

Southampton rebuffs water superintendent's request to repay legal fees in ethics case

By CATHERINE BAUM
Staff Writer



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SOUTHAMPTON - Water Department Superintendent Joseph Slattery is asking the town to reimburse him \$15,029 for attorney fees arising from his defense before the State Ethics Commission, but town officials say they have no intention of doing that.

Town Administrator Diana Schindler added that if Slattery wished to discuss his request further, he should make an appointment with selectmen.

The board received a written request from Slattery last month in which he maintains the town "already set a precedent with Mark Reed in 1997," when it footed the bill for legal fees and a fine for Mark Reed, a former Conservation Commission member.

But a May 5 letter from town attorney Patricia Cantor, of Kopelman & Paige, states that the town should not be paying legal fees for town board members who run into trouble with the Ethics Commission.

In Reed's case, he was a surveyor employed by Heritage Surveys and he appeared in that capacity before the Conservation Commission on behalf of four Heritage clients in 1994 and 1995, according to the Ethics Commission disposition agreement.

Reed incorrectly believed it was permissible to represent Heritage and its clients before the Conservation Commission as long as he abstained from voting, discussing or acting on any matter in which Heritage had any involvement, according to the agreement.

Town accountant David Kielson said he was unable to access the town's public payment records this week because he is out of the office.

Reed agreed in 1997 to pay a \$1,500 fine to the Ethics Commission for representing four clients before the Conservation Commission. He declined to comment Wednesday when asked if the town paid his legal fees and fine.

Schindler said it is irrelevant what the town did 12 years ago in Reed's case.

Slattery paid a \$4,000 fine to the Ethics Commission in October for violating the conflict of interest law.

The commission ruled that Slattery had violated the law regarding holding multiple paid municipal positions - Water Department superintendent and health agent from January 2005 to January 2008 - and also, as a member of the Board of Health, had erred by accepting appointment as health agent, a position supervised by his board, without formal approval from Town Meeting, according to the Ethics Commission disposition agreement issued in October.

Slattery claimed in his letter to the town that he spent \$11,029 in legal fees to "prove his innocence" and "finally gave them (State Ethics Commission) another \$4,000 in 'civil penalties' just to make

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them go away ..."

"I paid my dues, I did a great job for the town of Southampton, and it's time for the town to give something back to me," he wrote.

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