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ATTEST: *David J. Campo*
TOWN CLERK

**ETHICS COMMISSION MEETING MINUTES
JANUARY 6, 2026**

1. **CALL TO ORDER.** Chair Ritter called the Ethics Commission Regular Meeting of January 6, 2026 to order at 7 p.m.
2. **PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was observed.
3. **ATTENDANCE AND SEATING ALTERNATES.** Betsy Ritter, Adam Stone, Christopher Nailon, Alan Messier, Paul Helvig, and Cathy Patterson. Sara Mallari was absent.

MOTION (1): Ms. Patterson moved to seat alternate Paul Helvig.
Seconded by Mr. Nailon. Mr. Helvig abstained from
voting. (4-0-1) Motion carried.

Commission member Cathy Patterson joined the meeting.

4. **APPROVAL OF MINUTES OF MEETING MINUTES OF DECEMBER 2, 2025.** The following corrections were noted: On page 3, the fourth paragraph, line 6, delete "perceived" and on page 3, the seventh paragraph, delete the first sentence.

MOTION (2): Mr. Messier moved to approve the December 2, 2025 Meeting Minutes,
as amended. Seconded by Mr. Helvig. (6-0) Unanimous.

5. **CORRESPONDENCE.**

1. Email letter dated January 5, 2026 to Elizabeth Ritter from Nicholas F. Kepple, Waterford Town Attorney.
2. To date Financial Report.

6. **PUBLIC COMMENT.** Mr. Goldstein, previous RTM Moderator, of 34 Fifth Avenue, Waterford, Connecticut gave copy of the Day newspaper dated March 5, 2020 regarding the resignation of a member of the Waterford Board of Finance.

He expressed concerned that it took six months to go through the process and there was no information on how this Commission decided on the Advisory Opinion. He agreed with an article

in the Day newspaper dated December 14, 2020 regarding Kevin Reardon's resignation from the Board of Finance and he asked that it be attached to these minutes.

Mike Rocchetti expressed his disappointment and suggested that each case be handled individually. He did not think this Commission is instilling confidence. In his opinion this Commission needs to rely on the Ordinance not the Advisory Opinion.

Danielle Steward Gelinas stated she is frustrated with the decision of this Commission. Her job was not to provide a burden of proof. This Commission was appointed to make very difficult decisions. This Commission has an Advisory Opinion and a Code of Ethics. This time probable cause was not found. We all make mistakes. She added you left everyone unprotected.

7. **REPORT FROM THE CHAIR.** Ms. Ritter reported it is now budget season and she suggested that the budget be \$900 the same amount as has been for the last five or seven years.

MOTION (2): Mr. Stone moved to submit the Ethics Commission budget for 2027 in the amount of \$900. Seconded by Mr. Messier. (6-0) Unanimous.

8. **COMMISSION DETERMINATION OF FUTURE ACTIONS REGARDING THE ADVISORY OPINION AND THE TOWN ORDINANCES.** The Commission reviewed a letter dated December 11, 2025 from Nicholas Kepple, Waterford Town Attorney, in response to questions from Ms. Ritter on behalf of the Commission.

Mr. Messier reported he felt the Advisory Opinion and the Ordinance were in conflict. The delay on this Commission was intended to delay some time before or after the election. He stated he was unable to attend the October meeting, and it was necessary to reschedule the meeting. This Commission took the matter very seriously and spent late nights on it. If we eliminate the Advisory Opinion we can use the Ordinance.

Ms. Ritter added the Ethics Commission is a Commission governed by the Ordinance. The Advisory Opinion steps outside of what is in the Ordinance. The RTM can change it.

Mr. Messier reported this Commission was given a set of facts and circumstances and it would only apply to this set of circumstances. This Advisory Opinion seems to be based on a certain set of facts and circumstances that came up with the Advisory Opinion. The Advisory Opinion contradicted the Ordinance. We had two attorneys review it.

Ms. Ritter reminded the Commission that our charge is to react to specific circumstances brought to our attention on an individual basis.

Ms. Patterson stated she feels clear the terms of the Advisory Opinion and Ordinances are in conflict.

Mr. Helvig reported it came down to the question of which document will prevail. We have two contradictory documents.

Ms. Ritter stated we do not have the authority to change the Ordinance. It has to take precedence of the Advisory Opinion.

Discussion of previous Commission actions was repeated from the December 2, 2025 meeting..

MOTION (3): Mr. Helvig moved to remove from the table motion #5 from the December 2, 2025 meeting. Seconded by Ms. Patterson. Mr. Stone abstained from voting. (5-0-1) Motion carried.

Mr. Helvig stated he believes the public deserves clarity on the Advisory Opinion. If we make a decision to vacate it, it adds clarity that could be relied on. Mr. Messier added we follow Town Attorney's opinion.

Discussion followed concerning the language for a motion to vacate the Advisory Opinion.

MOTION (4): Ms. Patterson moved to amend the Advisory Opinion in accordance with Town Attorney's advice of January 5, 2026 to this Commission. Seconded by Mr. Messier. No vote. The motion was restated as follows.

