, motion passed.

Respectfully submitted,

Mr. David Frates
Secretary

TOLLAND ETHICS COMMISSION

CONFIDENTIAL

ETIDCS COMMISSION DOCKET NUMBER 2012-01

DECISION TO ADOPT RECOMMENDATIONS AND PROPOSED FINDINGS OF
SPECIAL COUNSEL AS TO NO PROBABLE CAUSE
AND TO DISMISS THE COMPLAINT

On August 24, 2022 Complainant, Christina Plourd ("Complainant"), a member of the Tolland Board of Education (BOE) filed a Complaint against Respondents Walter Willett (Superintendent of Tolland Public Schools) ("Willett"), Ashley Lundgren (Chairperson of the BOE) ("Lundgren") and Shipman & Goodwin LLP, counsel to the BOE ("S&G"). On November 8, 2022, Complainant filed an Amended Complaint the allegations of which are directed solely to Willett (the original and amended complaints will hereafter be collectively referred to as the "Complaint"). Respondents were timely notified of the original Complaint (which included documents provided by Complainant under Tabs 1-15) and the Amended Complaint. The Tolland Ethics Commission appointed special counsel pursuant to §6-10 of the Tolland Code of Ethics (the "Code") to investigate whether probable cause exists to believe the Code has been violated and to make recommendations and proposed findings to the Commission based upon such investigation. The investigation is now concluded.

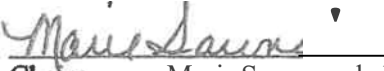
Based upon the results of the investigation and the recommendations and proposed findings of special counsel, which are hereby adopted, the Tolland Ethics Commission finds that there is no probable cause to believe that any of the Respondents violated any provision of the Code and the Complaint is therefore dismissed.

Conn. Gen. Stat. §7-148h, applicable to municipal ethics commissions, incorporates by reference, to the extent applicable, the procedures followed at the state level with regard to the investigation and confidentiality of ethics complaints. More specifically, §7-148h states that the provisions of Conn. Gen. Stat. §1-82a (subsections (a) through (e)) apply to any investigation of an ethics complaint "conducted prior to a probable cause finding, and to a finding of probable cause or no probable cause."

Pursuant to Conn. Gen. Stat. §1-82s(a), (b) and (d), the Complaint itself, the existence of the Complaint, the investigation of the Complaint, this Decision and the recommendations and proposed findings of special counsel are confidential and must be kept confidential. The continuing obligation of the parties to keep this matter confidential extends to any information received or supplied by the Commission (or its special counsel) in connection with this investigation whether that information was derived from or provided to Complainant, a respondent, a witness or any other third-party. The disclosure of the complaint, the investigation, the recommendations and proposed findings of special counsel and/or this Decision would violate state statute and the rights of the Respondents. The only circumstance under which this matter could be made public would be if all three Respondents choose to waive confidentiality in writing. In the event of such a unanimous waiver, notice will be provided to all parties. In the absence of such a written waiver and notice to all parties of same, the confidentiality of the foregoing matter must be strictly preserved.

In accordance with §1-82a(c), the parties are being provided with notice of the Commission's decision, the findings adopted by the Commission and the reasons for such findings.

Signed:



Chairperson, Marie Sauve on behalf of the Tolland Ethics Commission

Dated:

June 10, 2023

Town of Tolland Ethics Commission
Special Meeting Minutes
July 24, 2023
Conducted by Zoom Conference Call

Members Present: Marie Sauvé, David Frates, and Sean Deffely

Others present: Attorney, Jill Hartley

There was no one from the public in attendance.

1. Call to Order: Marie Sauvé called the meeting to order at 06:30 p.m..

2. Review and Approval of June 20, 2023 Meeting Minutes

The minutes from the June 20, 2023 meeting were reviewed. Mr. Deffely made a motion to adopt the June 20, 2023 Meeting Minutes, seconded by Mr. Frates; all in favor, motion passed.

3. Executive Session:

A. For the purpose of discussing Attorney/Client Communication, Mr. Deffely made a motion, seconded by Mr. Frates, to go into Executive Session at 06:34 p.m.; all in favor, motion passed.

Jill Hartley joined the executive session via phone at 7:06 p.m..

Jill Hartley left the executive session via phone at 7:45 p.m..

Ms. Sauvé made a motion, seconded by Mr. Frates, to end the executive session at 7:45 p.m.; all in favor, motion passed.

Executive session ended at 7:45 p.m.. Executive Session attendance included Marie Sauvé, David Frates, Sean Deffely, and Jill Hartley. No others were in attendance.

4. Adjournment

Mr. Frates made a motion, seconded by Mr. Deffely, to adjourn the Ethics Commission meeting at 7:45 p.m.; all in favor, motion passed.

Respectfully submitted,

Mr. David Frates
Secretary

Town of Tolland Ethics Commission
Special Meeting Minutes
July 27, 2023
Conference Room C – 2nd Floor

Members Present: Marie Sauve, David Frates, and Sean Deffely
There was no one from the public in attendance.

1. Call to Order: Marie Sauve called the meeting to order at 06:30 p.m..

2. Executive Session:

A For the consideration of Statutory Request re: Confidential Ethics Complaint 2022-01, Mr. Deffely made a motion, seconded by Mr. Frates, to go into Executive Session at 06:30 p.m.; all in favor, motion passed.

Executive session ended at 6:43 p.m.. Executive Session attendance included Marie Sauve, David Frates, and Sean Deffely. No others were in attendance.

