



# TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339-1551  
(860) 464-3203  
council@ledyardct.org

## Town Council ~ AGENDA ~

Chairman Gary St. Vil

Regular Meeting

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Wednesday, June 10, 2026

7:00 PM

Town Hall Council Chambers

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**In-Person: Council Chambers Town Hall Annex**

**Remote: Information noted below:**

**Join Zoom Meeting from your Computer, Smart Phone or Tablet:**

**<https://ledyardct.zoom.us/j/85776227925?pwd=A4TWy9XwjHq3KJlxCkaWmApq85PdPl.1>**

**Audio Only: Telephone: +1 646 558 8656; Meeting ID: 857 7622 7925; Passcode: 895314**

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PRESENTATIONS

2026 Linda C. Davis Woman of the Year

V. RESIDENT & PROPERTY OWNERS (COMMENTS LIMITED TO THREE (3) MINUTES)

VI. COMMITTEE COMMISSION AND BOARD REPORTS

VII. COMMENTS OF TOWN COUNCILORS

VIII. REVIEW AND APPROVAL OF MINUTES

MOTION to approve the Regular Meeting Minutes of May 27, 2026

**Attachments:** [TC-MIN-2026-05-27](#)

IX. COMMUNICATIONS

Communications List - June 10, 2026

X. REFERALS

XI. FISCAL YEAR 2026/2027 BUDGET UPDATE

XII. COUNCIL SUB COMMITTEE, LIAISON REPORTS

1. Administration Committee Report Fiscal Year 2025/2026

2. Community Relations Committee for Diversity, Equity & Inclusion – Report- Fiscal Year 2025/2026
3. Finance Committee Report Fiscal Year 2025/2026
4. LUPPW Committee Report Fiscal Year 2025/2026

Liaison Reports

XII. REPORT OF THE MAYOR

Mayor Report Fiscal Year 2025/2026

XIII. OLD BUSINESS

XIV. NEW BUSINESS

Administration Committee

1. MOTION to set a Public Hearing (Hybrid Format - Video Conference and In-Person) Public Hearing date on July 8, 2026 at 6:00 p.m. to be held in Council Chambers, Town Hall Annex, 741 Colonel Ledyard Highway, Ledyard, Connecticut, to receive comments and recommendations regarding a proposed "An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission" .

**Attachments:** [Ethics Ordinance Admin Mtg-Draft-2026-05-13-ADMIN MTG  
PUB HEAR-LEGAL NOTICE-2026-03-25-ORD -ETHICS  
COMMISSION](#)  
[Ethics Ordinance Admin Mtg-Draft-2026-03-11-clean copy for posting  
Ledyard Ethics Ordinance \(FEB 2026 DRAFT\)-23452496-v3-CLEAN  
COPY](#)  
[Change-Pro Redline - Ledyard Ethics Ordinance \(FEB 2026 DRAFT\)  
-23452496-v2 and Ledyard Ethics Ordinance \(FEB 2026 DRAFT\)  
-23452496-v3](#)  
[PUB HEAR-LEGAL NOTICE-2025-11-10--ETHICS  
ORDINANCE-DRAFT 2025-10-29](#)  
[10-29 Clean Copy with Employee and Public Feedback-TRACK  
CHANGES](#)  
[BUHLE EMAIL-2025-10-28-TRANSMITTING ADDITIONAL  
CORRESPONDENCE-REDLINE](#)  
[Secondary Attorney Revisions Clean Copy 10-28](#)  
[Secondary Attorney Revisions Redline 10-28](#)  
[Final Draft with Attorney Revisions - Clean Copy](#)  
[Modified Draft with Attorney Revisions](#)  
[Modified Draft with Attorney Revisions-with Attorney email-2025-10-27](#)  
[BUHLE-ATTORNEY-PROPOSED ETHICS ORDINANCE-EMAIL  
COMMUNICATION-2025-10-27](#)  
[Redline Glastonbury to Ledyard ordinance](#)  
[Ethics Ordinance DRAFT-2025-10-27](#)  
[Code of Ethics Searchable Version-GLASTONBURY](#)

2. MOTION to appoint the Councilor Carmen Garcia-Irizarry (D) 58 Eagle Ridge Drive, Gales Ferry, to the “Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission” a for six-month term in accordance with Res#002-2026/Mar 25

**Attachments:** [CHAIRMAN ST VIL-ASSIGN COUNCILOR GARCIA-IRIZARRY-AD HOC CMT-EVALUATE SEPARATE PLANNING COMMISSION & ZONING COMMISISON-EMILA-2026-05-13](#)  
[APPOINT APPLICATION-CHERRY-EVALUATE SEPARATE PLANNING AND ZONING COMMISISON AD HOC CMT-2026-03-31](#)  
[APPOINT APPLICATION-CAPON-EVALUATE SEPARATE PLANNING AND ZONING COMMISISON AD HOC CMT-2026-03-31](#)  
[DTC-Approve Appoint Applcations-Kulo & Capon- Evaluate Seperate Planning & Zoning Commissions-email-2026-05-06](#)  
[APPOINT APPLICATION-KULO-EVALUATE SEPARATE PLANNING AND ZONING COMMISISON AD HOC CMT](#)  
[RTC-Appointment Application-Dombrowski-Evaluate Seperate Planning & Zoning Commission-2026-03-31](#)  
[RTC-APPOINT APPLICATION-TREASTER-AD HOC Committee Planing and Zoning - 2025-04-10](#)  
[RIBE-PLANNING & ZONING REP-AD HOC COMMITTEE TO EVALUATE SEPERATE PLANNING & ZONING COMMISSION-LTR-2026-04-15](#)  
[APPOINT APPLICAITON-SCHROEDER-EVALUATE SEPERATE PLANNING AND ZONING COMMISISON AD HOC CMT](#)  
[APPOINT APPLICATION-MURRAY-EVALUATE SEPARATE PLANNING AND ZONING COMMISISON AD HOC CMT-2026-04-19](#)  
[RTC-APPOINT APPLICAITON-MURRAY-EVALUATE SEPERATE PLANNING AND ZONING COMMISISON AD HOC CMT-2026-05-11](#)

#### General Business

3. MOTION to approve a water rate increase to become effective on July 1, 2026 as recommended by the WPCA; in accordance with Ordinance #400-001 “An Ordinance Creating a Water Pollution Control Authority for the Town of Ledyard”)

**Attachments:** [ORD-#400-001-An Ordinance Creating WPCA-2019-09-25.docx](#)

4. MOTION to set Fiscal Year 2026/2027 a Real Estate and Personal Property Mil Rate of 25.78.

**Attachments:** [MILL RATE FY 26-27 25.78-FINANCE DIRECTOR EMAIL-2026-05-07](#)  
[CCM-Revised state revenue estimates 5.3.26](#)

#### XV. ADJOURNMENT

##### **DISCLAIMER:**

Although we try to be timely and accurate these are not official records of the Town.

The Town Council's Official Agenda and final Minutes will be on file in the Town Clerk's Office.



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 26-0844

**Agenda Date:** 6/10/2026

**Agenda #:**

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## PRESENTATION

**Presentation:**

2026 Linda C. Davis Woman of the Year



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 26-0834

**Agenda Date:** 6/10/2026

**Agenda #:**

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## MINUTES

**Minutes:**

MOTION to approve the Regular Meeting Minutes of May 27, 2026



**TOWN OF LEDYARD**  
CONNECTICUT  
TOWN COUNCIL

Chairman Gary A. St. Vil

MINUTES  
LEDYARD TOWN COUNCIL – REGULAR MEETING  
WEDNESDAY, MAY 27, 2026; 7:00 PM  
HYBRID FORMAT  
VIDEO CONFERENCE VIA ZOOM

- I. CALL TO ORDER – Chairman Pro-tem Parad stated in Chairman St. Vil’s absence, that she was serving as Chairman Pro-tem and would be facilitating tonight’s meeting.

Chairman Pro-tem Parad called the meeting to order at 7:01 p.m. at the Council Chambers, Town Hall Annex Building.

Chairman Pro-tem Parad welcomed all to the Hybrid Meeting. She stated for the members of the Town Council and the Public who were participating via video conference that the remote meeting information was available on the Agenda that was posted on the Town’s Website – Granicus-Legistar Meeting Portal.

- II. PLEDGE OF ALLEGIANCE

- III. ROLL CALL –

Attendee Name	Title	Status	Location
William Barnes	Town Councilor	Present	In-Person
April Brunelle	Town Councilor	Present	In-Person
Jessica Buhle	Town Councilor	Present	In-Person
Carmen Garcia-Irizarry	Town Councilor	Present	In-Person
Ty (Earl) Lamb	Town Councilor	Present	In-Person
Adrienne Parad	Town Councilor	Present	In-Person
Tim Ryan	Town Councilor	Excused	
Gary St. Vil	Town Councilor	Excused	
James Thompson	Town Councilor	Present	Remote

- IV. INFORMATIONAL ITEMS/PRESENTATIONS

Mr. Nate Woody, 770 Long Cove Road, Gales Ferry, Sustainable CT Ad Hoc Committee Chairman, thanked the Town Council for the opportunity to speak with them this evening. He stated the Sustainable CT Ad Hoc Committee was established by Res #004-2025/June 25 “Town of Ledyard Resolution Supporting their Continued Participation in the Sustainable CT Municipal Certification Program and Establishing a Sustainable CT Ad Hoc Committee”. He noted the Committee began its work in early 2026 and has since been pursuing certification through Sustainable CT.

Mr. Woody went on to explain that Sustainable CT was a voluntary Certification Program that recognizes Connecticut Municipalities for fostering resilient and thriving communities. He stated participation in the program creates opportunities for grant funding that could support economic well-being, advance equity, and promote responsible stewardship of natural resources. The program also provides a broad range of actions designed to encourage best practices for municipalities of all sizes.

The Certification Process had two components:

- (1). Completion and documentation of Sustainable CT actions to earn the number of points required for the desired level of certification.
- (2). Completion of an Equity Toolkit Actions, which was a proactive effort to engage the community on a specific topic.

Mr. Woody continued by explaining that the Points earned through the program generally remain valid for three years, while some points were for longer periods of time; and some points do not expire at all. As a result, any points applied toward the Town's initial Bronze Certification would remain available should the Town Council choose to appoint a future Ad Hoc Committee to pursue a higher level of Certification. He stated that there were only two dates during the year that Municipalities could assemble and submit their packet to seek Certifications.

Mr. Woody stated after reviewing the requirements for each certification level and consulting with Sustainable CT Representatives, the Sustainable CT Ad Hoc Committee determined that the Bronze Certification was the most appropriate goal for Ledyard. He stated because the Committee was only authorized for one year, their objective was to deliver a Certification consistent with the Town Council's charge. This effort would also position the Town for future advancement by ensuring that the necessary documentation and foundational work was in place. He stated should the Town later choose to pursue the Silver Certification, that the substantial groundwork would have already been completed. He noted the Bronze Certification required a total of 200 Points, as well as the completion of one Equity Toolkit Action, which had to be completed within the last three-years.

Mr. Woody continued to explain as the Sustainable CT Ad Hoc Committee worked through this process, they identified the following two areas in which the Town Council's support would help ensure the Town's ability to achieve the Bronze Certification level:

- ***Host equity training for municipal staff and/or elected officials:***

Mr. Woody explained that there were several options for fulfilling this requirement. He stated Sustainable CT offered a training program, and the Connecticut State Education Resource Center also provides relevant training opportunities. He noted there was no cost associated with the training, and it does not impose additional municipal obligations beyond strengthening the understanding of equity at the municipal level; and how a more inclusive community could benefit residents as a whole. He stated the only requirement was that the training be conducted live, either in person or virtually; noting that recorded webinars do not qualify. He stated to the Ledyard's Sustainable CT Ad Hoc Committee's knowledge; no such training has been completed within the past three-years. He stated as was done this past winter (February 10, 2026) with the Freedom of Information Act Training (FOIA) that; the Town could hold two training sessions, one during the day for staff; and one in the evening for elected officials and volunteers

- ***Develop and adopt a Statement on Equity:***

Mr. Woody explained that a "*Statement on Equity*" called for the development and public adoption of a statement reflecting the community's shared vision of equity. He stated the creation of Ledyard's Sustainable Ad Hoc Committee demonstrated the Town Council's and the Town's commitment to this principle; and by adopting a formal statement it would provide Ledyard with a clear and locally grounded expression of that commitment. He noted the Ad Hoc Committee could provide examples from other Connecticut municipalities, stating that such a statement could be drafted without difficulty to affirm that Ledyard supported policies and practices that encourage open and inclusive participation by all residents, regardless of social, cultural, racial, or intellectual differences. He stated the Town Council's existing support for School Climate Statements, and a Diversity and Inclusion Committee already reflected these values, and this action would formally articulate them.

