

**BRISTOL ZONING COMMISSION
MINUTES
SPECIAL MEETING OF MONDAY AUGUST 10, 2020**

CALL TO ORDER

By: Chairman Provenzano Time: 6:00 P.M. Place: Meeting Online Via Web-Ex and Council Chambers, City Hall

ROLL CALL:

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS:	Louise Provenzano (Chairman)	X	
	Michael Massarelli (Vice Chairman)	X	
	Richard Harlow	X	
	David White (Secretary)	X	
	Thomas Marra	X	
ALTERNATE MEMBERS	Marc Gagnon (Called in at 6:27 P.M.)	X	
	Susan Tyler	X	
	Blake DellaBianca	X	
STAFF	Robert Flanagan, AICP, City Planner	X	
	Edward Spyros, Zoning Enforcement Officer	X	
	Attorney Richard Lacey, Assistant Corporation Counsel	X	
	Attorney Jeffrey Steeg, Assistant Corporation Counsel	X	

CITY PLANNERS REPORT

1. Land Use Ethics Training and Discussion

Mr. Flanagan explained a packet was provided for the Commission and they may reference it from their computers. Chairman Provenzano thanked Attorney Lacey and Attorney Steeg for attending the special meeting for the Commission.

The Commission acknowledged receipt of the following items in their electronic packets: a copy of the Bristol Code of Ethics, entitled "Note: Statements of recusal must be filed with the Town and City Clerk within 7 days, Section 55-a." Section 55 - Ethics board and conflict of interests, Footnotes (8), Sec. 2-124. to Sec. 2-137.1.; an Example of Recusal Form dated April 15, 2019; a copy of the Conflict of Interest and Predisposition in Connecticut Zoning Law, Source: Richard P. Roberts, ESQ, Halloran and Sage, LLP, One Goodwin Square, Hartford, CT, dated March 23, 2019, Pages 228 to 269; Rules Every Board Member Should Live By, Source: The Riggins Rules, Fred Riggins, Winter 1994/#13, Planning Commissioners Journal;

2 City Planners Report

City of Bristol – Land Use Ethics Training and Discussion for Zoning Commissioners

Attorney Richard Lacey, Assistant Corporation Counsel, 111 North Main Street, reviewed ethics of Land Use Commissioners with those present. The Commission has to comply with State and local Regulations and laws for a variety of items including applications. Commissioners cannot use their public office for public gain. He would speak on the Ethics Ordinance and Freedom of Information Act. He explained Attorney Steeg would speak on the City Charter and the Ordinance that backs it up. There is a State Statute that regulates all ethical considerations and the Bristol Ordinance is the same. He reviewed Statutes and City requirements for recusal from meetings.

Attorney Jeffrey Steeg, Assistant Corporation Counsel, 111 North Main Street, reviewed the City Charter and local charter and read into the record the City Charter, Section 55. - Ethics board and conflict of interests.

Attorney Steeg reviewed the specifics of Commissioners recusing themselves from potential conflicts of interest.

After inquiries by the Commission, Attorney Steeg noted with respect to WebEx meetings if a Commissioner recuses themselves, they should go off camera or the Commissioner should be called to re-join the meeting. He explained how Commissioners should conduct themselves or speak to someone that is causing a potential conflict of interest.

Attorney Lacey explained that Commissioners should not sit in the audience if they recused themselves because of potential conflicts. They must submit a letter of recusal to the City Clerk’s Office, and it would be better before the meeting started.

Commissioner Gagnon was in attendance at this time.

Conflict of Interest and Predisposition in CT Zoning Law – (March 2019)

Attorney Lacey and Attorney Steeg reviewed case law that gave examples of conflicts of interest of neighbors and abutting businesses to Commissioners residences and what appeared to be a conflict of interest. Attorney Steeg reviewed the five types of conflicts: financial, professional, personal, prejudicial and predisposition.

Attorney Lacey and Attorney Steeg reviewed items of perception, such as brief conversations with persons before meetings. If they have done any type of business with anyone, and had opinions formed from that, then they should recuse themselves.

Rules Every Board Member Should Live By – (Winter 1994)

Chairman Provenzano explained that Mr. Flanagan suggested the Commissioners read this document. She also thanked Attorney Lacey and Attorney Steeg for their efforts this evening. Individual Commissioners can work with Staff to reach out to the Board of Ethics if they have any questions, but if untimely, they would contact the Corporation Counsel Office directly.

ADJOURNMENT

MOTION: Move to adjourn at 7:36 P.M.

By: Harlow

Seconded: White.

For: Harlow, Marra, Provenzano, DellaBianca and White.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Chairman

David White, Secretary