

## **ETHICS OPINION**

**February 25, 2015**

The Ethics Commission met in public session on Tuesday Feb. 24 to discuss the request from Mr. Petkovich for two advisory opinions relative to a member of the Board of Selectmen (BOS) Brian Fitzgerald participating as a full voting member of both the Charter Revision Commission (CRC) and the BOS considering that nine of the twenty four "charges" given to the CRC from the BOS involve increasing the power and authority of the BOS.

Several motions were made, seconded and voted on; some were passed, some rejected. The details of these votes can be reviewed from our meeting minutes posted with the Town Clerk.

In essence the recommendation from the Ethics Commission to the BOS is that a member of the BOS can be appointed to the CRC with the ability to fully participate and vote on all issues under discussion by the CRC with the one exception that they recuse themselves from voting on issues which directly affect the power and authority of the BOS. Further, the member in question can fully participate in all activity of the BOS regarding changes to the Charter recommended by the CRC to the BOS and vote on all such issues with the BOS including those that affect the power and authority of the BOS.

If you have any questions or require further clarification, please advise. If you find it necessary for me to attend a BOS meeting to provide any clarification of this opinion I would be happy to do so.

Sincerely;

Gary Mandirola, Chairman

Ethics Commission