Mr. Woody concluded by stating that there were no direct costs associated with this action beyond the Town Council's time to draft, discuss, and adopt such a *Statement of Equity*. He stated while the *Statement of Equity* would not create a financial obligation, that it would provide a clear expression of the Town's vision and continued commitment to equity for all residents. He stated to the Sustainable CT Ad Hoc Committee's knowledge, that neither the qualifying training; nor the adoption of a *Statement of Equity* has occurred within the past three-years. He stated the Ad Hoc Committee was looking for the Town Council's confirmation and commitment to participate in the Certification Process. He stated the Ad Hoc Committee was available to help provide resources to achieve these goals; and he noted that he would be happy to answer questions this evening and throughout this process.

The Town Council and Mr. Woody discussed the following:

- Both Sustainable CT; and Southeastern Connecticut Council of Governments (SCCOG) would be available to provide the Equity Training at no cost to the town. Ledyard would only need to work with them to schedule a date for the training.
- The Spring, 2026 Sustainable CT Equity Training that three members of Ledyard's Sustainable CT Ad Hoc Committee already participated in was #1.21 and involved three 2-hour sessions. The Equity Training for staff, elected officials, and volunteers would be #1.22; and was a different training. There was no minimum attendance requirement.
- The Sustainable CT Ad Hoc Committee would include all documentation verifying that individuals attended the various Sustainable CT trainings. Whether those trainings were taken for the Sustainable CT Program or to seeking a Municipal Official Certification, they would provide Points toward the Town's Certification.
- Many Town Committee/Commission/Boards have been involved and working to do many of the requirements to help the Town achieve their Sustainable CT Certification. Conservation Commission Mr. Jim Harwood has done a great job reaching out to involve the town's various committees.
- Sustainable CT Certifications (Bronze, Silver, Gold) goal was focused on inclusion. The level that Municipalities achieved was based on striving to improve their practices; and less about getting access to more funding. However, completing the Sustainable CT Tool Kit Actions would provide access to funding.

Chairman Pro-tem Parad thanked Mr. Woody for his work and for his informative presentation this evening. She asked Mr. Woody to provide some examples of the *Statements of Equity* that the Community Relations Committee for Diversity, Equity and Inclusion could review to draft Ledyard's Equity Statement to present to the Town Council for adoption. She stated that hopefully the timing of the Equity Training would lend to the drafting of Ledyard's *Statement of Equity*. Mr. Woody stated he would be happy to provide some examples and he noted that Sustainable CT has great Equity Coaches that would be willing to attend the Community Relations Committee for Diversity, Equity and Inclusion Meetings to help guide the drafting of the *Statement of Equity*.

V. RESIDENTS & PROPERTY OWNERS (COMMENTS LIMITED TO THREE (3) MINUTES) – None.

VI. COMMITTEE COMMISSION AND BOARD REPORTS – None.

VII. COMMENTS OF TOWN COUNCILORS

Councilor Garcia-Irizarry noted the following: (1) Ribbon Cutting Gales Ferry Plaza Mini-Mart May 23, 2026 - Councilor Garcia-Irizarry stated on Saturday the Economic Development Commission hosted the Ribbon Cutting Ceremony, noting that Mayor Allyn, III and State Representative Larry Pemberton were in attendance. She stated the Mini-Mart would be carrying produce, milk, eggs, butter, snacks, and other last minute items, noting that they were still adding new items to their inventory. She noted that it would be great to have a this kind of business on the Gales Ferry side of town; and she encouraged residents to support them; (2) Sustainable CT – Councilor Garcia-Irizarry noted that she has been taking some of the Sustainable CT trainings that were offered on-line in her efforts to seek a Municipal Official Certification. She stated the message of the trainings were: (a) “*Inclusion*” - giving everyone a voice to express themselves by bringing everyone to the table to improve things in their town for residents; (b) “*Equity*” does not necessarily mean that everything was *fair*, because individual needs were different. She stated although everyone could be given the same tools, that because everyone's needs may be different, those tools may not be good enough for all of them. She stated “*equity*” was to give each individual the tools they needed to succeed. She noted as an example that everyone may be given a pencil, however, someone in the group may need a pen. She stated anyone could take the trainings by visiting the Sustain CT website at <https://sustainablect.org/trainings-events/trainings-events-calendar>.

Councilor Lamb commented on the following: (1) Annual Budget Preparation Process – Councilor stated this was his first Budget Process serving on the Town Council. He suggested in preparation for next year’s Annual Budget that the Town Council work together to develop a list of items that were important to Ledyard to provide to their State Legislators. He noted as an example the importance of the Raised House Bill #5407, “*An Act Concerning State Reimbursement to Municipalities for Revenue Lost Due to the Property Tax Exemption for Veterans with a One Hundred Percent Permanent and Total Disability Rating*,”. He stated this was an opportunity for the Town Council to adopt Resolutions and to be more forceful with their State Legislators. He stated next year that perhaps the Town Council could brainstorm before starting the Annual Budget Process; and (2) Veterans Breakfast – Councilor Lamb noted that he and Councilor Parad attended the monthly Veterans Breakfast at the Fireside Restaurant in Gales Ferry. He stated it was the first Veteran’s Breakfast he attended and that he brought his Father, who was a 19 year veterans of the Holland Club, noting that before someone could be a veteran of the Holland Club they had to be 50-years qualified as a Submariner.

Councilor Buhle noted the following: (1) Middle School Production - Singing in the Rain – Saturday, May 23, 2026 - Councilor Buhle stated she attended the Middle School’s Production noting that it was fantastic; and (2) Harvard -Yale 159<sup>th</sup> Regatta, Saturday, June 6, 2026 - Councilor Buhle stated the first race would begin at 1:15 p.m. and a Regatta Festival would be held at Erickson Park from 12 Noon to 4:00 p.m.

Councilor Barnes commented on the following: (1) Ledyard High School Music – Annual Pops Concert, May 29 & 30, 2026 – Councilor Barnes stated tickets were still available; (2) Memorial Day Parade May 24, 2026 – Councilor Barnes noted that it was disappointing that the Lions Club had to cancelled the parade due to heavy rain. However, he stated that they were planning a bigger America 250 Celebration Parade on June 27, 2026; (3) Ledyard Farmers Market – Councilor Barnes noted that the Farmers Market would kick-off the Season on Wednesday, June 3, 2026 and he noted that he was looking forward to attending the weekly event this summer.

Councilor Brunelle announced that May was Foster Care Community Month, and she noted for those who were thinking about being a Foster Care Family there were a lot of resources available. She also noted for those who needed help finding resources that she would be happy to help find the resources.

Councilor Thompson, attending remotely, gave a shout-out to *All Paws On Deck*, noting that he and his wife recently adopted their second puppy from the Organization. He stated this was fantastic Organization that helped to find homes for dogs that would not have survived. He noted they had a number of events coming up, with one being in late June, 2026

Chairman Pro-tem Parad stated although the month of May was winding down that she would like to acknowledge that May was Jewish-American Heritage Month and Asian-American Heritage Month.

VIII. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of May 13, 2026  
Moved by Councilor Buhle, seconded by Councilor Brunelle

VOTE: 7 – 0 Approved and so declared

IX. COMMUNICATIONS

Chairman Pro-tem Parad noted that a Communications List has been provided on the meeting portal for tonight’s meeting, and he noted there were referrals listed.

X. FISCAL YEAR 2026/2027 BUDGET UPDATE

Chairman Pro-tem Parad stated we have *Good News!* the Budget was approved by the townspeople at the May 19, 2026 Referendum. She asked Councilor Buhle whether she would like to provide any updates regarding the Annual Budget Process.

Councilor Buhle stated the Townspeople approved the Fiscal Year 2026/2027 by a vote of 294 in-favor; and 208 opposed. She noted the next step in the process was for the Town Council to set the Mill Rate, which they would do at their June 10, 2026 meeting; noting the projected Mill Rate was 25.78; and would match the prior year's equalized mill rate.

X. COUNCIL SUB COMMITTEE, LIAISON REPORTS

Administration Committee

Councilor Garcia-Irizarry stated although the Committee has not met since their last Town Council meeting, they had a number of items on tonight's agenda.

Community Relations Committee for Diversity Equity & Inclusion

Councilor Brunelle stated the Committee had a short special meeting prior to tonight's Town Council meeting. She noted that the Committee addressed the Linda C. Davis Woman of the Year Award stating the Committee received several nominations. She noted although the decision was difficult the Committee has selected a winner. She stated the Woman of the Year Award would be presented to the recipient at the Town Council's June 10, 2026 meeting.

Finance Committee

Councilor Buhle noted as previously mentioned this evening the Fiscal Year 2026/2027 Budget passed at the May 19, 2026 Referendum. She noted because there was no new business the Finance Committee would be cancelling their June 3, 2026 meeting.

Land Use/Planning/Public Works Committee

Councilor Thompson stated the LUPPW Committee's next meeting was scheduled for June 1, 2026.

**Liaison Reports**

Water Pollution Control Authority (WPCA)

Councilor Thompson stated the WPCA met on May 26, 2026 and addressed the following: (1) Azuria Presentation - Councilor Thompson explained that Azuria reviewed the process to seal the sewer pipes using a plastic coating to address leaking pipes, cracked joints, and invasive root systems, etc.; (2) Lead and Copper Testing – The WPCA needed \$216,500 to perform the work required by the Department of Energy & Environmental Protection; (3) Water Rate Fiscal Yr 2026/2027 – The WPCA did not recommend setting a water rate, and scheduled a Special Meeting for June 9, 2026 to continue to deliberate on setting the Water Rate.

Councilor Lamb noted his March 26, 2026 email, and he stated in watching the WPCA's May 26, 2026 meeting he had concerns that they have not yet set their Water Rate, noting that they appeared to have three different concepts regarding the water rates, which were needed to support their water operations, as well as maintain and make repairs to their aging capital infrastructure. Therefore, he questioned how the Town Council could work with the WPCA to help them pull this together, not only for this coming year, but going forward as well He stated that he wanted to feel comfortable that the Water Rates were determined based on a good analytical assessment to serve their customers properly.

Mayor Allyn, III explained that the WPCA had two separate budgets: (1) Water Operations; and (2) Sewer Operations. He stated because the WPCA purchased their water from Groton Utilities that when they raise their rates, that the WPCA would also have to raise their rates, otherwise the WPCA would be losing money every year, which has been the case. Therefore, he stated the WPCA needed to continue to revise their water rates in a reasonable way; and they were working to try to incorporate Groton Utilities proposed rate increases so they do not fall behind. Administrative Assistant Roxanne Maher stated in accordance with CGS Chapter 102, Section 7-239; which was cited in Ordinance #400-001 "*An Ordinance Creating a Water Pollution Control Authority (WPCA) for the Town of Ledyard*" the Town Council was required to approve the WPCA Water Rate annually; however, they were not required to approve the WPCA Sewer Rate. She noted the WPCA held a Public Hearing on May 26, 2026 before their Regular Meeting. However, based on Councilor Thompson's report the WPCA has not yet determined their Water Rate for Fiscal Year 2026/2027 to forward to the Town Council for approval.

Councilor Thompson addressed the WPCA water rate noting at their May 26, 2026 meeting they were deadlocked in working to find a water rate that was fair and balanced for everyone. He stated the WPCA discussed the need for an additional \$216,500 to conduct the required Lead and Copper Study and whether this cost should affect the ratepayers, as well as private residences, and commercial business, noting that the WPCA did not appear to be prepared. Therefore, they have scheduled a special meeting for June 9, 2026 to continue their discussion and to forward a recommended water rate for the Fiscal Year 2026/2027 to the Town Council for their review and approval.

#### Ledyard Center Fire Department

Councilor Barnes stated he attended the Ledyard Center Fire Department's 75th Anniversary Awards Banquet on Saturday, May 16, 2026. He stated he had the opportunity to present the Firefighter of the Year Award to Bryce Johnson; and read the Mayor's Proclamation. He stated it was a pleasure to attend the event.

#### Conservation Commission

Councilor Lamb noted the Conservation Commission would be meeting on June 9, 2026

#### Ledyard Historic District Commission

Councilor Lamb stated the Commission met on May 18, 2026 and he reported on the following: (1) Commissioner Resignation – Councilor Lamb noted that Kelly Lamb stepped down from the Commission, noting that she served as the Recording Secretary and she managed their Social Media. The Commission thanked Ms. Lamb for her service; (2) Maintenance and Preservation of Historic Properties - Councilor Lamb explained work continues on the maintenance and preservation of the town's designated historic properties which included the Nathan Lester House, Up-Down Sawmill, and the Old School House. However, he noted Commission Member Doug Kelley's "*Blue Skyes*" visionary work, which previously seemed to be out of reach, was now driving people to do more things; (3) Historic Preservation Spicer Homestead Ruins – Councilor Lamb stated the Commission was bringing people to the site and were excited about this initiative and was working to draft their Study/Report; (4) Proposed Gales Ferry Design District – Councilor Lamb stated the Historic District Commission has gotten involved with the Design District Application to present to the Planning & Zoning Commission. Councilor Lamb stated the Historic District Commission's next meeting was scheduled for June 15, 2026.

Councilor Lamb stated the Historic District Commission, Farmers Market Committee, Agricultural Commission, and Conservation Commission have been discussing a joint initiative where they could work with the School District to involve the kids with some of the real life things they were working on. He noted as an example if Mr. Bruce Gartska's was having a Veterinarian giving the donkeys vaccines that it would be a good opportunity for the Vo-Ag Students to visit his farm to see this work being done live. He stated if these Committees had a Joint Meeting Calendar where all these events were listed and perhaps they could work something out with the School District.

