

Mr. Bart Van deWeghe  
226 Barlow Mountain Road  
Ridgefield, CT 06877

Re: Ethics Complaint  
October 8, 2009

Dear Bart,

I am writing to you in your capacity as Chairman of the Ridgefield Board of Ethics in accordance with the Town Charter. I request that you investigate these matters as soon as possible. Please see the details below. Attached you will also find documentation to support my concerns and this request.

- Article XI Standards of Conduct

- 

- **11-6 Disclosure of Confidential Information**

This section was violated by John Palermo, member of the Board of Education, Mr. Marty Heiser, Chairman of the Board of Education and Mr. Bob Cascella, member of the Board of Finance as follows:

On September 29th John Palermo, a member of the BOE's negotiating committee ( for union negotiations) broke his signed confidentiality agreement (required of members of the negotiating team) and emailed to Marty Heiser of the Board of Finance the management presentation (RPS Updated HSA handouts) prepared by the BOE's consultant materials to be shared only with the Teacher's Union on Tuesday October 6th. This information, coming from the consultant, and prepared by the BOE team, is not to be shared outside of the negotiations, which are in Executive Session. Mr. Palermo also signed a binding confidentiality agreement as a member of the BOE negotiating team which he violated via this action. Mr. Palermo used IBM email in this correspondence, again violating confidentiality, despite the fact that he has a BOE email address. Mr. Heiser is not a member of the negotiation team and is not the BOF's representative to the team. Mr. Palermo broke the rules.

On September 29 Marty Heiser widely and illegally distributed the RPS Updated HSA handouts received from John Palermo by sending them to the entire Board of Finance (Cascella, Ulmer, Gomez, Walsh) AS WELL AS to Ms. Jill Bornstein, who is a candidate for the BOF (not a member of town government). Mr. Heiser not only, **by virtue of this email conducted an illegal meeting of the BOF and** distributed confidential materials he was not entitled to

see, but also sent them to a candidate for office, violating all standards of ethics as well as Section 11-6 as cited above.

### **Section 11-5 Conflict of Interest**

Marty Heiser, himself a candidate for re-election to the Board of Finance, not only reviewed said confidential information, but also sent it to Ms. Jill Bornstein for his and her political gain ( they are running as a ticket for the BOF). He did so on September 29<sup>th</sup>.

### **Section 11-6 and Section 11-2 Standards of Service**

On Sept 30 in a separate email, John Palermo admitted that he sent confidential union negotiation materials to Marty Heiser in correspondence to Dave Ulmer, but asserts that he did so knowing Marty is Finance Chair ( makes no difference, Palermo signed a binding confidentiality agreement with the union).

### **Section 11-2 Standard of Service**

Mr. John Palermo and Mr. Heiser both violated the Section above requiring ethical and honesty from public officials. Mr John Palermo in an email to Heiser and Cascella asserts that he asked Jill Bornstein to destroy email she received containing the presentation. This is now requesting that evidence be destroyed and unethical contact with Ms. Bornstein by Palermo.

Mr. Heiser reached out on Sept 30th by email and by phone to members of the BOF (another illegal meeting) and said "he made a mistake" by sending confidential data to Bornstein.

Mr. Palermo, by virtue of communicating official town business/information **on his IBM email account violates 11-2, 11-6 and 11-5** as it is in his political interest to hide from the public the fact that he shared confidential information and subsequently have it revealed that he tried to keep this action out of public view. By using a work email address, he hoped to keep these actions out of the purview of an FOI request on BOE correspondence.

### **Section 11-4 Treatment of the Public and 11-5 Conflict of Interest**

Bob Cascella, on September 30th, contacted Heidi Namiot, a member of the public and applied pressure to her to "not blow up the union negotiations", by revealing that these violations occurred and that confidential information had been shared, thereby violating 11-4, 11-2.

As Cascella is also an officer of the Republican Town Committee and

having an interest in the outcome of an election where Heiser, Bornstein and Palermo are running for office, with this call to Heidi Namiot, **he also violated Section 11-5, Conflict of Interest.**

Based on this egregious string of ethics violations and confidentiality violations, I am requesting that you take immediate action.

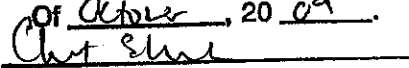
Please feel free to contact me on the cell 203-247-0511 or at the office, 203-662-7078.

Sincerely yours,



Susan D. Cocco  
513 Branchville Road  
Ridgefield, CT 06877

Subscribed And Sworn To  
Before Me, A Notary Public,  
In And For The State Of  
Connecticut, This 10 Day  
of October, 20 09.



