

Town of Trumbull, Connecticut Ethics Commission Meeting

Helen Plumb Building 7 May 2014

Present: Chair, Thomas E. Lee, Esquire; Secretary, Rev. Joseph Piccirillo; Martin L. McCann, Esquire; William Brown Jr., Esquire; James F. Stapleton, Esquire; Robert C. Miller.

Excused: Vice Chair, Eric Gross, Esquire.

1. Meeting opened by Chair at 19:05 Calling forward Case Number 1-2014.

Attorney William Brown was named by chair to preside as Judge for this evening.

According to Atty. Marino, This Matter must proceed in public according to the FOIA.

Attorney Elstein cites Section 17 SS D iii. Town Charter to hold the meeting in private.

The defendant believes that according to the charter, he has the right to be confronted in person by the complainant.

Subpoena requiring complainant to appear was submitted by defendant to commission.

Atty. Marino cites the scheduling conflicts that resulted in tonight's meeting.

Defendant makes motion to dismiss... as he is not confronted by his accuser and that the Ethics Code green book is not consistent in terms of style with the updated.

Motion seconded by Joseph Piccirillo.

Motion made to dismiss by defendant was denied... by a three to two vote.

2. Motion made by Judge to present exhibits 1-10. Seconded by Robert Miller.

Motion was unanimously accepted.

Motion was made to move exhibits into evident to be considered by the commission.

Seconded by Martin McCann. Unanimously accepted.

3. Exhibit 12... Subpoena by defendant to complainant accepted as evidence by the commission.

No one present is representing complainant.

Atty. Elstein to proceed with exhibits.

At 20:00 recesses was asked by Atty. Elstein. Presiding Judge Brown accepted the request for a 5 minute recess.

4. The Commission hearing resumed at 20:05

Mr. Tom Tasoro was called by defendant to testify at 20:10 and was sworn in by presiding judge Brown.

Mr. Tasoro stepped down as witness at 20:23

Mr. Palo. Was sworn in as witness and took the stand at 20:23.

Mr. Palo stepped down at 20:35

Mr. Steve Wright was called to witness and sworn in at 20:35

Motion made by Judge Brown as to the relevance of Mr. Wright's testimony.

Seconded by Mr. McCann. Commission unanimously voted in favor of non-relevance of his testimony.

Mr. Wright stepped down as witness at 21:13

5. Short recess was requested by Atty. Elstein. Granted by presiding judge Brown at 21:14

The commission returned to order at 21:22

Mr. Tim Herbst was called to testify and was sworn in at 21:24.

6. Motion made to sustain the objection by counsel for Mr. Herbst regarding Atty. Elstein's line of questioning of Mr. Herbst. Seconded by Atty. McCann.... Voted unanimously by commission to accept objection.

Objection by Mr. Herbst's Atty. To line of questioning. Moved by presiding judge Brown. Seconded by Mr. Stapleton. Objection to sustain by 4-1 vote.

7. Presiding Judge Brown... moved to sustain objection to this line of questioning. Seconded by Judge Stapleton... Objection sustained by unanimous vote. 21:43

8. Thomas Kelly was called and sworn in as witness at 21:43

Thomas Kelly stepped down as witness at 22:29

9. A short recess was called for by Atty. Elstein and accepted by presiding Judge Brown beginning at 22:29.

10. The commission meeting resumed at 22:31.

11. Judge Brown moved to adjourn to executive session... Seconded by Joseph Piccirillo. Unanimously accepted. Adjourned to executive session at 22:31.

12. Returned from executive session at 23:07

13. Chair moved 2-2014 was unanimously voted to be tabled at a future date.

14. Motion was made to meet at 16:00 hours on Friday, May 9, 2014 to give the defendant's counsel an opportunity to cross examine complainant.

James Stapleton seconded the motion. Unanimously accepted.

15. Meeting adjourned at 23:10

Respectfully Submitted,

Rev. Joseph Piccirillo, Secretary