Councilor Lamb went on to note as Sustainable CT Ad Hoc Committee Chairman Nate Woody mentioned earlier this evening during his presentation, many of the town's committees were digging in to do their part to help the town achieve the points needed to obtain the Bronze Certification.

#### Agricultural Commission

Councilor Lamb stated the Agricultural Commission held a Joint Land Use Meeting on May 19, 2026 at 6:00 p.m. He noted their next regular meeting was scheduled for June 16, 2026.

#### Ad Hoc Committee to Develop a Process for Capital Improvement Projects

Councilor Lamb stated the Committee's Organizational Meeting was held on Thursday, May 21, 2026 at 4:30 p.m. He noted the Committee elected Mr. Joseph Gush to serve as its Chairman and Mr. Brandon Graber as their Recording Secretary.

## XI. MAYOR'S REPORT

Mayor Allyn, III reported on the following: (1) Water Pollution Control Authority – Lead and Copper Analysis Study – Mayor Allyn noted the \$216,500 Councilor Thompson mentioned, explaining that these funds were specifically to conduct a Lead and Copper Study as required

by the Federal Environmental Protection Agency (EPA) and the State Department of Energy & Environmental Protection (DEEP). He stated about a year ago, he reported that after finding lead in the Flint, Michigan water supply the Federal EPA was requiring every public water

system to conduct an analysis of their systems' piping. He stated because Ledyard's water system was relatively new they already know that their system was constructed with plastic piping; noting that it was not like Norwich, New London, or New York City's water system where they used lead piping. However, he stated that there was no exception, all public water systems were required to conduct the Lead and Copper Analysis Study. He stated the current practice was to dig up the water pipes with excavator equipment to show that the pipes were not lead. He also noted that another way to conduct the water pipe analysis was to use ground penetrating radar. He went on to explain that it was incumbent on the WPCA to come to the Town Council because they do not have the \$216,500 to conduct the Feder EPA Lead and Copper Analysis Study; (2) Sewer System Pipe Sealing - Mayor Allyn thanked State Senator Cathy Osten and State Representative Larry Pemberton for submitting a \$1 million State Bond Request for Ledyard to seal its sewer system. He explained the process would put polyethylene into the piping and a balloon would inflate against the walls of the existing piping to create a new lining inside their pipes. He stated sealing sewer pipes was a cost effective process and would add about 50 – 60 years of life to their current sewer system, specifically in the Highlands area. He went on to explain that currently their sewer system has ground water that seeps into the system as well as sewage that seeps out of the system. He stated by sealing the sewer pipes that both seepage issues would be remediated and it would improve the efficiency of their Wastewater Treatment Facility, noting that when they have heavy rain storms that in addition to treating the sewage, that they were also treating the ground water that has penetrated the system; (3) Ledyard Inter-Church Emergency Assistance Fund (LICEAF) May 14, 2026 Meeting – Mayor Allyn stated he attended the meeting at which a grant request was approved for a Ledyard resident. He stated this Emergency Fund was used to help residents with expenses such as rent, utilities, auto repairs, etc.; (4) Southeastern Connecticut Council of Government (SCCOG) Housing Allocation Policy Committee May 14, 2026 Meeting – Mayor Allyn explained that the Committee has been reviewing the new Public Act 25-1 was regarding housing; and working to determine the needs in terms of workforce housing, affordable housing, etc. for each town; (5) Connecticut America 250 Meeting – Mayor Allyn noted at the Town Council's May 13, 2026 meeting he reported that he applied for a \$750 grant, which was recently approved. He stated although it was not a lot of money that it would help the Town with its planned America 250 activities this summer; (6) Council of Small Towns (COST) Meeting – Mayor Allyn stated they discussed a lot of good Legislation this year, which included the 100% Veterans Tax Exemption and House Bill 5407. However, he stated none of COST's proposals made it through the State's process; (7) Milestone Nuclear Disaster Practice Drill – Mayor Allyn stated he along with Ledyard's emergency management, first responders, and others participated in the Practice Drill during which Federal Emergency Management Agency (FEMA) was on-site. He stated Ledyard was required to participate in these Nuclear Disaster Drills noting that annually Ledyard received about \$25,000 - \$30,000 from the Emergency Management Performance (EMPG) Grant Program. He stated an evaluated Drill will be held on June 23, 2026 during which time Federal Emergency Management Agency (FEMA) would evaluate how Ledyard responded to various scenarios, etc.; (8) Former Mayor Joseph Lozier 1991- 1994 – Mayor Allyn stated that he attended the calling hours on May 22, 2026 for Ledyard's Fourth Mayor Joseph Lozier who served 1991-1994. He noted that former Mayor Lozier passed away on May 10, 2026 after a battle with cancer; (9) Ribbon Cutting – Plaza Mini-Mart – Mayor Allyn thanked Councilor Garica-Irizarry for also attending the Ribbon Cutting on May 23, 2026. He noted the avocados were perfect and that it was a great spot; (10) Memorial Day Parade – Cancelled – Mayor Allyn noted that based on the predicted heavy rain that the Lions Club cancelled the May 24, 2026 Memorial Day – America 250 Parade. He stated it was rescheduled to Saturday, June 27, 2026 with a rain date of Sunday, June 28, 2026; (11) Opioid Settlement Funding – Mayor Allyn noted that Ledyard would be receiving another Opioid Settlement Funding disbursement in the amount of \$11,507.53 around mid to late-July, 2026. He noted funding from this Settlement was expected to be received through 2030; (12) Ledyardct.gov website – Mayor Allyn stated that currently Ledyard's website was [Ledyardct.org](http://Ledyardct.org); however, he stated the Federal Government wanted all government websites to be [.gov](http://.gov). Therefore, he stated MIS Director Justin Dube and his staff have been working to transition the town's website to [.gov](http://.gov) and to make the website better and more user friendly. He stated the search functions for the new website were vastly improved

and much quicker. He stated that Mr. Dube would like to receive feedback from the Town Council on the new website layout. Councilor Barnes noted that Mr. Dube did send the Town Council the link to the new town website for their review and comments.

### Questions to the Mayor

#### WPCA Lead and Copper Analysis Report

Councilor Barnes questioned whether they could test the water coming out of the pipes for Lead and Copper. Mayor Allyn explained that many of the older homes were constructed with copper pipes and that the solder used had lead. Therefore, he stated if they tested the water coming out of the tap in the homes that it may have lead and copper. He stated that it would not mean that the copper and lead was coming from the water system, noting that it would be coming from the home. He stated they also explored using camera systems in the water lines, however, he stated that it failed.

Councilor Garcia-Irizarry noted WCA Chairman Ed Lynch had mentioned that the WPCA would be applying for grant funding for the Lead and Copper Analysis Study; therefore, she questioned whether they were able to secure some grant funding. Mayor Allyn the WPCA did want to apply for grant funding, however, he stated because the timing was critical that he expected that the WPCA would be coming to the Town Council next month; and that he hoped the WPCA would be prepared to talk about the grant opportunity.

XII. OLD BUSINESS – None.

XIII. NEW BUSINESS

#### Administration Committee

1. MOTION to adopt the proposed Social Services Coordinator job description as presented in the draft date May 5, 2026.

Moved by Councilor Garcia-Irizarry, seconded by Councilor Buhle

Discussion: Human Resources Director Christine Dias, attending remotely via Zoom, explained that the proposed Social Services Coordinator job description was a new part-time (about 8 – 10 hours per week), non-union position. She stated the Social Services Coordinator would work with the Linda C. Davis Food Pantry; Holiday and Seasonal Programs such as the Backpack Program, Holiday Baskets, Toy Drives, Adopt a Family. In addition they would work with Ledyard Inter-Church Emergency Fund (LICEAF), United Way, the Mayor, and others. She went on to note that this position would also serve as the Municipal Agent for the town, which was required by State Statute.

Councilor Garcia-Irizarry noted at the Administration Committee's May 13, 2026 meeting they corrected the Senior Citizens age from 60+ to 55+.

Councilor Garcia-Irizarry noted that former Mayor Executive Assistant/Social Services Coordinator Kristen Chapman was handling all of this work, that was now taking three positions to do. She expressed her appreciation for all the work that Ms. Chapman did for the town while she was working for the Mayor.

Councilor Lamb noted the "Physical Demands" paragraph stated the following:

*"The employee must be free from mental and/or physical disorder which would interfere with the performance of duties as described, and have the ability to maintain his/her composure with the public and co-workers in every day stressful and emergency situations. Employee may occasionally have to function in situations where subjected to aggressive verbal behavior."*

Councilor Lamb stated when he worked with individuals with disabilities in coaching handicap soccer teams that their opponents were always amazed on their ability, noting in many cases the handicapped soccer team won the game against able body people. Therefore, he questioned who would make the decision as to whether the applicant's disability would interfere with their performance of the job.

Human Resources Director Christine Dias stated the language Councilor Lamb referenced was standard language that was included in all of the town’s job descriptions. She stated if someone was qualified for the position that the town would make the American Disabilities Act (ADA) accommodations for the individual to perform the job.

Councilor Barnes noted that the “*Physical Demands*” paragraph listed what those physical demands were as follows:

*“While performing the duties of this job, the employee is frequently required to speak and hear; walk; sit; stand; bend; stoop; kneel, use hands and fingers to handle, feel or operate objects, tools or controls; reach with hands and arms, use wrist for repetitive motion. The employee must occasionally lift and/or move up to 20 pounds. Specific vision abilities required by the job include close vision and the ability to adjust focus. Hand/eye coordination is necessary to operate computer and various pieces of office equipment.”*

Councilor Barnes stated that the description provided in the paragraph above sets the standards of what the expectations were. He stated if an individual was not capable of performing those duties that an accommodation request could be made. However, he stated the job description as written does include the physical demands specifications.

Councilor Lamb questioned who the arbitrator and decision maker was with regard to whether a candidate was *free from mental and/or physical disorder which would interfere with the performance of duties as described*. Human Resources Director Christine Dias explained that she conducts the first review of the applications to verify candidates met the job qualifications, the applications were then reviewed by the committee/department looking to fill the position, interviews were then scheduled, and the hiring committee would perform the overall decision. She stated the physical demands would only come up if there was an issue after the individual was hired.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Carmen Garcia-Irizarry, Town Councilor.
SECONDER:	Jessica Buhle, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

2. MOTION to endorse the Parks, Recreation & Senior Citizens Commission proposal to dedicate the new pavilion Lantern Hill Road Park in the name of Janet Barnett (Janet Barnett Pavilion).

Moved by Councilor Garcia-Irizarry, seconded by Councilor Barnes

**Background (Town Council January 25, 2023 Public Hearing & Regular Meeting):**

Mr. and Mrs. Graham purchased a piece of land on the twenty-six acre Bush Pond body of water, which was parallel to Long Pond. After removing a number of dilapidated cottages and cleaning up the property at their own expense, opening up the property and making it more accessible, they offered the Town the opportunity to lease 0.8 +/- acre parcel of the Pond for 99-years for \$10.00 annually to be used as a waterfront park for passive (non-motorized) recreation such as canoeing, kayaking, fishing, etc. While the lease indicated that the Town could not construct a building on the parcel, they could put in a gazebo for picnicking, and a porta-john.

Discussion: Parks, Recreation, & Senior Citizens Director Scott Johnson, Jr., provided some background explaining that the Parks & Recreation Commission was building a new park at the Lantern Hill Valley Pond, which the Town was leasing for 99-years from Mr. and Mrs. Graham to be used for public non-motorized passive recreation. He explained the new park would include a boat launch for non-motorized watercraft, two parking lots, a pavilion, and picnic tables.

Mr. Johnson continued by noting that Mrs. Sandy Fedors approached the Park, Recreation, & Senior Citizens Commission explaining that the JB Memorial Grant was created by monies that Ms. Janet Barnett left after her passing last year to be used to create and support projects that enhance community spaces. He noted that Mrs. Fedors applied for and received \$5,000

from the JB Memorial Grant, which she has chosen to donate toward the purchase of the Lantern Hill Valley Park Pavilion.

Mr. Johnson stated that Ms. Barnett was a lifelong Ledyard resident and a strong community advocate, noting the many things she did were included in the letter that was attached to the agenda packet on the meeting portal. He stated Ms. Barnett gave a lot to the town, and was deserving of this dedication; and he hoped the Town Council would agree. He stated a Ribbon Cutting and Dedication Ceremony would be held once the Pavilion and Park were completed.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Carmen Garcia-Irizarry, Town Councilor.
SECONDER:	Bill Barnes, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

- MOTION to endorse the Parks, Recreation & Senior Citizens Commission proposal to dedicate the Senior Center Fitness Room in the name of Paula Crocker (Paula Crocker Fitness Center).

