

TOWN OF DUNBARTON  
Ethics Committee  
Minutes of Pre-Hearing Conference  
11/8/05

*Minutes of meetings are subject to final approval at the next scheduled meeting*

Committee members Present: Gayle Troy, Gary Maccubbin, Nick Holmes, and Brigitte Cook

Also present: Complainants Mr. And Mrs. Gagne, Respondent Tim Terragni and one member of the public.

1. Meeting called to order at 7:30 by Co-Chair Nick. Nick moved, and Gayle seconded, that the minutes of the October 27<sup>th</sup> meeting be approved, with the following corrections.
  - a. The spelling of Tim Terragni's name was corrected throughout the minutes.
  - b. The word "summit" was changed to "submit" in the 7<sup>th</sup> paragraph under the number 2 topic.
  - c. In the 11<sup>th</sup> paragraph, under the number 2 topic, the second bullet was re-worded to reflect the fact that Mr. Terragni agreed to consider the 4<sup>th</sup> complaint along with the others to expedite the process.

The minutes were unanimously approved.

2. Nick explained the purpose of the pre-hearing conference:
  - a. Purpose: "Issues to be addressed may include but are not limited to narrowing or simplification of the issues, or any other matters which might contribute to the prompt, fair, and orderly conduct of the proceedings."

Mrs. Gagne clarified that her purpose for this complaint was to get a hearing with the Board of Assessors to review her home assessment.

Nick stated that the Ethics Committee cannot force the Board of Assessors to hold a hearing nor can we question the decisions of that Board. If the Gagne's had a specific ethics violation, based on a specific action that they felt made Mr. Terragni deny the results of Vision Appraisal, then they would have to file another Ethics Complaint.

Mrs. Gagne asked what would happen if Mr. Terragni was found to have violated the Ethics Code. Nick stated that the Ethics Committee has no power to remove people from any position. But that the findings would be a matter of public record and the voters, and public at large, would have access to that ruling.

- b. The Committee reviewed with both parties the “Rules Regarding the Conduct of Hearings.” Both parties have a copy of these rules.
  - c. The Committee also went over the general procedures that the Committee follows at hearings.
3. Nick asked the parties to discuss the testimony/evidence they will present.
- a. Claimant:
    - i. Mr. And Mrs. Gagne will have the following witnesses: Ken Swayze, Harlan “Bud” Noyes, Brian Little, John Herlihy and they are prepared to speak. Mr. Gagne stated that Brian Little might know of more witnesses. If Mr. Gagne learns of more witness he will contact Nick who will inform Mr. Terragni.
    - ii. Nick agreed to send out letters to the above witnesses on behalf of the Ethics Committee.
  - b. Respondent:
    - i. Mr. Terragni stated that he will prepare a written statement that he will read. He will not have any other witnesses.

Nick reminded both parties that the focus will be on the three specific incidents that were identified at the October 27<sup>th</sup>, 2005 meeting.

4. Dates of the next meeting were confirmed with both parties.
    - Hearing is scheduled for November 17, 2005 at 7:30 PM at the town offices.
  5. Nick asked if there was anything other questions or concerns.
    - No comments were made from either party.
  6. No other business was brought before the committee
- At 8:17 PM Nick moved and Gayle seconded that the meeting be adjourned. Unanimously approved.

Respectfully submitted,  
Brigitte Cook