

**Town of Bethlehem Ethics Board  
Meeting Minutes  
August 29, 2016**

Present: Michael Fallon (Chair); Lisa Allendorph; Loretta Simon; Theresa Schillaci

Chair Fallon called the meeting to order at 8:02 am

Chair Fallon indicated that board member George Lenhardt is ill and unable to participate in the meeting.

Chair Fallon noted one change from the draft minutes of the Ethics Board's April 19, 2016 meeting – removal of a specific reference to a town staff member. He also noted that the absence of the Ethics Board's 2015 Annual Report from the Town's web site was most likely because the Ethics Board did not provide the report to the appropriate town staff for posting. He said that he will be sure to do so with respect to the Ethics Board's 2016 Annual Report.

The minutes of the April 19, 2016 meeting were approved by motion of Loretta Simon, second by Theresa Schillaci, all in favor.

Chair Fallon noted that the complainant in the Board's next agenda item, Art Siegel, sent a follow-up letter noting that Chair Fallon and Town Attorney James Potter are partners in the same law firm.

Chair Fallon stated for the record that that he does not believe that having a common employer with Mr. Potter raises any "actual or potential conflict of interest" that would prevent him from acting fairly and impartially in considering this complaint, nor does he believe that that it creates the "appearance of a conflict of interest."

Mr. Siegel stated that he was not seeking Chair Fallon's recusal. He clarified that his letter was in reference to assistance from independent counsel and not from the Town Attorney.

Chair Fallon asked the other members of the Ethics Board whether any believed that he had a conflict of interest in this matter, and indicated that if any did, he would recuse himself from consideration of this matter. No Ethics Board member so indicated.

Chair Fallon asked the Ethics Board members whether any of them had any actual or potential conflict of interest that would prevent them from acting fairly and impartially in considering this matter. Lisa Allendorph stated that she works for an organization where Mr. Smolinsky's spouse is a board member. No Ethics Board member indicated that they have any actual or potential conflict of interest.

The Ethics Board approved a motion by Lisa Allendorph, seconded by Theresa Schillaci, to meet in Executive Session to consider the complaint of the Fieldstone Drive Coalition.

The Ethics Board entered into Executive Session at 8:14 am.

Upon completion of Executive Session, the Ethics Board returned to its regular session at 9:07.

Chair Fallon made the following announcement regarding the complaint of the Fieldstone Drive Coalition:

“The Ethics Board has voted unanimously to temporarily suspend our informal complaint review so that we may research and review potentially applicable laws. The Ethics Board will reconvene on Wednesday, September 7 at 8 a.m.”

There was no new business before the Ethics Board.

The Ethics Board, upon motion of Loretta Simon, seconded by Lisa Allendorph, approved a motion to adjourn until September 7, all in favor.

The meeting adjourned at 9:09 a.m.

Respectfully submitted,

Michael Fallon, Chair