Moved by Councilor Garcia-Irizarry, seconded by Councilor Brunelle

Discussion: Parks, Recreation, & Senior Citizens Director Scott Johnson, Jr., provided some background explaining that American Rescue Plan Act (ARPA) Funding was specifically awarded to the Senior Center. He stated among the projects the Senior Center decided to use the funding for was to build a Fitness Center. He stated Ms. Paula Crocker was a dedicated volunteer noting in serving on the Senior Citizens Commission Ms. Crocker delivered TVCCA Meals on Wheels; helped Jimmy in the kitchen with meal preparations, she called bingo once a week and she actually bought the prizes too. He stated that it was Ms. Crocker idea, along with Ms. Carol Schneider, to start their Senior Prom. He noted that Ms. Crocker understood the need to bring younger Senior Citizens into the Center and was instrumental in advocating for building the Fitness Center. In addition, Ms. Crocker also served on the Housing Authority as their Recording Secretary; and collaborated with the Beautification Committee to create teacup flowers for Valentine's, and wreaths for Christmas. He stated unfortunately Ms. Crocker passed away a few weeks ago; and was sorely missed, noting that it now takes seven volunteers to do the work Ms. Crocker did for the Senior Center and for the Town.

Mr. Johnson concluded by stating the Parks, Recreation, & Senior Citizens Commission believed that it was appropriate to dedicate the Fitness Center to Ms. Crocker and that he hoped the Town Council would agree with naming it the *“Paula Crocker Fitness Center”*.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Carmen Garcia-Irizarry, Town Councilor.
SECONDER:	April Brunelle, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

- MOTION to appoint the following Members to the *“Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission”* a for six-month term in accordance with Res#002-2026/Mar 25:

- **One Member from the Community-at-Large with Planning experience:**  
Mr. Tony Capon (D) 37 Silas Deane Road, Ledyard
- **One Member from the Community-at-Large with Zoning experience**  
Mr. Kevin Dombrowski ( R) 139 Meetinghouse Lane, Ledyard
- **One Member from the Planning & Zoning Commission**  
Ms. Beth Ribe (U) 129 Rose Hill Road, Ledyard

- **One Member from the Community-at-Large**

Mr. Milton (Dave) Schroeder, Jr., (U) 290 Whalehead Road, Gales Ferry

Moved by Councilor Garcia-Irizarry, seconded by Councilor Brunelle

Discussion: Councilor Garcia-Irizarry noted several residents submitted appointment applications to serve on this short-term Ad Hoc Committee to evaluate whether the Planning & Zoning Commission should remain as one Commission or whether they should be separated into two separate Commission.

Councilor Garcia-Irizarry went on to note at the Administration Committee’s May 13, 2026 meeting they reviewed each of the Applications to narrow the selection down to the five positions the Ad Hoc Committee called for. She stated the selection process was difficult noting each of the candidates had great experience, and the background needed for this initiative. She stated the Committee recommended the slate presented this evening for the following reasons:

- Mr. Tony Capon previously served as the Planning & Zoning Commission Chairman.
- Mr. Kevin Dombrowski was a former Town Council Chairman and also served as the Chairman of the Land Use/Planning/Public Works Committee, and he previously served as the Zoning Commission Chairman.
- Ms. Beth Ribe was currently serving on the Planning & Zoning Commission and the Commission nominated Ms. Ribe to serve in this capacity.
- Mr. Milton (Dave) Schroeder, Jr., has been an active member in the community often speaking at meetings on topics such as the proposed Ethics Ordinance.

Councilor Garcia- Irizarry noted the Administration Committee would address the Town Council Representative at their June 10, 2026 meeting. She stated that it was exciting to have so many residents interested in serving their community.

Councilor Lamb stated he believed they were getting so much interest from residents to participate on town committees was because some of the initiatives this Town Council has taken up were being driven by the community. He stated it was good to see so many residents getting involved.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Carmen Garcia-Irizarry, Town Councilor.
SECONDER:	April Brunelle, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

5. MOTION to appoint Mr. David Gruszkowski ( R) 26 Saw Mill Drive, Ledyard, to the Retirement Board to complete a three (3) year term ending January 20, 2029 filling a vacancy left by Ms. DeGaetano.

Moved by Councilor Garcia-Irizarry, seconded by Councilor Buhle

Discussion: Councilor Lamb stated Mr. Gruszkowski was a Program Manager for the Huntington Ingalls Industries (HII) and worked onsite at Electric Boat/General Dynamics. He stated Mr. Gruszkowski recently retired and that he supported his appointment to the Retirement Board.

Councilor Garcia-Irizarry stated with the appointment of Mr. Gruszkowski that there was still two Alternate Member vacancies for anyone who was interested in serving on the Retirement Board. She noted the importance of Alternate Members on the Town’s Committees.

It was noted that the Retirement Board meets on the third Tuesday of each month at 10:00 a.m. in the Council Chambers.

Councilor Buhle noted the importance to maintain “Minority Representation” stating with the appointment of Mr. Gruszkowski the Board would have four Republicans and one Democrat.

CGS Section 9 -167 a Minority Representation was noted as follows:

“... (a)(1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

*“The maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:”*

Total Membership	Maximum from One Party
3	2
4	3
5	4
6	4
7	5
8	5
9	6
More than 9 Two-thirds of Total Membership	

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Carmen Garcia-Irizarry, Town Councilor.
SECONDER:	Jessica Buhle , Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

- MOTION to appoint Mr. Gary Schneider (D) 101 Inchcliffe Drive, Gales Ferry to the “*Ad Hoc Committee to Develop a Process for Capital Improvement Building Projects for the Town of Ledyard*” as the Representative from the Community at Large with Construction Management Experience, for six-month term in accordance with Res#002-2026/Feb 11.  
 Moved by Councilor Garcia-Irizarry, seconded by Councilor Buhle  
 Discussion: Councilor Garcia-Irizarry noted the Administration Committee received two appointment applications to serve on the *Ad Hoc Committee to Develop a Process for Capital Improvement Building Projects* as the Representative from the Community-at-Large. She stated Mr. Schneider was a current member of the Permanent Municipal Building Committee (PMBC) and that he was the Public Works Director for the Town of Waterford, noting that he had experience with projects.

Councilor Lamb stated he supported the appointment of Mr. Schneider to the *Ad Hoc Committee to Develop a Process for Capital Improvement Building Projects*. He noted the Ad Hoc Committee held their Organizational Meeting on May 21, 2026 and elected the following officers: Mr. Joe Gush as Chairman; and Mr. Brandon Graber as the Recording Secretary. He stated this was a short-term 6-month assignment and the Committee would be meeting on the third Thursday of each month at 4:30 p.m.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Carmen Garcia-Irizarry, Town Councilor.
SECONDER:	Jessica Buhle , Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

7. MOTION to appoint Ms. Anne Roberts-Pierson (U) 4 Anderson Drive, Gales Ferry, as a Regular Member to the Historic District Commission, to complete a five (5) year term ending December 6, 2029; filling a vacancy left by Ms. Lamb.

Moved by Councilor Brunelle, seconded by Councilor Garcia-Irizarry

Discussion: Councilor Garcia-Irizarry stated that Ms. Roberts-Pierson was currently serving as an Alternate Member on the Historic District Commission. She noted with the resignation of Ms. Kelly Lamb the Historic District Commission requested Ms. Roberts-Pierson be appointed as a Regular Member.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	April Brunelle, Town Councilor.
SECONDER:	Carmen Garcia-Irizarry , Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

8. MOTION to appoint Ms. Kim Millar (U) 6 Riverside Place, Gales Ferry, as an Alternate Member to the Historic District Commission, to complete a five (5) year term ending December 6, 2028; filling a vacancy left by Ms. Roberts-Pierson.

Moved by Councilor Brunelle, seconded by Councilor Buhle

Discussion: Councilor Garcia-Irizarry noted that the Administration Committee received two appointment applications to fill one vacancy on the Historic District Commission. She noted based on their education and experience that both candidates would have been an asset to the Commission. She stated that the other candidate’s application would be kept on-file and that she hoped when another vacancy becomes available on the Historic District Commission that she would still be interested in serving the town.

Councilor Barnes stated at the May 13, 2026 Administration Committee Meeting that Historic District Commission Chairman Parkinson noted that they did not have a member from the Gales Ferry District. He noted because Gales Ferry was a very historic part of their town that Chairman Parkinson thought that having a member from Gales Ferry would be a good addition. Councilor Barnes stated that he supported Ms. Millar’s appointment to the Historic District Commission.

Councilor Lamb stated that Ms. Millar was a long-term resident of town from the Gales Ferry District area, noting that she was excited to serve on the Historic District Commission. He stated the Historic District Commission was getting into different aspects of their work, and he noted the diversity amongst the Commission Members included Dr. Ammie Chittum, who was Registered Archeologist and was excited about the Spicer Homestead Ruins. He stated Ms. Millar was a member of the Chapman family and he supported her appointment to the Historic District Commission.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	April Brunelle, Town Councilor.
SECONDER:	Jessica Buhle , Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

9. MOTION to reappoint Ms. Sarah Martic ( R) 59R Long Pond Road, South, Ledyard, to the Ledyard Farmers’ Market Committee for a three (3) year term ending May 9, 2029.

Moved by Councilor Brunelle, seconded by Councilor Buhle

Discussion: Councilor Garcia-Irizarry stated Ms. Martic has served on the Farmers Market Committee for many years, noting that both the Committee and her respective party have endorsed her reappointment.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	April Brunelle, Town Councilor.
SECONDER:	Jessica Buhle , Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

10. MOTION to appoint Mr. Jeremy Norris (D) 12 Old Fort Lane, Ledyard, as an Alternate Member to the Ledyard Farmers’ Market Committee to complete a three (3) year term ending February 26, 2029 filling a left by Mr. Hary.

Moved by Councilor Brunelle, seconded by Councilor Buhle

Discussion: Councilor Garcia-Irizarry addressed the importance of Alternate Members, noting that Mr. Norris has expressed an interest in serving on the Farmers Market. She stated Mr. Norris was an active member of the community noting that he was currently serving on the Water Pollution Control Authority and that his appointment has been endorsed by his respective party.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	April Brunelle, Town Councilor.
SECONDER:	Jessica Buhle , Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

Finance Committee

11. MOTION to authorize the expenditure of up to \$7,000 from Account #21090305-58920 (Acquisition of Open Space) to support a Long Pond Invasive Species Study.

Moved by Councilor Buhle, seconded by Councilor Garcia-Irizarry

Discussion: Councilor Buhle explained that Lantern Hill Valley Alliance (LVA) Member Terry Fedors attended the Finance Committee’s May 20, 2026 meeting to talk about an invasive species called Hydrilla that was impacting their water ways. She stated the Hydrilla attaches to the bottom of boats and when people bring their boats from one water body to another the Hydrilla was then able to contaminate other water bodies.

Councilor Buhle stated the Lantern Hill Valley Alliance (LVA) has requested funding to help support a Long Pond Invasive Species Study, noting that they have also obtain grant funding toward this effort. She stated tonight’s request was to allocate \$7,000 from the Town’s Open Space Account. She noted that Mr. Fedors was present this evening and she invited him to provide some additional background.

Mr. Terry Fedors, 25 Homestead Road, Ledyard, stated the Long Pond Invasive Species Study would be a two-year project and would cost about \$19,000. He stated the Lantern Hill Valley Alliance (LVA) has received a \$10,000 Grant from the Connecticut Department of Energy & Environmental Protection (DEEP); and a \$2,500 Grant from the Eastern Connecticut Foundation. He noted that Lantern Hill Valley Association (LVA) was fundraising to support this effort and has come to the Town to ask for some funding to help support the Study.

Councilor Buhle stated many of the surround bodies of water have been infected by the Hydrilla; however, she stated that Long Pond has not yet been impacted by this invasive species, and they would like to keep it that way. She stated the Study would be conducted at Long Pond, Bush Pond, and Lantern Hill Pond.

Councilor Lamb stated Lantern Hill Valley Association (LVA) has been to the Conservation Commission in the past to seek support for various projects such as Boat Inspections. He stated a little prevention provides a lot of savings later on. Mr. Fedors stated he agreed with Councilor Lamb’s comment. He stated Hydrilla was first discovered in the Connecticut River, and in 2023 Hydrilla was found in the Connecticut East Lakes, which was about 569 acres. He stated last year and this year they were spending \$300,000 to fight this invasive species from spreading. He stated if they could detect the Hydrilla early and could isolate and contain it that the cost would be minimal. However, he stated once the Hydrilla takes root it would take over the whole pond.

Councilor Lamb commended Lantern Hill Valley Alliance (LVA) for their team approach to work with volunteers and solicit funding from a variety of sources to address this invasive species.

Councilor Garcia-Irizarry asked for the benefit of the public, that Mr. Fedors explain the reason Hydrilla was so bad for their water bodies. Mr. Fedors noted at the Finance Committee's May 20, 2026 meeting he provided handouts showing how thick and dense the Hydrilla matt becomes, noting that they could not boat, paddle, or swim through it. He stated it affected the oxygen levels in the pond which impacts the fish, turtles, osprey, and other wildlife. He also noted that the Hydrilla would grow in water up to 25-feet deep which would cover about 81% of Long Pond and Bush Pond; or 89 acres of the 110 acres if was left unchecked; and about 24-acres of the 28-acres Lantern Hill Pond.