MOTION (5): Ms. Patterson moved that following the Town Attorney's email of January 5, 2026, we move to vacate the Advisory Opinion of September 21, 2021 and notify the public. Seconded by Mr. Messier. Mr. Stone abstained from voting. (5-0-1) Motion carried.

The Town Attorney advised that we need to advise the public in the same manner as the original Opinion was publicized.

MOTION (6): Ms. Patterson moved that the Town Clerk be asked to advise town boards, commissions, departments, employees and the public via notice and the Commission's website with the attached language. Seconded by Mr. Messier. Mr. Stone abstained from voting. (5-0-1) Motion carried.

9. DISCUSSION ON FORMALIZING RULES OF PROCEDURE FOR THE COMMISSION. Ms. Ritter reported at our December 2 meeting we discussed doing a better job. A subcommittee will be formed and its recommendation be brought back to the entire Commission.

10. OLD BUSINESS. There was no discussion of old business.

11. NEW BUSINESS. Mr. Nailon, who chose not to be reappointed, was thanked for his thoughtful and steady work on this Commission.

12. ADJOURNMENT.

MOTION (7): Ms. Patterson moved to adjourn the Ethics Commission Regular Meeting of January 6, 2026 at 8:15 p.m. Seconded by Mr. Nailon. (6-0) Unanimous.

Respectfully submitted,
Frances Gheri, Recording Secretary



Waterford Ethics Commission
January 7, 2026

NOTICE

Waterford officials, boards, commissions, and the public are notified that, at the advice of the Town Attorney, the Advisory Opinion issued by the Ethics Commission on September 24, 2021, is no longer in force and effect. It is no longer a basis for a complaint. If a complaint relying on the Advisory Opinion is filed it should be summarily dismissed.

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860-650-8007

Robert A. Avena
Raymond L. Baribeault, Jr.
James P. Berryman
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John A. Collins, III
Bryan P. Fiengo
Linda C. Grolotti
Theodore W. Heiser
Michael A. Heppeler
Jeffrey W. Hill
Kristi D. Kelly
Nicholas F. Kepple
Jillian K. Miller
Samuel M. Nasatta
Marjorie A. Richardson
Roger T. Scully
Martha Stager
Kayla M. Wright
Kyle J. Zenda

In Memoriam
Andrew J. Brand
James F. Brennan
James J. Courtney
L. Patrick Gray, III
Michael V. Sage
Matthew Shafner
Max M. Shapiro
Charles J. Sulaman
Thomas B. Wilson
Louis C. Wool

Of Counsel
Hinda K. Kimmel
Jay B. Levin
Richard A. Schatz

January 5, 2026

Sent via Email: betsvritter24@gmail.com
Elizabeth Ritter, Chairperson
Town of Waterford Ethics Commission
15 Rope Ferry Road
Waterford, CT 06385

RE: Advisory Opinion

Dear Chairperson Ritter:

I am writing in response to your December 11, 2025 email (attached hereto). I will address your questions in the order they were posed in your email:

1) Though you would be authorized to vacate or rescind the adoption of the Advisory Opinion of September 2021 (hereinafter "the Opinion") I do not think it is necessary to do so for two reasons: First, in retrospect I believe the Opinion was "void ab initio" meaning void from the beginning because it imposed a new standard of conduct for Waterford officials which was not based on the ordinance and was, therefore, invalid. The Ethics Commission's only job is to interpret and enforce the existing ordinance. Modifying the standard of conduct under the ordinance is the purview of the RTM, Waterford's legislative body. It so happens the ordinance is currently under review by the RTM's Legislation and Administration Standing Committee. Second, no further action by the Commission is necessary because last fall the Commission itself found it to be unenforceable and therefore of no force or effect. Nevertheless, since the Commission adopted the Opinion it has the authority to rescind or vacate it if the Commission sees fit to do so.

2) For reasons stated above the issue of "keeping" or not keeping the Opinion is moot because it is a nullity (something that is completely void, without legal force and treated as if it never existed).

3) For the reasons described in 1) and 2) above, this question is moot.

Nicholas Kepple

From: Elizabeth Ritter <betsyritter24@gmail.com>
Sent: Thursday, December 11, 2025 3:05 PM
To: Nicholas Kepple
Subject: Waterford Ethics Information
Attachments: Waterford Stationery Ethics Commission Special Meeting Minutes of December 2, 2025 (3).docx; From_ Danielle Gelinis _steward-gelinis@sbcglobal - Google Docs.pdf; From Goldstein to Ethics Comm 12022025.pdf; Proposed Ordinance Change for Capital Funds 04242025.docx - Google Docs.pdf; Rocchetti Ethics_Commission Notes.pdf

Hello Nick,

As agreed, here are the files that represent the minutes from the December 2 meeting of the Ethics Commission. The first file is the draft minutes and the following five are attachments to those minutes requested to be recorded with the minutes during the public input part of the meeting.

I am looking forward to meeting with you on Monday at 10 at the Town Hall. And you may want to note our next Ethics Commission Regular Meeting is on January 6 at 7PM.