Notary Public

CHRISTINE E. CUHSNICK  
NOTARY PUBLIC - CONNECTICUT  
MY COMM. EXPIRES 2/28/2010

SmartZone Communications Center Collaboration Suite

namiot@comcast.net

Re: RPS Updated HSA Presentation  
Handouts

Wednesday, September 30, 2009 5:06:47  
PM

From: daveulmerbof@comcast.net  
To: namiot@comcast.net

Heidi,  
Sure. I get back late Sunday.

The RTC group is now worried that somehow the HSA presentation will get into the wrong hands, whatever that means, before it gets presented to the NEA on Monday night. I even got a call from Marty this morning. You saw Palermo's e-mail went to me with cc to Marty and Cascella (the two RTC members on the BoF) but not Peter and Kevin.

Don't know when the "it was a mistake, Jill was asked to delete it" occurred, but I'd bet it was cya after I called them on it.

I think the key point for campaigning is that the BoF could become a "subcommittee" of the RTC if the voters allow it. Rob is Vice Chair of RTC, Jill is Treasurer, Marty is a member and prior candidate for First Selectman. Peter was a member, I believe, but is not currently. I know they are lining up to shoot at Rudy two years from now.

Anyway, we'll talk when I get back. I will be going to BoE negotiation/mediation session Monday night. There is also a Charter Revision committee meeting Wednesday night (I think). I will go, but maybe we can get others to plead that the BoF should be a 3-2 minority Board (like the BoS) instead of a 4-1 Board, with this a primary evidence. Maybe you can share that thought with others.

Thanks, dave

----- Original Message -----

From: namiot@comcast.net  
To: daveulmerbof@comcast.net  
Sent: Wednesday, September 30, 2009 7:12:18 AM GMT -05:00 US/Canada Eastern  
Subject: Re: RPS Updated HSA Presentation Handouts

Thanks Dave! Can we meet again when you get back? Hope your trip is going well.  
Thanks so much for including me - Heidi

----- Original Message -----

From: daveulmerbof@comcast.net  
To: heiserhouse@aol.com, "Heidi Namiot" <namiot@comcast.net>

Cc: "Peter Gomez" <peter.gomez@comcast.net>, petergomez@ridgefieldct.org, "Jill & jeff Bornstein" <jbornstein1@comcast.net>, "Kevin Walsh" <kwalsh2@comcast.net>, "Bob Cascella" <rcascella@comcast.net>, "John V Palermo" <jvpalerm@us.ibm.com>  
Sent: Tuesday, September 29, 2009 7:52:59 PM GMT -05:00 US/Canada Eastern  
Subject: Re: RPS Updated HSA Presentation Handouts

Marty, all

At risk of raising a firestorm, I am forwarding this to Heidi Naimot.

It looks like John sent it to Marty and Marty sent it on to the current BoF members, plus a candidate for the BoF.

It seems to me that if it is available to one BoF candidate (who is not a current member), it should also be available to the other announced candidate.

Thanks, Dave

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From: heiserhouse@aol.com

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Sent: Tuesday, September 29, 2009 10:09:10 AM GMT -05:00 US/Canada Eastern

Subject: Fw: RPS Updated HSA Presentation Handouts

Fyi ....

Sent from my Verizon Wireless BlackBerry

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**From:** John V Palermo

**Date:** Tue, 29 Sep 2009 10:00:34 -0400

**To:** Marty Heiser <heiserhouse@aol.com>

**Subject:** Fw: RPS Updated HSA Presentation Handouts

Marty, as Chair of the Finance committee, I am sending this to you for your awareness. We will be presenting, through our consultant, the teachers with this material in support of the HSA.

We will also have our mediation session with the union on Oct 5th, which your team should be present at.

John

John V Palermo, Jr.

Director Global Incentives Business Transformation

IBM Corporation

Do more with IBM sales incentives at [w3's Incentives Workplace](#)

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( Tel: 203.486.5606 (teline 376.5606)

Mobile: 203.482.6388 Fax: 914.766.9206

+ email: [jvpalerm@us.ibm.com](mailto:jvpalerm@us.ibm.com)

& web: [ibm.com](http://ibm.com)

- Mail: 150 Kettletown Rd. MD 2362, Southbury, Ct. 06488-2600 USA  
Assistant: Maria Linares, 914.766.2533 (tieline 826.2533)  
Fax: 914.766.3798 tieline 826.3798  
[miinares@us.ibm.com](mailto:miinares@us.ibm.com)