Mr. Fedors stated that he agreed with Councilor Lamb's comment about prevention, noting in Maine they have boat wash stations, boat inspectors, etc. However, he stated Connecticut was slow in working to get these things in-place.

Chairman Pro-tem Parad requested clarification, questioning whether the requested \$7,000 was to conduct boat inspections; or to conduct invasive species studies in the water bodies. Mr. Fedors explained that the boat inspections were totally different from what Lantern Hill Valley Alliance (LVA) was requesting this evening. He stated the requested \$7,000 would be used to hire a Certified Limnologist, who was a scientist that studies inland aquatic ecosystems. He stated the Limnologist would use different techniques as approved by the State of Connecticut Department of Energy & Environmental Protection (DEEP) to look at all the aquatic plant species and their density along the parameter of all of the ponds and would report their findings to the State of Connecticut's Natural Diversity Data Base Program. He stated they would then make a determination on what they could do to effectively treat the invasive species found without impacting the native plants, wildlife, and the surrounding community. Therefore, he explained before they could do anything to treat or address Hydrilla the State of Connecticut required that they conduct this Study.

Mr. Fedors went on to note during the May 20, 2026 Finance Committee that Councilor Ryan mentioned that a few years ago Lantern Hill Valley Alliance (LVA) Member Betsy Graham appealed to the Town to seek funding to implement a boat inspection program. However, he stated the stumbling block at that time was that LVA did not have liability insurance which the State required to conduct boat inspections. He stated LVA has since gotten liability insurance.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Jessica Buhle, Town Councilor.
SECONDER:	Carmen Garcia-Irizarry, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

12. MOTION to authorize the Mayor to enter into a listing agreement with a Realtor to list 89 Town Farm Road for sale.

Moved by Councilor Buhle, seconded by Councilor Barnes

Discussion: Councilor Buhle stated there was a 8.2 -acre town property that they have owned since 1895, noting that it was listed in the Town's Land Records Book #8; page 1. She stated the neighboring property owner has expressed an interest to purchase the property. However, she explained that the Town could not just sell the property without listing it first. She went onto explain the 8.2-acre parcel was Zoned R-60; but that a good portion of the parcel was wetlands or flood plain. She noted the remainder of the parcel was large enough to build multiple houses.

Mayor Allyn, III stated because 89 Town Farm Road was across the street from the Water Pollution Control Authority Wastewater Treatment Facility he checked with them to see if the parcel was strategic for them. He explained because the parcel was located upstream from the WPCA Facility, that it was not a strategic parcel for them.

Councilor Buhle stated during the Finance Committee’s May 20, 2026 meeting they questioned which Town Department had Administrative Control of 89 Town Farm Road, noting that the property just existed and was owned by the Town.

Councilor Barnes questioned whether there were other town-owned properties similar to 89 Town Farm Road that the town could sell. Mayor Allyn stated there were some small lots around town in various subdivisions, noting that some may have been designated open space as part of the Conservation Subdivision Regulations. He also noted that some lots were not usable because there were drainage easements that run on to the property.

Councilor Lamb questioned whether 89 Town Farm Road would be of interest to any Conservation Organizations for trails. Mayor Allyn stated 89 Town Farm Road was not an open space parcel, and he noted because the right half of the parcel was primarily a flood plain that it was not a hiking parcel

VOTE:

7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Jessica Buhle, Town Councilor.
SECONDER:	Bill Barnes, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

13. MOTION to establish a new Board of Education Non-Lapsing Fund in accordance with CGS 171-10-248.

Moved by Councilor Buhle, seconded by Councilor Barnes

Discussion: Councilor Buhle explained that creating a non-lapsing fund for educational purposes was a State Legislation requirement. She stated once the fund was created that any additional Board of Education funds would automatically be transferred into the non-lapsing fund after the Annual Audit was completed. However, she stated Town Council action was necessary for the first transfer the non-lapsing fund.

Councilor Lamb noted that there has been some bickering between the Town Council and Board of Education. Therefore, he questioned, as a courtesy, whether anyone circled back to the Board of Education Finance Director Kenneth Knight about creating this new fund. He stated he knew that the Town Council could go forward without the involvement of the Board of Education.

Councilor Buhle stated that she did not circle back with Board of Education Finance Director Kenneth Knight on this matter because creating the Non-Lapsing Fund was the path forward to meet the State Legislation’s requirement; and because Finance Director Matthew Bonin recommended this Fund be created to make sure Ledyard was following the process regarding the transfer of Board of Education surplus funds. She stated because this was what the State Legislation called for they did not have any options not to set up the Non-Lapsing Fund for educational purposes.

Councilor Garcia-Irizarry noted the Board of Education, including Finance Director Kenneth Knight, attended the Finance Committee’s February 4, 2026 meeting at which Auditor CliftonLarsonAllen Principle Stephen Gross presented the Annual Audit Report for June 30, 2025. She noted during that meeting Mr. Gross explained that Public Act #24-45 “*An Act Concerning Education Mandate Relief*”; now allowed Connecticut Board of Educations to use *Non-Lapsing Accounts to carry over unspent education funds (up to 2% of the prior budget) for future Educational Expenses*. Therefore, she stated that Mr. Gross recommended the Board of Education have a Non-Lapsing Fund to be used for educational purposes.

Councilor Garcia-Irizarry went on to note the reason they were establishing this Non-Lapsing Fund now was because in their March 30, 2026 letter the Board of Education requested the Town Council transfer their Fiscal Year ending June 30, 2025 surplus in the amount of \$212,031 to their Capital Account. However, she noted during the February 4, 2026 meeting that Auditor Mr. Gross also explained that they would only want to allocate/reserve money to their Capital Non-Recurring Fund for Capital Projects; which would be things such as capital

grant funding, transfers made by the Town for capital projects, which were fixed assets, buildings, school renovations, new roofs, etc. She stated that Finance Director Matthew Bonin stated once the Board of Education's annual surplus was transferred to their Non-Lapsing Fund, that they could then vote to transfer funds to their Capital Non-Recurring Account.

Councilor Lamb stated he used to be the Board of Education Finance Committee Chairman; and he commented that it was his opinion that someone should have closed the loop with the Board of Education.

Councilor Barnes noted at the Board of Education's February 10, 2026 meeting they discussed a Non-Lapsing Account under the purview of SHB-05-437; paragraph 7 and 8. He stated they voted to approve making their Non-Lapsing Account to be the same Account as their Capital Non-Recurring Account. He stated at that time the Board of Education felt that they could do that in accordance with the State Statute. However, he stated if the Town Council was setting up another Non-Lapsing Account that there may be some conflict as to where the non-lapsing funds were going to.

Administrative Assistant Roxanne Maher noted that the Zoom Invite and Town Council Agenda for tonight's meeting was forwarded to School Superintendent Hartling, Board of Education Chairman Jennifer Reguin, and the Board of Education.

Councilor Lamb stated that he agreed with Finance Director Matthew Bonin's recommendation, to set-up the Non-Lapsing Fund for educational purposes; however, he stated that he believed that they should work together so that they were all on the same page.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Jessica Buhle, Town Councilor.
SECONDER:	Bill Barnes, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

14. MOTION to appropriate and transfer the Board of Education's Fiscal Year 2024/2025 Audited Surplus in the amount of \$212,031 from Undesignated Fund Balance) to the newly established Board of Education Fund.

Moved by Councilor Buhle, seconded by Councilor Garcia-Irizarry

Discussion: Councilor Buhle stated this action was to transfer the Board of Education's Fiscal Year 2024/2025 Audited Surplus in the amount of \$212,031 to the new Non-Lapsing Account they established this evening. (see item #13 above).

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Jessica Buhle, Town Councilor.
SECONDER:	Carmen Garcia-Irizarry, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

15. MOTION to transfer Eversource Reimbursement in the amount of \$19,943 from Undesignated Fund Balance to the Board of Education's Capital Non-Reoccurring Account.

Moved by Councilor Buhle, seconded by Councilor Garcia-Irizarry

Discussion: Councilor Buhle stated the Board of Education received \$19,943 from their Energy Audit. She explained when revenue such as this Eversource reimbursement come into the town that they were deposited into the Undesignated Fund Balance. Therefore, she stated this action was to transfer the money to the Board of Education's Capital Non-Reoccurring Account, as requested in their March 30, 2026 letter.

VOTE: 7 – 0 Approved and so declared

RESULT:	APPROVED 7 – 0
MOVER:	Jessica Buhle, Town Councilor.
SECONDER:	Carmen Garcia-Irizarry, Town Councilor
AYES:	Barnes, Brunelle, Buhle, Garcia-Irizarry, Lamb, Parad, Thompson
EXCUSED:	Ryan, St. Vil

General Items

16. Town Council’s 2026 Summer Meeting schedule.  
 Chairman Pro-tem Parad noted that Chairman St. Vil suggested they cancel the second meeting of the months of June, July, and August. Those dates would be June 24; July 22; & August 26. She noted that the Town Council would meet on the following dates:

- ✓ June 10, 2026
- ✓ July 8, 2026
- ✓ August 12, 2026

Chairman Pro-tem Parad questioned whether anyone had an issue with cancelling any of those meeting dates.

Councilor Lamb stated that he did not think the Town Council should cancel any of their meetings, noting that they were elected to conduct the business of the residents.

Councilor Brunelle noted that the Town Council has typically cancelled meetings during the summer months, because of vacations and other scheduling conflicts, which would prevent the Town Council from having a quorum.

Councilor Garcia-Irizarry noted that the Administration Committee was working to bring the proposed “*An Ordinance Establishing a Code of Ethics and Ethics Commission for the Town of Ledyard*” to another Public Hearing. She stated if the Town Council cancelled their June 24, 2026 meeting that the Town Council would not be able to schedule the Public Hearing date until their July 8, 2026 meeting. Councilor Buhle questioned whether the Administration Committee and the Town Council could both vote to set a Public Hearing date at their June 10, 2026 meetings. Administrative Assistant Roxanne Maher noted that Chairman St. Vil would make the decision about including items from the Administration Committee’s June 10, 2026 onto the Town Council Agneda for that same evening.

Administrative Assistant Roxanne Maher noted at the Administration Committee’s May 13, 2026 meeting the Committee discussed sending the draft Ordinance to the Town Council to review to be sure everyone’s comments were captured before sending the draft Ordinance to the Town Attorney for a final review, noting the most recent draft has not yet been sent to the Town Council. Councilor Garcia-Irizarry stated that she hoped that it could be done in parallel; and that the Administration Committee would be prepared to recommend a Public Hearing date at their June 10, 2026 meeting, noting that the last round of edits were minor changes.

The Town Council chose to agree to the follow summer meeting schedule by consensus:

<u>Meet on</u>	<u>Cancel</u>
June 10, 2026	June 24, 2026
July 8, 2026	July 22, 2026
August 12, 2026	August 26, 2026

Councilor Lamb expressed his disapproval to cancel any meetings.

<b>RESULT:COMPLETED</b>
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IV. ADJOURNMENT

VOTE: Councilor Buhle moved to adjourn, seconded by Councilor Barnes  
7 - 0 Approved and so declared. The meeting adjourned at 8:40 p.m.

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Transcribed by Roxanne M. Maher  
Administrative Assistant to the Town Council

I, Adrienne Parad, Chairman Pro-tem of the Ledyard Town Council,  
hereby certify that the above and foregoing is a true and  
correct copy of the minutes of the Regular Town Council  
Meeting held on May 27, 2026.

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Adrienne Parad, Chairman Pro-tem



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 26-0836

**Agenda Date:** 6/10/2026

**Agenda #:**

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AGENDA ITEM  
CORRESPONDENCE

**Subject:**

Communications List - June 10, 2026

**Correspondence List:**

(type text here)



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 25-2156

**Agenda Date:** 6/10/2026

**Agenda #:** 1.

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## REPORT

**Staff/Committee Report: Administration Committee Reports Fiscal Year 2025/2026**  
Administration Committee Report Fiscal Year 2025/2026



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 25-2157

**Agenda Date:** 6/10/2026

**Agenda #:** 2.

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## REPORT

### **Staff/Committee Report: Community Relations -DEI Reports Fiscal Year 2025/2026**

Community Relations Committee for Diversity, Equity & Inclusion - Report- Fiscal Year 2025/2026



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 25-2159

**Agenda Date:** 6/10/2026

**Agenda #:** 3.

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## REPORT

**Staff/Committee Report: Finance Committee Reports Fiscal Year 2025/2026**

Finance Committee Report Fiscal Year 2025/2026



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 25-2160

**Agenda Date:** 6/10/2026

**Agenda #:** 4.

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## REPORT

**Staff/Committee Report: LUPPW Committee Reports Fiscal Year 2025/2026**

LUPPW Committee Report Fiscal Year 2025/2026



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 25-2161

**Agenda Date:** 6/10/2026

**Agenda #:**

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## REPORT

**Staff/Committee Report: Mayor Reports Fiscal Year 2025/2026**  
Mayor Report Fiscal Year 2025/2026



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 25-2449

**Agenda Date:** 6/10/2026

**Agenda #:** 1.

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## POLICY-PROCEDURE

### **Motion/Request:**

MOTION to set a Public Hearing (Hybrid Format - Video Conference and In-Person) Public Hearing date on July 8, 2026 at 6:00 p.m. to be held in Council Chambers, Town Hall Annex, 741 Colonel Ledyard Highway, Ledyard, Connecticut, to receive comments and recommendations regarding a proposed “*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*” .

