

TOWN OF MANSFIELD  
Ethics Board  
Thursday, February 4, 2010  
Audrey Beck Municipal Building, Conference Room B

**Minutes**

Members Present: Lena Barry, Nancy Cox (Chair), David Ferrero, Saul Nesselroth, Mike Sikoski, Win Smith, Nora Stevens

Staff Present: Maria Capriola, Assistant to Town Manager, Mary Stanton, Town Clerk

The meeting was called to order at 4:32pm.

I. PUBLIC COMMENT

None.

II. FAQ Brochure

The Board reviewed the draft FAQ brochure and made grammatical updates via consensus; the brochure, as agreed upon by consensus, will be available online and via hard copy.

III. RULES OF PROCEDURE/COMPLAINT PROCEDURE

Mr. Smith reviewed the Board's existing procedures and offered recommended revisions.

- The Board agreed to seek further clarification on its ability to pursue/prosecute complainants that file false statements. The Board asked Ms. Capriola to follow-up with the Town Attorney on the matter, to provide the Board the definition/statute related to individuals filing false statements about public officials, and to provide the State ethics statute/administrative procedures related to this topic as a sample.
- The Board agreed to change the following headings from its procedures:
  - "Investigation" to "Investigation of Complaint"
  - "No Probable Cause" to "Finding of No Probable Cause"
  - "Probable Cause Hearing" to "Finding of Probable Cause – Hearing"
- The Board agreed to seek further clarification on its ability to issue subpoenas. The Board asked Ms. Capriola to follow-up with the Town Attorney on the matter.
- The Board agreed to seek further clarification on whether or not hearings (held as a result of probable cause being determined) should be held as a public meeting open or closed to the public. The Board asked Ms. Capriola to follow-up with the Town Attorney on the matter.
- The Board agreed to seek further clarification on whether or not findings of probable cause in which (ultimately) no violation is determined to have occurred are discloseable. The Board asked Ms. Capriola to follow-up with the Town Attorney on the matter.

#### IV. APPROVAL OF MINUTES

a. 1/7/10 stand alone meeting

Ms. Stevens made a motion, seconded by Mr. Smith, to approve the minutes as prepared. The motion passed with all in favor.

b. 1/7/10 joint meeting with Personnel Committee

Ms. Stevens pointed out a grammatical error in the draft minutes and that the word "whom" should be replaced with "who." Ms. Stevens made a motion, seconded by Mr. Smith to accept the minutes of the January 7, 2010 joint meeting with the Personnel Committee with the noted correction. The motion passed with all in favor.

#### VI. EXECUTIVE SESSION - pending claims and litigation – (FOI Complaint Docket #FIC 2009-656)

Ms. Stevens made a motion, seconded by Mr. Ferrero to enter into executive session. The motion passed with no objections. Entering into executive session at 5:30pm were all members of the Board, Ms. Capriola, and Ms. Stanton. The Board exited the session at 5:33pm.

#### VI. ADJOURNMENT

Ms. Stevens made a motion seconded by Mr. Smith to adjourn the meeting. Motion passed with no objections. The meeting adjourned at 5:34pm.

Respectfully Submitted,  
Maria E. Capriola, Assistant to Town Manager