--- Forwarded by John V Palermo/Armonk/IBM on 09/29/2009 09:57 AM ---

From: Robert Fitzpatrick <[rfitzpatrick@kanegroupinc.com](mailto:rfitzpatrick@kanegroupinc.com)>  
To: Deborah Low <[dlow@ridgefield.org](mailto:dlow@ridgefield.org)>, Karen Dewing <[kdewing@ridgefield.org](mailto:kdewing@ridgefield.org)>, Paul Hendrickson <[phendrickson@ridgefield.org](mailto:phendrickson@ridgefield.org)>, Paul Sutherland <[psutherland@ridgefield.org](mailto:psutherland@ridgefield.org)>, Richard Steinhart <[rsteinhart@eosciences.com](mailto:rsteinhart@eosciences.com)>, John V Palermo/Armonk/IBM@IBMUS  
Cc: custserv <[custserv@kanegroupinc.com](mailto:custserv@kanegroupinc.com)>, Jim Bazzano <[James.Bazzano@CIGNA.COM](mailto:James.Bazzano@CIGNA.COM)>, "Helen O'Connell Moore" <[Helen.Moore@CIGNA.COM](mailto:Helen.Moore@CIGNA.COM)>, Brian Cuddeback <[brian.cuddeback@CIGNA.COM](mailto:brian.cuddeback@CIGNA.COM)>  
Date: 09/28/2009 11:53 PM  
Subject: RPS Updated HSA Presentation Handouts

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Also we have updated the FAQ sheets and added eligible expenses and "what is preventive care" to this handout and banking fee information. I have also attached our response to the "39" questions from the Union and the list of scenarios the union wanted answers for....

We are prepared at this point and looking for any last minute items you wanted to add...? Deb, I think we covered your concerns in the FAQ sheets as well as the other materials?

Thanks,  
Rob

SmartZone Communications Center Collaboration Suite

namiot@comcast.net

Re: RPS Updated HSA Presentation  
Handouts

Wednesday, September 30, 2009 10:50:24  
AM

From: daveulmerbof@comcast.net

To: jvpalerm@us.ibm.com

Cc: heiserhouse@aol.com; rcascella@comcast.net

All,

I agree. All (including Heidi) got Jill's response to this affect and Marty's apology for including her.

I'll follow up with Heidi as well.

Thanks, dave

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To: daveulmerbof@comcast.net

Cc: heiserhouse@aol.com, "Bob Cascella" <rcascella@comcast.net>

Sent: Wednesday, September 30, 2009 6:54:11 AM GMT -05:00 US/Canada Eastern

Subject: Re: RPS Updated HSA Presentation Handouts

Dave.

I sent to Marty in his capacity on the BoF given the work we are doing on negotiations, and to keep you all informed. This is what you all asked us to do. It should not have gone to Jill and she was asked to destroy it. You really need to get Heidi to do the same.

John

John V Palermo, Jr.

Director Global Incentives Business Transformation

IBM Corporation

Do more with IBM sales incentives at w3's Incentives Workplace

( Tel: 203.486.5606 (tieline 376.5606)

Mobile: 203.482.6388 Fax: 914.766.9206

+ email: jvpalerm@us.ibm.com

& web: ibm.com

- Mail: 150 Kettletown Rd. MD 2362, Southbury, Ct. 06488-2600 USA

Assistant: Maria Linares, 914.766.2533 (tieline 826.2533)

Fax: 914.766.3798 tieline 826.3798

mlinares@us.ibm.com

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Date: 09/29/2009 07:53 PM

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Fr Robert Fitzpatrick <rfitzpatrick@kanegroupinc.com>  
om  
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To Deborah Low <dlow@ridgefield.org>, Karen Dewing  
: <kdewing@ridgefield.org>, Paul Hendrickson  
<phendrickson@ridgefield.org>, Paul Sutherland  
<psutherland@ridgefield.org>, Richard Steinhart  
<rsteinhart@eosciences.com>, John V Palermo/Armonk/IBM@IBMUS

Cc custserv <custserv@kanegroupinc.com>, Jim Bazzano  
: <James.Bazzano@CIGNA.COM>, "Helen O'Connell Moore"  
<Helen.Moore@CIGNA.COM>, Brian Cuddeback  
<brian.cuddeback@CIGNA.COM>

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Cc: custserv <custserv@kanegroupinc.com>, Jim Bazzano <James.Bazzano@CIGNA.COM>, "Helen O'Connell Moore" <Helen.Moore@CIGNA.COM>, Brian Cuddeback <brian.cuddeback@CIGNA.COM>  
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namiot@comcast.net

Re: RPS Updated HSA Presentation  
Handouts

Tuesday, September 29, 2009 8:15:42  
PM

From: heiserhouse@aol.com

To: daveulmerbof@comcast.net; namiot@comcast.net

Cc: peter.gomez@comcast.net; petergomez@ridgefieldct.org; jbornstein1@comcast.net;  
kwalsh2@comcast.net; rcascella@comcast.net; jvpalerm@us.ibm.com

Reply to: heiserhouse@aol.com

Dear all,

Please accept my apology for too widely distributing this email.

