

EXTRA INFORMATION

11/3/08 10

Christine Joyce

From: Peter J. Berry [pjberry@comcast.net]
Sent: Saturday, November 01, 2008 10:18 AM
To: Mark Hald; All Department Heads; All Boards and Committees; 'Robert Burgess'; 'Degon, Richard'
Cc: Stephen Anderson
Subject: Re: Board of Selectmen meeting agenda: November 3

All:

Please amend the description in # 10 of the Agenda to reflect the following:

The Selectmen will be reviewing a request for a ruling under Section 19(b) of the State Ethics Act (M.G.L. c. 268A), not Section 23(B)(3), as printed on the Agenda. There is a significant legal difference.

The forms included with the backup are not correct, as they were filed under sec. 23(B)(3). I believe that both Kathryn and David also filed the forms requesting the Selectmen's determination under section 19(b). Please include the 19(b) forms with the new information packet at our meeting. Thanks.

--
Peter J. Berry
Selectman
39 Faulkner Hill Road
Acton, MA 01720
pjberry@comcast.net
(508) 423-0467 (C)
(978) 264-0265 (H)
(617) 951-2300 (W)

----- Original message -----

From: Mark Hald <mhald@acton-ma.gov>
Attached please find the agenda for the Board's Monday evening meeting.

Happy Halloween,
Mark

**DISCLOSURE OF FINANCIAL INTEREST BY MUNICIPAL EMPLOYEE AND
DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L.c. .268A, §19**

DISCLOSURE

To obtain an exemption pursuant to G.L. c. 268A, §19, municipal employees must submit a disclosure to their appointing official of the nature and circumstances of the particular matter and the financial interest.

Name:	Kathryn Acerbo-Bachmann
Title or Position:	member
Agency/Department:	Historic District Commission
Municipality:	Town of Acton, (MA)
Office Phone:	—
Particular Matter Involved (Attach additional pages if necessary):	Public Hearing / discussion at Historic District Commission re: 53 River St.
Financial Interest Involved (Attach additional pages if necessary):	I am an abutter (50 River St.) This is my primary residence.
Employee Signature:	Kathryn Acerbo-Bachmann
Date:	10-27-08

DETERMINATION

As appointing official, as required by G.L. c. 268A, §19(b)(1), I have reviewed the matter and the financial interest described above and have determined that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.

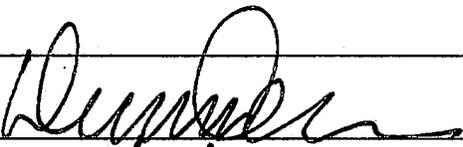
Name and Title of Appointing Authority:	
Signature of Appointing Authority:	
Date:	
Comments (Attach additional pages if necessary):	

Attach additional pages if necessary.

DISCLOSURE OF FINANCIAL INTEREST BY MUNICIPAL EMPLOYEE AND DETERMINATION BY APPOINTING AUTHORITY AS REQUIRED BY G. L.c. .268A, §19

DISCLOSURE

To obtain an exemption pursuant to G.L. c. 268A, §19, municipal employees must submit a disclosure to their appointing official of the nature and circumstances of the particular matter and the financial interest.

Name:	DAVID HOWN
Title or Position:	MEMBER - HISTORIC DISTRICT COMMISSION
Agency/Department:	
Municipality:	ACTON, MA
Office Phone:	617 629 2100
Particular Matter Involved (Attach additional pages if necessary):	REMOVED TO 53 RIVER STREET ACCORDING TO ALAN ROSSASO'S OFFICE. MY ADDRESS IS: 105 SCHOOL STREET
Financial Interest Involved (Attach additional pages if necessary):	NONE
Employee Signature:	
Date:	10/27/08

DETERMINATION

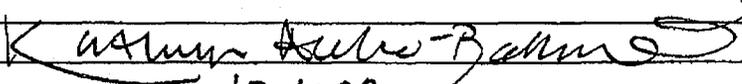
As appointing official, as required by G.L. c. 268A, §19(b)(1), I have reviewed the matter and the financial interest described above and have determined that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.

Name and Title of Appointing Authority:	
Signature of Appointing Authority:	
Date:	
Comments (Attach additional pages if necessary):	

Attach additional pages if necessary.

**DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST
AS REQUIRED BY G. L.C.268A §23(b)(3)**

I make this disclosure pursuant to G.L.c.268 A, §23 (b)(3) in order to dispel any appearance of potential conflict of interest occasioned by the facts set out below, that I may be improperly or unduly influenced in the performance of my official duties, or that I would be likely to act or fail to act as a result of kinship, rank, position or the undue influence of any part or person.

Name:	Kathy Acerbo-Bachmann
Title or Position:	member - HDC
Agency/Department:	Town of Acton
Agency address:	home address: 50 River St. Acton, MA 01720
Office Phone:	
I publicly disclose the following facts (Attach additional pages if necessary):	I am a direct abutter of 53 River Street, as per the appraiser's office.
Signature:	
Date:	10.6.08

G.L.c.268 A, §23 (b)(3): No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know, act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion.

Appointed state, county and municipal officials and employees should file with their appointing authority.

Elected state officials should file with the appropriate House or Senate Clerk or the Ethics Commission.

Elected county officials should file with the county clerk.

Elected municipal officials should file with the city or town clerk.

Attach additional pages if necessary.

**DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST
AS REQUIRED BY G. L.C.268A §23(b)(3)**

I make this disclosure pursuant to G.L.c.268 A, §23 (b)(3) in order to dispel any appearance of potential conflict of interest occasioned by the facts set out below, that I may be improperly or unduly influenced in the performance of my official duties, or that I would be likely to act or fail to act as a result of kinship, rank, position or the undue influence of any part or person.

Name:	DAVID HOWN
Title or Position:	MEMBER HISTORIC DISTRICT COMMISSION
Agency/Department:	HISTORIC DISTRICT COMMISSION
Agency address:	
Office Phone:	
I publicly disclose the following facts (Attach additional pages if necessary):	<p>IT IS A DIRECT ADDRESS TO 53 RIVER STREET ACCORDING THE TOWN OF ALTON ASSESSOR'S OFFICE</p> <p>MY ADDRESS IS: 105 SCHOOL STREET</p>
Signature:	
Date:	10/12/08

G.L.c.268 A, §23 (b)(3): No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know, act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion.

**Appointed state, county and municipal officials and employees should file with their appointing authority.
Elected state officials should file with the appropriate House or Senate Clerk or the Ethics Commission.
Elected county officials should file with the county clerk.
Elected municipal officials should file with the city or town clerk.**

Attach additional pages if necessary.