

**Ethics Panel Meeting
Agenda
August 8, 2024
Auburn Hall, Council Chambers
6:00 PM Meeting**

Present:

Paul Bosse (Chair)

Andy Titus (Member)

Leonard Kimble (Member)

Tara Paradie (Alternate)

Attorney to the Ethics Panel, Paul Brunetti

City Clerk, Emily Carrington

Daniel L. Bilodeau

Mayor Jeffrey Harmon

Chair Paul Bosse called the meeting to order at 6:00pm.

Andy Titus shared he was on the Auburn Water District Board (AWD) with Mr. Harmon and Mr. Bilodeau and was uncertain if this created a conflict of interest, having served on the Board with both. Mr. Brunetti advised the Chair to ask the participants if they had any objection to Mr. Titus remaining on the Ethics Panel for this meeting. Mr. Harmon and Mr. Bilodeau stated they had no conflict with Mr. Titus serving on the Ethics Panel for this meeting.

Mr. Bosse asked for statements from Mr. Bilodeau, then Mr. Harmon, and then said there would be opportunity for rebuttal, then the Panel would discuss if a conflict exists.

Mr. Kimble stated that the ordinance defined what was in the purview of the Ethics Panel, and perhaps the Panel needed to start there.

Mr. Bilodeau asked for an opportunity to present.

Mr. Harmon asked that the Panel consult with legal counsel to determine if they have any jurisdiction to act on the referral prior to moving to fact finding.

Mr. Bilodeau pointed to State law on ethics and specifically that of bias.

Mr. Brunetti, in advising the Ethics Panel, reminded the Panel they can only act with the authority vested in them by the Auburn Ordinance related to Conflicts of Interest. Under the ordinance, there has to be a conflict of interest arising from a “financial involvement” or “personal relationship”. A disagreement or predisposition of political view is not enough to

rise to the level of conflict of interest under the ordinance. Procedurally, referring to Sec. 2-115(b), upon receipt of the referral, the ethics panel should determine the facts necessary to determine an opinion. If additional fact finding is necessary, it may occur through fact-finding through an informal or formal hearing process. Mr. Brunetti advised the Panel to look at the petition wording and determine whether an issue exists that the Ethics Panel has jurisdiction on based on the language in the petition.

Mr. Harmon asserted the petition referral is not in the purview of the Panel based on the definition in Sec. 2-109 – *Municipal Board* and requested the matter to be dismissed based on the fact the Ethics Panel does not have jurisdiction.

Mr. Bilodeau asked to read a written statement.

Mr. Titus said the issue has to be arising from a financial involvement or personal relationship, and neither is the issue in the complaint described on the petition referral, therefore, the Ethics Panel has no jurisdiction on this matter.

Mr. Bilodeau submitted the prior mentioned written statement to the Clerk for distribution to the Ethics Panel. The Clerk asked the Chair if the Panel would like to see the statement. The Panel was advised by Mr. Brunetti that it had not yet entered the fact finding stage of the process, as it had to first determine whether there was jurisdiction. Mr. Kimble stated he did not feel it was appropriate to accept Mr. Bilodeau's statement seeing as the Ethics Panel does not have jurisdiction over the matter and therefore will not enter fact finding.

Members of the Ethics Panel discussed the scope of their authority and the process for receiving referrals and the processes of separate boards and commissions to hear complaints. Mr. Brunetti advised that other boards have their own processes and rules and methods for hearing complaints.

Mr. Kimble moved to dismiss the petition for lack of jurisdiction without any findings and without prejudice. Seconded by Mr. Titus. Motion passed 3-0.

Adjourned by unanimous consent at 6:56pm.

Respectfully submitted,

Emily F. Carrington, City Clerk