### **Legal Notice:**

### **Background:**

This will be the fourth Public Hearing regarding the “*An Ordinance Establishing a Town of Ledyard Code Of Ethics*”

### **Public Hearing Dates:**

- September 24, 2025
- November 12, 2025
- March 25, 2026
- July 8, 2026

In accordance with the Town Charter; Chapter III; Section 5

### **Section 5. Public Hearing On, Publication Of, And Passage Of Ordinances**

Unless otherwise required by State statutes, at least one public hearing, notice of which shall be given at least five (5) days in advance by publication on the Town Website and by posting a notice in a public place, shall be held by the Town Council before any ordinance shall be passed.

### **Department Comment/Recommendation:**

(type text here)

### **Mayor Comment/Recommendation:**

(type text here)

**Body:**

(type text here)

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority.

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose.

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town and Board of Education officials, employees and consultants be independent, impartial and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meanings indicated below:

**“Agency”** is any board, commission, authority or committee of the Town, including the Town Council and Board of Education.

**“Beneficial interest”** means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

**“Business day”** means a day other than a Saturday, Sunday or other day in which the office of the Ledyard Town Clerk is closed to the public for business.

**“Complainant”** means a person who files a complaint under penalties of false statement against an official, employee or consultant containing an allegation of prohibited activities under the Code of Ethics.

**“Confidential Information”** means information acquired by a Town or Board of Education official, employee or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.

**“Consultant”** means (i) an attorney hired by the Town or the Board of Education to provide legal services; (ii) any engineer, architect or construction manager hired by the Town or the Board of Education to provide professional services related to construction projects; or (iii)

any professional who is hired by the Town to provide professional advice or services related to land use matters. In addition, the definition of what constitutes a consultant shall be limited to an officer or an employee of any Town or Board of Education contractor who has managerial or discretionary responsibilities with respect to a Town or Board of Education contract.

**“Employee”** is any person receiving a salary, wages or a stipend from the Town or Board of Education for services rendered, whether full-time or part-time.

**“Family”** means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, children, stepchildren, foster children, siblings and their children, stepsiblings and their children, and foster siblings and their children, of an official, employee, or consultant, or his/her spouse or domestic partner.

**“Financial Interest”** means any interest that has a: (i) monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year; (ii) and is not common to the other citizens of the Town.

**“Gift”** is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) in any one (1) year from the same person.

**Gifts do not include:**

- a. A political contribution that is otherwise reported in accordance with the law.
- b. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
- c. Certificates, plaques or other ceremonial awards costing less than fifty dollars (\$50.00).
- d. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person’s status.
- e. Honorary degrees.
- f. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town or Board of Education official or Town Board of Education employee participates in his/her official capacity.
- g. Any gift provided to a Town or Board of Education official or Town or Board of Education Employee or to a family member of a Town or Board of Education official or Town or Board of Education Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual’s induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

**“Inquiry”** means a complaint or allegation of a possible violation of the Code.

**“Managerial or discretionary responsibilities with respect to a Town or Board of Education contract”** means having direct, extensive, and substantive responsibilities with respect to the negotiation of the contract and not peripheral, clerical, or ministerial responsibilities.

**“Official”** is any person holding elective or appointive office in the government of the town and shall include, but not be limited to, the Town Council, Board of Education or any other agency as defined herein.

**“Respondent”** means a person who is the subject of a complaint.

#### Section 4. Confidential information and Withholding of Information.

Town and Board of Education officials, employees or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order. No Town or Board of Education official, employee or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 5. Conflict of Interest Provisions and Other Prohibited Activities

- A. A Town or Board of Education official, employee or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment or rendering of service in which the Town or Board of Education official, employee or consultant or any member of his family has a financial or beneficial interest. Notwithstanding anything contained in this ordinance to the contrary, a Town or Board of Education official, employee or consultant may enter into a contract with the Town or the Board of Education if the contract is (i) publicly quoted or bid; or (ii) the Town or Board of Education official, employee or consultant is not involved in the awarding of the contract. In addition, the provisions of this section shall not apply to any employment or consultant contracts in which a Town or Board of Education official, employee or consultant is hired by the Town or the Board of Education to perform necessary services, including, but not limited to recreational services.
- B. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town or Board of Education official or employee has reason to believe or expect that he/she or any member of his family will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- C. A Town or Board of Education official, employee or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual or his/her family members as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in Section 7-148h(b) of the General Statutes.

- D. No Town or Board of Education official or employee may directly hire or supervise a member of his/her family except for temporary emergency situations, including, but not limited to, inclement weather and labor shortages.
- E. Town officials and employees shall not use Town owned or leased vehicles, equipment, facilities, materials or property for personal convenience or profit. This section does not apply to Town-owned vehicles issued to emergency responders who are authorized by the Mayor, Fire Chief or Police Chief to take their Town-owned vehicles home, or vehicles issued to employees who are permitted to bring their Town-owned vehicles homes as part of an employment agreement or contract.
- F. No Town or Board of Education official, employee or consultant shall solicit or accept any gift from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee or consultant. No Town or Board of Education official, employee or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to any agency, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment or services.

#### Section 6. Disclosure and Disqualification.

- A. Any Town or Board of Education official, employee or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with the provisions of this ordinance. Such disclosure shall disqualify the official, employee or consultant from participation in the matter, transaction or decision.
- B. No Town or Board of Education official, employee or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding. This Code shall not prohibit any current or former Town or Board of Education official, employee or consultant from appearing before any agency on his/her own behalf.
- C. If there is an uncertainty whether a Town or Board of Education official, employee or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual may request an advisory opinion from the Ethics Commission pursuant to this ordinance.

- D. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, Sections 8-11, 821 and 22a-42(c) of the Connecticut General Statutes that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.

#### Section 7. Required Filings for Certain Town and Board of Education Officials.

The Mayor and the members of the Town Council and the Board of Education shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:

- A. All real estate located within the Town of Ledyard owned by such official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, by a corporation, trust or partnership in which any such official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
- B. The names of any firm, proprietorship, partnership or corporation of which said official is an employee or in which such official holds at least a five (5) percent interest; and if applicable, whether such firm, proprietorship, partnership or corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office, *and while in office*.
- C. Any income, fees, salary or wages, directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate ~~preceding~~ *preceding* such official's election to public office, *and while in office*.

#### Section 8. Acknowledgment forms

- A. The Town Clerk shall provide a copy of the Code of Ethics to every Town and Board of Education official. Every Town official, including members of the Board of Education, shall sign and file with the Town Clerk an acknowledgement form, prepared by the Town Attorney, indicating his/her awareness of the provisions of this Code. The Superintendent of Schools shall sign and file with the Board of Education Human Resources Director an acknowledgement form, prepared by the Town attorney, indicating his/her awareness of the provisions of this Code. The Human Resources Directors of both the Town and Board of Education, respectively, shall: (i) provide current Town and Board of Education employees a copy of the Code of Ethics within one-hundred-twenty (120) business days of its effective date; and (ii) provide a copy of the Code of Ethics to every Town and Board of Education employee within sixty (60) business days of employment. Copies of the Code of Ethics may be sent to officials and employees electronically.

- B. Within ten (10) business days of the effective date of this ordinance, the Code of Ethics shall be incorporated by reference into all prospective contracts entered into by the Town of Ledyard and the Board of Education with a consultant. The Human Resources Directors of both the Town and Board of Education, respectively, shall provide current Town and Board of Education consultants a copy of the Code of Ethics within thirty (30) business days of its effective date. Copies of the Code of Ethics may be sent to consultants electronically.
- C. The Mayor and Superintendent of Schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.
- D. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

Section 9. Establishment and Qualifications of Ethics Commission.

- A. Structure. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All regular members and alternate members of the Ethics Commission shall be electors of the Town. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
- B. Member and alternate member qualifications. No regular member or alternate members shall:
  - i. be currently employed by the Town or Board of Education;
  - ii. have been employed by the Town or Board of Education for a period of two years prior to being appointed to the Ethics Commission;
  - iii. hold any elective Town office or have been elected to any elective Town office for a period of two years prior to being appointed to the Ethics Commission;
  - iv. be a current member of the Board of Education or have been elected to the Board of Education for a period of two years prior to being appointed to the Ethics Commission;
  - v. serve as a member of another Town agency; *or have served as a member of another Town agency for a period of two(2) years prior to being appointed to the Ethics Commission.*
  - vi. hold office in a political party or political committee; *or have held office in a political party or political committee for a period of two(2) years prior to being appointed to the Ethics Commission.*
  - vii. have been found in violation of any state, local or professional code of ethics.

If a current member of the Ethics Commission files to run for any elective Town office or for the Board of Education, such member shall resign from the Ethics Commission within seven (7) days of said filing.

- C. Compensation Members will not be compensated for their service on the Commission.
- D. Organizational Meeting Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chair, Vice-Chair and a Secretary.
- E. Method and Terms of appointment The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (7) seven affirmative votes of the Town Council. Members shall be appointed for a term of three (3) years. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment. No member may serve more than three (3) terms total.
- F. Removal The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

#### Section 10. Powers and Duties of Ethics Commission.

- A. The Ethics Commission shall be authorized to consult with the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
- B. The Ethics Commission may render advisory opinions to any Town or Board of Education official, employee or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provisions of this Code of Ethics or is otherwise prohibited by law.
- C. The Ethics Commission may examine complaints and to make a determination of probable cause pursuant to the procedures outlined herein. The Ethics Commission may hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.

- D. The Ethics Commission may review the Code of Ethics policies and procedures on an as needed basis and may make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

#### Section 11. Ethics Commission Rules of Procedure.

- A. Advisory opinions. Any current, former or prospective Town of Ledyard or Board of Education employee, official or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town or Board of Education official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or agency on which he/she serves.

Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request.

The individual making the request must sign and date the form. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp the envelope and forward the sealed envelope promptly to the chair or vice-chair of the Ethics Commission. Within five (5) business days that said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions. The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the request.

The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting at an executive session, except upon the request of the individual that is seeking the advisory opinion to present the request in open session.

Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) business days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) business days. All advisory opinions must be in writing and communicated to the individual making the request.

The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

B. Complaints.

- i. Filing of a Complaint. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp the envelope and forward the sealed envelope promptly to the chair or vice-chair of the Ethics Commission. On the day the sealed envelope is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) business days of receipt of the complaint. The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the complaint. The Ethics Commission shall also notify the respondent that a complaint was received and that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause. No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include the: (i) the name of the person accused (respondent); (ii) name of the person filing the complaint; and (iii) the specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

ii. Probable Cause Determination

Within sixty (60) business days of the receipt of a complaint by the Chair or Vice-Chair, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, *and any additional information the commission deems relevant*, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

If the Ethics Commission makes a finding of probable cause, which shall require three (3) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation.

iii. Hearings

If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act ("UAPA") (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel; to present evidence and witnesses and compel the attendance

of witnesses; to produce books, documents, records and papers; to examine and cross-examine witnesses; and to inspect and copy relevant and material records, papers and documents. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten business (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

iv. Final Decisions

Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of ~~three (3)~~ **four (4)** of its members. The Ethics Commission must render its decision within sixty business (60) days of the closing of the hearing. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, the Ledyard Town Council and the Board of Education (if applicable) with a copy of its findings and memorandum within ten (10) business days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

v. Penalties for Violations of the Code of Ethics

A violation of the Code of Ethics may lead to any one or a combination of the following penalties:

- a. order to cease and desist the violation;
- b. pay a civil penalty of up to the maximum amount permitted by State law;
- c. censure;
- d. suspension without pay;
- e. demotion;
- f. termination of employment or contract; and
- g. Restitution of any benefits received because of the violation committed.

Penalties will be determined by a vote **of seven (7) members majority** of the Town Council within sixty (60) business days after receipt of the finding and memorandum of Ethics Commission.

The remedies and procedures specified in any applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

***Section 12. Effective Date.***

***The provisions of this Ordinance shall become effective six-months after the Ethics Commission's Organizational Meeting.***

Section **13 2**. Severability.

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Signed/Certified on: \_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_  
Fred B. Allyn, III, Mayor

Published on: \_\_\_\_\_  
Patricia A. Riley, Town Clerk

Effective: \_\_\_\_\_

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History: Based on the public’s interest to establish standards of ethical conduct for all town officials and town employees and for those who serve or conduct business with the Town of Ledyard. This Code of Ethics and Ethics Commission was developed to establish guidelines for the conduct of those in public service; and to establish a procedure to be followed by the Ethics Commission in receiving, adjudicating, and reporting on alleged violations of the Code of Ethics.

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority.

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose.

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town and Board of Education officials, employees and consultants be independent, impartial and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meanings indicated below:

**“Agency”** is any board, commission, authority or committee of the Town, including the Town Council and Board of Education.