Marty Heiser

Sent from my Verizon Wireless BlackBerry

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From: daveulmerbof@comcast.net

Date: Tue, 29 Sep 2009 23:52:59 +0000 (UTC)

To: <heiserhouse@aol.com>; Namiot, Heidi<namiot@comcast.net>

Subject: Re: RPS Updated HSA Presentation Handouts

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Cc: custserv <[custserv@kanegroupinc.com](mailto:custserv@kanegroupinc.com)>, Jim Bazzano <[James.Bazzano@CIGNA.COM](mailto:James.Bazzano@CIGNA.COM)>, "Helen O'Connell Moore" <[Helen.Moore@CIGNA.COM](mailto:Helen.Moore@CIGNA.COM)>, Brian Cuddeback <[brian.cuddeback@CIGNA.COM](mailto:brian.cuddeback@CIGNA.COM)>  
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I was asked not to look at it as it was forwarded to me by mistake - which I have done - the email was deleted as it was none of my business to have. I would hope Heidi would respect the request that John asked of me.

Thanks. Jill

On Sep 29, 2009, at 7:52 PM, [daveulmerbof@comcast.net](mailto:daveulmerbof@comcast.net) wrote:

Marty, all

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----- Original Message -----

From: [heiserhouse@aol.com](mailto:heiserhouse@aol.com)

To: "Dave Ulmer" <[daveulmerbof@comcast.net](mailto:daveulmerbof@comcast.net)>, "Peter Gomez" <[peter.gomez@comcast.net](mailto:peter.gomez@comcast.net)>, [petergomez@ridgefieldct.org](mailto:petergomez@ridgefieldct.org), "Jill & Jeff Bornstein" <[jbornstein1@comcast.net](mailto:jbornstein1@comcast.net)>, "Kevin Walsh" <[kwalsh2@comcast.net](mailto:kwalsh2@comcast.net)>, "Bob Cascella" <[rcascella@comcast.net](mailto:rcascella@comcast.net)>, "John V Palermo" <[jvpalerm@us.ibm.com](mailto:jvpalerm@us.ibm.com)>

Sent: Tuesday, September 29, 2009 10:09:10 AM GMT -05:00 US/Canada Eastern

Subject: Fw: RPS Updated HSA Presentation Handouts

Fyi ....

Sent from my Verizon Wireless BlackBerry

**From:** John V Palermo

**Date:** Tue, 29 Sep 2009 10:00:34 -0400

**To:** Marty Heiser <[heiserhouse@aol.com](mailto:heiserhouse@aol.com)>

**Subject:** Fw: RPS Updated HSA Presentation Handouts

Marty, as Chair of the Finance committee, I am sending this to you for your awareness.

We will be presenting, through our consultant, the teachers with this material in support of the HSA.

We will also have our mediation session with the union on Oct 5th, which your team should be present at.

John

John V Palermo, Jr.  
Director Global Incentives Business Transformation  
IBM Corporation  
Do more with IBM sales incentives at [w3's Incentives Workplace](#)

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----- Forwarded by John V Palermo/Armonk/IBM on 09/29/2009 09:57 AM -----

From: Robert Fitzpatrick <[rfitzpatrick@kanegroupinc.com](mailto:rfitzpatrick@kanegroupinc.com)>  
To: Deborah Low <[dlow@ridgefield.org](mailto:dlow@ridgefield.org)>, Karen Dewing <[kdewing@ridgefield.org](mailto:kdewing@ridgefield.org)>, Paul Hendrickson <[phendrickson@ridgefield.org](mailto:phendrickson@ridgefield.org)>, Paul Sutherland <[psutherland@ridgefield.org](mailto:psutherland@ridgefield.org)>, Richard Steinhart <[rsteinhart@eosciences.com](mailto:rsteinhart@eosciences.com)>, John V Palermo/Armonk/IBM@IBMUS  
Cc: [custserv@kanegroupinc.com](mailto:custserv@kanegroupinc.com), Jim Bazzano <[James.Bazzano@CIGNA.COM](mailto:James.Bazzano@CIGNA.COM)>, "Helen O'Connell Moore" <[Helen.Moore@CIGNA.COM](mailto:Helen.Moore@CIGNA.COM)>, Brian Cuddeback <[brian.cuddeback@CIGNA.COM](mailto:brian.cuddeback@CIGNA.COM)>  
Date: 09/28/2009 11:53 PM  
Subject: RPS Updated HSA Presentation Handouts

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Hello all:

Attached please find updated presentation material for our October 1st presentation to the Teachers. While speaking with Cigna we decided to utilize the same power point that was used for the Administrators however adapted for the Teachers proposal and the 2010 IRC guidelines.

Also we have updated the FAQ sheets and added eligible expenses and "what is preventive care" to this handout and banking fee information. I have also attached our response to the "39" questions from the Union and the list of scenarios the union wanted answers for....

We are prepared at this point and looking for any last minute items you wanted to add...? Deb, I think we covered your concerns in the FAQ sheets as well as the other materials?

Thanks,  
Rob