At the Commission meeting on December 2, the Commission discussed three questions for you to help guide us. Here they are:

- Is it permissible to "vacate" the Advisory Opinion of September, 2021?
- Is there a reason to keep the Advisory Opinion?
- Are we currently in violation of our own Advisory Opinion?

And three more questions from me:

- Do you see wisdom in pursuing further this issue of "actions which may create among the public a perception of conflict of interest" that the Advisory Opinion tried to address? If so, how might we do that?
- Are you aware of any other municipalities where this has been acted on or any sources of guidance in the state regarding this concern?
- Is this Commission acting beyond its scope in any of these actions?

Thank you - see you on Monday.

--

Betsy Ritter

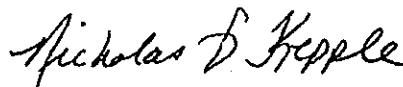
4) The Ethics Commission as a whole or its members individually will be afforded the same opportunity as the rest of the public to participate in the RTM's review of the current ordinance. You and your colleagues may advocate for it to remain unchanged or modified, as you see fit.

5) I have not yet conducted legal research (beyond other research over my thirty-five years of being a municipal attorney during which I have routinely examined various ethics issues) on the specific issue you raise regarding "perception of a conflict of interest" but will of course do so if requested by the RTM as part of its review.

6) Since I do not see any substantive actions arising from the Commission on this issue, I do not see any ultra vires (beyond its scope) conduct issues for the Commission beyond my initial opinion in item #1 above.

I do think the Commission has a responsibility to advise Waterford officials in the same manner it originally notified elected and appointed officials about the Opinion, that it is no longer in force and effect. Many are probably aware but an effort should be made to inform these officials and the public that the Opinion is no longer a basis for a complaint and if one is filed relying on it the complaint should be summarily dismissed.

Sincerely,



Nicholas F. Kepple
Waterford Town Attorney

NFK/pmn
Attachment

Waterford Board of Finance member resigns

Published: Mar 05, 2020 11:00 PMUpdated: Dec 14, 2024 4:42 AM

Waterford — Kevin Reardon has resigned from the Board of Finance.

He said he did so because he believes there is a conflict of interest he couldn't stomach: Board Chairman Ron Fedor has two sons on the Waterford police force, and Reardon was shocked Fedor voted to approve the police department budget on Monday.

"I was surprised that the chairman would've voted on the budget that contained the payroll of two of his sons," Reardon said Wednesday. "I have a difficult time of accepting that as being appropriate. I was left with two choices at that point as a very freshman member of the Board of Finance: to complain and go to ethics, or distance myself from the situation."

Reardon said he made his decision to resign during the meeting when Fedor neglected to abstain from the police department budget vote.

During the meeting, his last as a board member, Reardon was the only "no" vote on the contingency budget, the information technology budget and the police department budget. He read a statement at the beginning of the meeting urging Waterford to rein in spending.

Fedor has dealt with conflict of interest claims before. He said he sought an advisory opinion from the town's Ethics Commission in 2007, and was given a letter stipulating that as long as he didn't vote on contract language or pay, he could vote on such budgets for the Board of Finance.

Board member Bill Sheehan said he didn't necessarily agree with the Ethics Commission's opinion, but he accepted it.

"For years he (Fedor) also voted on the Board of Education budget while his wife was principal at various schools, and basically they (the Ethics Commission) said there was no problem," Sheehan said.

Fedor is unfazed by Reardon's resignation.

"He (Reardon) knows that I have relatives who work in different departments in town, despite the fact that he understands I have a letter from the Ethics Commission, personally, he did not agree with that and as such he could not continue on the Board of Finance," Fedor said. "We have six members, so we have a quorum. I'm sure the first selectman will act quickly in finding a replacement."

Reardon was regretful of a move he felt he had to make.

"I've got nothing against Ron Fedor, I was just very surprised, I was taken aback by it. I was hoping he would abstain," Reardon said. "I feel very badly that I'm pulling out from the Board of Finance in the midst of budgetary review."

Sheehan said he's going to miss Reardon's tough questioning. Reardon has been the owner/president of the Reardon Agency, an insurance company in Waterford, since 1979.

s.spinella@theday.com



theday.com

Waterford Board of Finance member resigns

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Most relevant ▾



Leah Stillman

That's what's been wrong with this town for years! It stinks it had to come down to this. Maybe more will take notice of the shadiness.

5y Like Reply



Joanna Lecce 🌹

Not really shocked that people in this town do less than above board moves. No matter if they have a "letter" from the board of ethics or not it's a bad look. Not surprised though.

5y Like Reply



Tim Fioravanti

Waterford voters take notice.

5y Like Reply



Erica Anne

The plot thickens

5y Like Reply



Comment as Paul Goldst...



No elected official may vote on a departmental budget in which that elected official, or a relative of that official, receives any benefit either financial or non-financial. This provision shall not apply to the approval of the Board of Selectman's budget by the Board of Selectmen nor shall it apply to a vote on the overall final approval of the entire Town budget by the Board of Selectmen, the Board of Finance, or the Representative Town Meeting.