**“Beneficial interest”** means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

**“Business day”** means a day other than a Saturday, Sunday or other day in which the office of the Ledyard Town Clerk is closed to the public for business.

**“Complainant”** means a person who files a complaint under penalties of false statement against an official, employee or consultant containing an allegation of prohibited activities under the Code of Ethics.

**“Confidential Information”** means information acquired by a Town or Board of Education official, employee or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.

**“Consultant”** means (i) an attorney hired by the Town or the Board of Education to provide legal services; (ii) any engineer, architect or construction manager hired by the Town or the Board of Education to provide professional services related to construction projects; or (iii) any professional who is hired by the Town to provide professional advice or services related to land use matters. In addition, the definition of what constitutes a consultant shall be limited to an officer or an employee of any Town or Board of Education contractor who has managerial or discretionary responsibilities with respect to a Town or Board of Education contract.

**“Employee”** is any person receiving a salary, wages or a stipend from the Town or Board of Education for services rendered, whether full-time or part-time.

**“Family”** means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, children, stepchildren, foster children, siblings and their children, stepsiblings and their children, and foster siblings and their children, of an official, employee, or consultant, or his/her spouse or domestic partner.

**“Financial Interest”** means any interest that has a: (i) monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year; (ii) and is not common to the other citizens of the Town.

**“Gift”** is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) in any one (1) year from the same person.

**Gifts do not include:**

- a. A political contribution that is otherwise reported in accordance with the law.
- b. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
- c. Certificates, plaques or other ceremonial awards costing less than fifty dollars (\$50.00).
- d. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person’s status.
- e. Honorary degrees.
- f. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town or Board of Education official or Town Board of Education employee participates in his/her official capacity.
- g. Any gift provided to a Town or Board of Education official or Town or Board of Education Employee or to a family member of a Town or Board of Education official or Town or Board of Education Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual’s induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

**“Inquiry”** means a complaint or allegation of a possible violation of the Code.

**“Managerial or discretionary responsibilities with respect to a Town or Board of Education contract”** means having direct, extensive, and substantive responsibilities with respect to the negotiation of the contract and not peripheral, clerical, or ministerial responsibilities.

**“Official”** is any person holding elective or appointive office in the government of the town and shall include, but not be limited to, the Town Council, Board of Education or any other agency as defined herein. **“Respondent”** means a person who is the subject of a complaint.

#### Section 4. Confidential information and Withholding of Information.

Town and Board of Education officials, employees or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order. No Town or Board of Education official, employee or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 5. Conflict of Interest Provisions and Other Prohibited Activities

- A. A Town or Board of Education official, employee or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment or rendering of service in which the Town or Board of Education official, employee or consultant or any member of his family has a financial or beneficial interest. Notwithstanding anything contained in this ordinance to the contrary, a Town or Board of Education official, employee or consultant may enter into a contract with the Town or the Board of Education if the contract is (i) publicly quoted or bid; or (ii) the Town or Board of Education official, employee or consultant is not involved in the awarding of the contract. In addition, the provisions of this section shall not apply to any employment or consultant contracts in which a Town or Board of Education official, employee or consultant is hired by the Town or the Board of Education to perform necessary services, including, but not limited to recreational services.
- B. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town or Board of Education official or employee has reason to believe or expect that he/she or any member of his family will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- C. A Town or Board of Education official, employee or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual or his/her family members as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in Section 7-148h(b) of the General Statutes.

- D. No Town or Board of Education official or employee may directly hire or supervise a member of his/her family except for temporary emergency situations, including, but not limited to, inclement weather and labor shortages.
- E. Town officials and employees shall not use Town owned or leased vehicles, equipment, facilities, materials or property for personal convenience or profit. This section does not apply to Town-owned vehicles issued to emergency responders who are authorized by the Mayor, Fire Chief or Police Chief to take their Town-owned vehicles home, or vehicles issued to employees who are permitted to bring their Town-owned vehicles homes as part of an employment agreement or contract.
- F. No Town or Board of Education official, employee or consultant shall solicit or accept any gift from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee or consultant. No Town or Board of Education official, employee or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to any agency, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment or services.

#### Section 6. Disclosure and disqualification.

- A. Any Town or Board of Education official, employee or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with the provisions of this ordinance. Such disclosure shall disqualify the official, employee or consultant from participation in the matter, transaction or decision.
- B. No Town or Board of Education official, employee or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding. This Code shall not prohibit any current or former Town or Board of Education official, employee or consultant from appearing before any agency on his/her own behalf.
- C. If there is an uncertainty whether a Town or Board of Education official, employee or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual may request an advisory opinion from the Ethics Commission pursuant to this ordinance.

- D. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, Sections 8-11, 821 and 22a-42(c) of the Connecticut General Statutes that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.

#### Section 7. Required Filings for Certain Town and Board of Education Officials.

The Mayor and the members of the Town Council and the Board of Education shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:

- A. All real estate located within the Town of Ledyard owned by such official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, by a corporation, trust or partnership in which any such official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
- B. The names of any firm, proprietorship, partnership or corporation of which said official is an employee or in which such official holds at least a five (5) percent interest; and if applicable, whether such firm, proprietorship, partnership or corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
- C. Any income, fees, salary or wages, directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate proceeding such official's election to public office.

#### Section 8. Acknowledgment forms

- A. The Town Clerk shall provide a copy of the Code of Ethics to every Town and Board of Education official. Every Town official, including members of the Board of Education, shall sign and file with the Town Clerk an acknowledgement form, prepared by the Town Attorney, indicating his/her awareness of the provisions of this Code. The Superintendent of Schools shall sign and file with the Board of Education Human Resources Director an acknowledgement form, prepared by the Town attorney, indicating his/her awareness of the provisions of this Code. The Human Resources Directors of both the Town and Board of Education, respectively, shall: (i) provide current Town and Board of Education employees a copy of the Code of Ethics within one-hundred-twenty (120) business days of its effective date; and (ii) provide a copy of the Code of Ethics to every Town and Board of Education employee within sixty (60) business days of employment. Copies of the Code of Ethics may be sent to officials and employees electronically.

- B. Within ten (10) business days of the effective date of this ordinance, the Code of Ethics shall be incorporated by reference into all prospective contracts entered into by the Town of Ledyard and the Board of Education with a consultant. The Human Resources Directors of both the Town and Board of Education, respectively, shall provide current Town and Board of Education consultants a copy of the Code of Ethics within thirty (30) business days of its effective date. Copies of the Code of Ethics may be sent to consultants electronically.
- C. The Mayor and Superintendent of Schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.
- D. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

Section 9. Establishment and Qualifications of Ethics Commission.

- A. Structure. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All regular members and alternate members of the Ethics Commission shall be electors of the Town. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
- B. Member and alternate member qualifications. No regular member or alternate members shall:
  - i. be currently employed by the Town or Board of Education;
  - ii. have been employed by the Town or Board of Education for a period of two years prior to being appointed to the Ethics Commission;
  - iii. hold any elective Town office or have been elected to any elective Town office for a period of two years prior to being appointed to the Ethics Commission;
  - iv. be a current member of the Board of Education or have been elected to the Board of Education for a period of two years prior to being appointed to the Ethics Commission;
  - v. serve as a member of another Town agency; vi. hold office in a political party or political committee; vii. have been found in violation of any state, local or professional code of ethics.

If a current member of the Ethics Commission files to run for any elective Town office or for the Board of Education, such member shall resign from the Ethics Commission within seven (7) days of said filing.

- a. Compensation. Members will not be compensated for their service on the Commission.

- b. Organizational Meeting. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chair, Vice-Chair and a Secretary.
- c. Method and Terms of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (7) seven affirmative votes of the Town Council. Members shall be appointed for a term of three (3) years. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment. No member may serve more than three (3) terms total.
- d. Removal. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

Section 10. Powers and Duties of Ethics Commission.

- A. The Ethics Commission shall be authorized to consult with the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
- B. The Ethics Commission may render advisory opinions to any Town or Board of Education official, employee or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provisions of this Code of Ethics or is otherwise prohibited by law.
- C. The Ethics Commission may examine complaints and to make a determination of probable cause pursuant to the procedures outlined herein. The Ethics Commission may hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
- D. The Ethics Commission may review the Code of Ethics policies and procedures on an as needed basis and may make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures. The Ethics Commission may take action to increase public awareness of the Code of Ethics

Section 11. Ethics Commission Rules of Procedure.

- A. Advisory opinions. Any current, former or prospective Town of Ledyard or Board of Education employee, official or consultant may request an advisory opinion from the Ethics

Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town or Board of Education official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or agency on which he/she serves.

Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign and date the form. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp the envelope and forward the sealed envelope promptly to the chair or vice-chair of the Ethics Commission. Within five (5) business days that said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions. The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the request.

The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting at an executive session, except upon the request of the individual that is seeking the advisory opinion to present the request in open session.

Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) business days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty business (30) days. All advisory opinions must be in writing and communicated to the individual making the request.

The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

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the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) business days of receipt of the complaint. The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the complaint. The Ethics Commission

shall also notify the respondent that a complaint was received and that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause. No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include the: (i) the name of the person accused (respondent); (ii) name of the person filing the complaint; and (iii) the specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

ii. Probable Cause Determination

Within sixty (60) business days of the receipt of a complaint by the Chair or Vice-Chair, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

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If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act ("UAPA") (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel; to present evidence and witnesses and compel the attendance of witnesses; to produce books, documents, records and papers; to examine and cross-examine witnesses; and to inspect and copy relevant and material records, papers and

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Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members. The Ethics Commission must render its decision within sixty business (60) days of the closing of the hearing. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, the Ledyard Town Council and the Board of Education (if applicable) with a copy of its findings and memorandum within ten (10) business days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

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Signed/Certified on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn, III, Mayor

Published on:

Patricia A. Riley, Town Clerk

Effective Date:

\*\*\*\*\*H  
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“Consultant” means (i) an attorney hired by the Town or the Board of Education to provide legal services; (ii) any engineer, architect or construction manager hired by the Town or the Board of Education to provide professional services related to construction projects; or (iii) any professional who is hired by the Town to provide professional advice or services related to land use matters. In addition, the definition of what constitutes a consultant shall be limited to an officer or an employee of any Town or Board of Education contractor who has managerial or discretionary responsibilities with respect to a Town or Board of Education contract.

“*Employee*” is any person receiving a salary, wages or a stipend from the Town or Board of Education for services rendered, whether full-time or part-time.

“Family” means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, children, stepchildren, foster children, siblings and their children, stepsiblings and their children, and foster siblings and their children, of an official, employee, or consultant, or his/her spouse or domestic partner.

“*Financial Interest*” means any interest that has a: (i) monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year; (ii) and is not common to the other citizens of the Town.

“*Gift*” is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) in any one (1) year from the same person.

Gifts do not include:

- a. A political contribution that is otherwise reported in accordance with the law.
- b. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
- c. Certificates, plaques or other ceremonial awards costing less than fifty dollars (\$50.00).
- d. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person’s status.
- e. Honorary degrees.
- f. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town or Board of Education official or Town Board of Education employee participates in his/her official capacity.
- g. Any gift provided to a Town or Board of Education official or Town or Board of Education Employee or to a family member of a Town or Board of Education official or Town or Board of Education Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00)

in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

*"Inquiry"* means a complaint or allegation of a possible violation of the Code.

*"Managerial or discretionary responsibilities with respect to a Town or Board of Education contract"* means having direct, extensive, and substantive responsibilities with respect to the negotiation of the contract and not peripheral, clerical, or ministerial responsibilities.

*"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not be limited to, the Town Council, Board of Education or any other agency as defined herein.

*"Respondent"* means a person who is the subject of a complaint.

#### **Section 4. Confidential information and Withholding of Information.**

Town and Board of Education officials, employees or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order. No Town or Board of Education official, employee or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### **Section 5. Conflict of Interest Provisions and Other Prohibited Activities.**

- a. A Town or Board of Education official, employee or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment or rendering of service in which the Town or Board of Education official, employee or consultant or any member of his family has a financial or beneficial interest. Notwithstanding anything contained in this ordinance to the contrary, a Town or Board of Education official, employee or consultant may enter into a contract with the Town or the Board of Education if the contract is (i) publicly quoted or bid; or (ii) the Town or Board of Education official, employee or consultant is not involved in the awarding of the contract. In addition, the provisions of this section shall not apply to any employment or consultant contracts in which a Town or Board of Education official, employee or consultant is hired by the Town or the Board of Education to perform necessary services, including, but not limited to recreational services.
- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town or Board of Education official or employee has reason to believe or expect that he/she or any member of his family will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.

- c. A Town or Board of Education official, employee or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual or his/her family members as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in Section 7-148h(b) of the General Statutes.
- d. No Town or Board of Education official or employee may directly hire or supervise a member of his/her family except for temporary emergency situations, including, but not limited to, inclement weather and labor shortages.
- e. Town officials and employees shall not use Town owned or leased vehicles, equipment, facilities, materials or property for personal convenience or profit. This section does not apply to Town-owned vehicles issued to emergency responders who are authorized by the Mayor, Fire Chief or Police Chief to take their Town-owned vehicles home, or vehicles issued to employees who are permitted to bring their Town-owned vehicles homes as part of an employment agreement or contract.
- f. No Town or Board of Education official, employee or consultant shall solicit or accept any gift from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee or consultant. No Town or Board of Education official, employee or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to any agency, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment or services.