Motion to adopt the following resolution:

Respondents have made a joint request that the Ethics Commission publish its decision, findings, and reasons for its findings, thereby waiving confidentiality as to such documents. Pursuant to this joint request of the Respondents and pursuant to C.G.S. §1-82a(c), we move to publish as an addendum to the minutes of the Tolland Ethics Commission June 20, 2023 meeting, the following document: "DECISION TO ADOPT RECOMMENDATIONS AND PROPOSED FINDINGS OF SPECIAL COUNSEL AS TO NO PROBABLE CAUSE AND TO DISMISS THE COMPLAINT regarding Ethics Commission Complaint #2022-01 (the "Finding"). To the extent that Respondents are requesting publication of the document entitled: "RECOMMENDATIONS/PROPOSED FINDINGS OF NO PROBABLE CAUSE" (which contains a summary of the reasons for the Finding), this request is denied. Pursuant to C.G.S. §1-82a(c), the Commission is not required to publish a summary of its reasons for making its Finding, even at Respondent's request, and this Summary must remain confidential in order to protect confidential information belonging to third-parties including personnel information. Pursuant to the provisions of §1-82a, the Summary, the complaint and the record of the investigation will remain confidential and all parties to Commission Complaint #2022-01 and all witnesses or other third-parties who were necessarily privy to any aspect of the investigation shall continue to treat such documents and information as confidential.

Motion made by Marie Sauve, seconded by Mr. Frates, all in favor, motion passed.

3. Adjournment

Mr. Frates made a motion, seconded by Mr. Deffley, to adjourn the Ethics Commission meeting at 6:44p.m.; all in favor, motion passed.

Respectfully submitted,

Mr. David Frates
Secretary

Attachment:

1. Ethics Commission Docket #2022-01: DECISION TO ADOPT RECOMMENDATIONS AND PROPOSED FINDINGS OF SPECIAL COUNSEL AS TO NO PROBABLE CAUSE AND TO DISMISS THE COMPLAINT

TOLLAND ETHICS COMMISSION

CONFIDENTIAL

ETIDCS COMMISSION DOCKET NUMBER 2022-01

DECISION TO ADOPT RECOMMENDATIONS AND PROPOSED FINDINGS OF
SPECIAL COUNSEL AS TO NO PROBABLE CAUSE
AND TO DISMISS THE COMPLAINT

On August 24, 2022 Complainant, Christina Plourd ("Complainant"), a member of the Tolland Board of Education (BOE) filed a Complaint against Respondents Walter Willett (Superintendent of Tolland Public Schools) ("Willett"), Ashley Lundgren (Chairperson of the BOE) ("Lundgren") and Shipman & Goodwin LLP, counsel to the BOE ("S&G"). On November 8, 2022, Complainant filed an Amended Complaint the allegations of which are directed solely to Willett (the original and amended complaints will hereafter be collectively referred to *as* the "Complaint"). Respondents were timely notified of the original Complaint (which included documents provided by Complainant under Tabs 1-15) and the Amended Complaint. The Tolland Ethics Commission appointed special counsel pursuant to §6-10 of the Tolland Code of Ethics (the "Code") to investigate whether probable cause exists to believe the Code has been violated and to make recommendations and proposed findings to the Commission based upon such investigation. The investigation is now concluded.

Based upon the results of the investigation and the recommendations and proposed findings of special counsel, which are hereby adopted, the Tolland Ethics Commission finds that there is no probable cause to believe that any of the Respondents violated any provision of the Code and the Complaint is therefore dismissed.

Conn. Gen. Stat. §7-148h, applicable to municipal ethics commissions, incorporates by reference, to the extent applicable, the procedures followed at the state level with regard to the investigation and confidentiality of ethics complaints. More specifically, §7-148h states that the provisions of Conn. Gen. Stat. §1-82a (subsections (a) through (e)) apply to any investigation of an ethics complaint "conducted prior to a probable cause finding, and to a finding of probable cause or no probable cause."

Pursuant to Conn. Gen. Stat. §1-82a(a), (b) and (d), the Complaint itself, the existence of the Complaint, the investigation of the Complaint, this Decision and the recommendations and proposed findings of special counsel are confidential and must be kept confidential. The continuing obligation of the parties to keep this matter confidential extends to any information received or supplied by the Commission (or its special counsel) in connection with this investigation whether that information was derived from or provided to Complainant, a respondent, a witness or any other third-party. The disclosure of the complaint, the investigation, the recommendations and proposed findings of special counsel and/or this Decision would violate state statute and the rights of the Respondents. The only circumstance under which this matter could be made public would be if ~~2~~ three Respondents choose to waive confidentiality in writing. In the event of such a unanimous waiver, notice will be provided to all parties. In the absence of such a written waiver and notice to all parties of same, the confidentiality of the foregoing matter must be strictly preserved.

In accordance with §1-82a(c), the parties are being provided with notice of the Commission's decision, the findings adopted by the Commission and the reasons for such findings.

Signed: Marie Sauve
Chairperson, Marie Sauve on behalf of the Tolland Ethics Commission

Dated: J e ,;t0.2023

Town of Tolland Ethics Commission
Special Meeting Minutes
Wednesday, August 2, 2023

Members Present: Marie Sauve and Sean Deffely
Member Absent: David Frates

There was no one from the public in attendance.

1. Call to Order: Marie Sauve called the meeting to order at 6:30 PM

2. Executive Session

A Discussion regarding Confidential Ethics Claim 2022-01

Marie Sauve made a motion, seconded by Sean Deffely, to go into Executive Session at 6:30pm; all in favor, motion carried.

Executive Session included Marie Sauve and Sean Deffely.

Executive Session ended at 6:38 pm.

3. Adjournment

Marie Sauve made a motion, seconded by Sean Deffely, to adjourn the Ethics Commission Meeting at 6:38 pm; all in favor, motion passed.

Respectfully submitted,

Marie Sauve
Chair