**Section 6. Disclosure and disqualification.**

a. Any Town or Board of Education official, employee or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with the provisions of this ordinance. Such disclosure shall disqualify the official, employee or consultant from participation in the matter, transaction or decision.

b. No Town or Board of Education official, employee or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding. This Code shall not prohibit any current or former Town or Board of

Education official, employee or consultant from appearing before any agency on his/her own behalf.

c. If there is an uncertainty whether a Town or Board of Education official, employee or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual may request an advisory opinion from the Ethics Commission pursuant to this ordinance.

d. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, Sections 8-11, 8-21 and 22a-42(c) of the Connecticut General Statutes that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.

### **Section 7. Required Filings for Certain Town and Board of Education Officials.**

The Mayor and the members of the Town Council and the Board of Education shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:

A. All real estate located within the Town of Ledyard owned by such official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, by a corporation, trust or partnership in which any such official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.

B. The names of any firm, proprietorship, partnership or corporation of which said official is an employee or in which such official holds at least a five (5) percent interest; and if applicable, whether such firm, proprietorship, partnership or corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.

C. Any income, fees, salary or wages, directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate proceeding such official's election to public office.

### **Section 8. Acknowledgment forms.**

a. The Town Clerk shall provide a copy of the Code of Ethics to every Town and Board of Education official. Every Town official shall sign and file with the Town Human Resources Director an acknowledgement form, prepared by the Town Attorney, indicating his/her awareness of the provisions of this Code. Every Board of Education official, including the Superintendent, shall sign and file with the Board of Education Human Resources Director an acknowledgement form, prepared by the Town attorney, indicating his/her awareness of the provisions of this Code. The Human Resources Directors of both the Town and Board of Education, respectively, shall: (i) provide current Town and Board of Education employees a copy of the Code of Ethics within one-hundred-twenty (120) business days of its effective date; and (ii) provide a copy of the Code of Ethics to every Town and Board of Education employee within sixty (60) business days of employment. Copies of the Code of Ethics may be sent to officials and employees electronically.

- b. Within ten (10) business days of the effective date of this ordinance, the Code of Ethics shall be incorporated by reference into all prospective contracts entered into by the Town of Ledyard and the Board of Education with a consultant. The Human Resources Directors of both the Town and Board of Education, respectively, shall provide current Town and Board of Education consultants a copy of the Code of Ethics within thirty (30) business days of its effective date. Copies of the Code of Ethics may be sent to consultants electronically.
- c. The Mayor and Superintendent of Schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.
- d. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

**Section 9. Establishment and Qualifications of Ethics Commission.**

A. Structure. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All regular members and alternate members of the Ethics Commission shall be electors of the Town. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.

B. Member and alternate member qualifications. No regular member or alternate members shall:

- i. be currently employed by the Town or Board of Education;
- ii. have been employed by the Town or Board of Education for a period of two years prior to being appointed to the Ethics Commission;
- iii. hold any elective Town office or have been elected to any elective Town office for a period of two years prior to being appointed to the Ethics Commission.
- iv. be a current member of the Board of Education or have been elected to the Board of Education for a period of two years prior to being appointed to the Ethics Commission.
- v. serve as a member of another Town agency;
- vi. hold office in a political party or political committee;
- vii. have been found in violation of any state, local or professional code of ethics.

If a current member of the Ethics Commission files to run for any elective Town office or for the Board of Education, such member shall resign from the Ethics Commission within seven (7) days of said filing.

C. Compensation. Members will not be compensated for their service on the Commission.

D. Organizational Meeting. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chair, Vice-Chair and a Secretary.

E. Method and Terms of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (7) seven affirmative votes of the Town Council. Members shall be appointed for a term of three (3) years. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment. No member may serve more than three (3) terms total.

F. Removal. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

#### **Section 10. Powers and Duties of Ethics Commission.**

A. The Ethics Commission shall be authorized to consult with the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.

B. The Ethics Commission may render advisory opinions to any Town or Board of Education official, employee or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provisions of this Code of Ethics or is otherwise prohibited by law.

C. The Ethics Commission may examine complaints and to make a determination of probable cause pursuant to the procedures outlined herein. The Ethics Commission may hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.

D. The Ethics Commission may review the Code of Ethics policies and procedures on an as-needed basis and may make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures. The Ethics Commission may take action to increase public awareness of the Code of Ethics

#### **Section 11. Ethics Commission Rules of Procedure.**

A. Advisory opinions. Any current, former or prospective Town of Ledyard or Board of Education employee, official or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town or Board of Education official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or agency on which he/she serves.

Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign and date the form. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp the envelope and forward the sealed envelope promptly to the chair or vice-chair of the Ethics Commission. Within five (5) business days that said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions. The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the request.

The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting at an executive session, except upon the request of the individual that is seeking the advisory opinion to present the request in open session.

Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) business days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty business (30) days. All advisory opinions must be in writing and communicated to the individual making the request.

The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

## B. Complaints.

i. Filing of a complaint. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp the envelope and forward the sealed envelope promptly to the chair or vice-chair of the Ethics Commission. On the day the sealed envelope is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) business days of receipt of the complaint. The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the complaint. The Ethics Commission shall also notify the respondent that a complaint was received and that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause. No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include the: (i) the name of the person accused (respondent); (ii) name of the person filing the complaint; and (iii) the specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

ii. Probable Cause Determination.

Within sixty (60) business days of the receipt of a complaint by the Chair or Vice-Chair, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

If the Ethics Commission makes a finding of probable cause, which shall require three (3) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation.

iii. Hearings

If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act (“UAPA”) (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel; to present evidence and witnesses and compel the attendance of witnesses; to produce books, documents, records and papers; to examine and cross-examine witnesses; and to inspect and copy relevant and material records, papers and documents. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten business (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

iv. Final Decisions. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members. The Ethics Commission must render its decision within sixty business (60) days of the closing of the hearing. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, the Ledyard Town Council and the Board of Education (if applicable) with a copy of its findings and memorandum within ten (10) business days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

v. Penalties for Violations of the Code of Ethics.

A violation of the Code of Ethics may lead to any one or a combination of the following penalties:

- a. order to cease and desist the violation;
- b. pay a civil penalty of up to the maximum amount permitted by State law;
- c. censure;
- d. suspension without pay;
- e. demotion;
- f. termination of employment or contract; and
- g. Restitution of any benefits received because of the violation committed.

Penalties will be determined by a majority vote of the Town Council within sixty (60) business days after receipt of the finding and memorandum of Ethics Commission.

The remedies and procedures specified in any applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

**Section 12. Severability.**

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn , III, Mayor

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

**Section 1. Authority.**

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

**Section 2. Declaration of Policy and Purpose.**

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town [and Board of Education](#) officials, ~~Town~~ employees and ~~Town~~ consultants be independent, impartial and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

**Section 3. Definitions.**

As used in this ordinance, the following words or phrases shall have the meanings indicated below:

“*Agency*” is any board, commission, authority or committee of the Town, including the Town Council and Board of Education.

“*Beneficial interest*” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

“*Business day*” means a day other than a Saturday, Sunday or other day in which the office of the Ledyard Town Clerk is closed to the public for business.

“*Complainant*” means a person who files a complaint under penalties of false statement against an official, employee or consultant containing an allegation of prohibited activities under the Code of Ethics.

“*Confidential Information*” means information acquired by a Town [or Board of Education](#) official, employee or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public

knowledge.

“Consultant” means ~~any independent contractor or professional person or firm that receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official or employee.~~ (i) an attorney hired by the Town or the Board of Education to provide legal services; (ii) any engineer, architect or construction manager hired by the Town or the Board of Education to provide professional services related to construction projects; or (iii) any professional who is hired by the Town to provide professional advice or services related to land use matters. In addition, the definition of what constitutes a consultant shall be limited to an officer or an employee of any Town or Board of Education contractor who has managerial or discretionary responsibilities with respect to a Town or Board of Education contract.

“Employee” is any person receiving a salary, wages or a stipend from the Town or Board of Education for services rendered, whether full-time or part-time.

“Family” means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, ~~lineal descendants, children,~~ stepchildren, foster children, siblings and their children, stepsiblings, ~~foster siblings; lineal descendants of siblings, stepsiblings and their children,~~ and foster siblings and their children, of an official, employee, or consultant, or his/her spouse or domestic partner.

“Financial Interest” means any interest that has a: (i) monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year; (ii) and is not common to the other citizens of the Town.

“Gift” is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) in any one (1) year from the same person.

Gifts do not include:

- a. A political contribution that is otherwise reported in accordance with the law.
- b. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
- c. Certificates, plaques or other ceremonial awards costing less than fifty dollars (\$50.00).
- d. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person’s status.
- e. Honorary degrees.

f. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town or Board of Education official or Town Board of Education employee participates in his/her official capacity.

g. Any gift provided to a Town ~~Official~~or Board of Education official or Town or Board of Education Employee or to a family member of a Town ~~Official~~or Board of Education official or Town or Board of Education Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

*"Inquiry"* means a complaint or allegation of a possible violation of the Code.

*"Managerial or discretionary responsibilities with respect to a Town or Board of Education contract"* means having direct, extensive, and substantive responsibilities with respect to the negotiation of the contract and not peripheral, clerical, or ministerial responsibilities.

*"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not be limited to, the Town Council, Board of Education or any other agency as defined herein.-

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#### **Section 4. Confidential information and Withholding of Information.**

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#### **Section 5. Conflict of Interest Provisions and Other Prohibited Activities.**

a. A Town or Board of Education official, employee or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment or rendering of service in which the Town or Board of Education official, employee or consultant or any member of his family has a financial or beneficial interest. ~~Sections 5a., 5b. and 5c. shall not apply to any work performed by a~~ Notwithstanding anything contained in this ordinance to the contrary, a Town or Board of Education official, employee or consultant pursuant to may enter into a contract with the Town or the Board of Education; if the contract is (i) publicly quoted or bid; or (ii) the Town or Board of Education official, employee or consultant

is not involved in the awarding of the contract. In addition, the provisions of this section shall not apply to any employment or consultant contracts in which a Town or Board of Education official, employee or consultant is hired by the Town or the Board of Education to perform necessary services, including, but not limited to recreational services.

- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town or Board of Education official, or employee ~~or consultant~~ has reason to believe or expect that he/she or any member of his family will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- c. A Town or Board of Education official, employee, ~~or~~ consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual or his/her family members as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in Section 7-148h(b) of the General Statutes.
- d. No Town or Board of Education official or employee may directly hire or supervise a member of his/her family except for temporary emergency situations, including, but not limited to, inclement weather and labor shortages.
- e. Town officials and ~~Town~~ employees shall not use Town owned or leased vehicles, equipment, facilities, materials or property for personal convenience or profit. This section does not apply to Town-owned vehicles issued to emergency responders who are authorized by the Mayor, Fire Chief or Police Chief to take their Town-owned vehicles home, or vehicles issued to employees who are permitted to bring their Town-owned vehicles homes as part of an employment agreement or contract.
- ~~f. No Town official, employee or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.~~
- f. ~~g.~~ No Town or Board of Education official, employee or consultant shall solicit or accept any gift from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee or consultant. No Town or Board of Education official, employee or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the

responsibilities of the official, employee or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to any agency, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment or services.

## **Section 6. Disclosure and disqualification.**

a. Any Town or Board of Education official, employee or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with the provisions of this ordinance. Such disclosure shall disqualify the official, employee or consultant from participation in the matter, transaction or decision.

b. No Town or Board of Education official, employee or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding. This Code shall not prohibit any current or former Town or Board of Education official, employee or consultant from appearing before any agency on his/her own behalf. ~~To avoid an actual or perceived conflict, Town officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission.~~

c. If there is an uncertainty whether a Town or Board of Education official, employee or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual may request an advisory opinion from the Ethics Commission pursuant to this ordinance.

d. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, Sections 8-11, 8-21 and 22a-42(c) of the Connecticut General Statutes that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.

## **Section 7. Required Filings for Certain Town and Board of Education Officials.**

The Mayor and the members of the Town Council and the Board of Education shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:

~~1.~~ A. All real estate located within the Town of Ledyard owned by such official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, by a corporation, trust or partnership in which any such official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.

~~2.~~ B. The names of any firm, proprietorship, partnership or corporation of which said official is an employee or in which such official holds at least a five (5) percent interest; and ~~which if applicable, whether such~~ firm, proprietorship, partnership, ~~corporation or limited liability~~ or

corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.

~~3.C.~~ Any income, fees, salary or wages, directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate proceeding such official's election to public office.

### **Section 8. Acknowledgment forms.**

~~a.a.~~ The Town Clerk shall provide a copy of the Code of Ethics to every Town and Board of Education official ~~and employee within sixty (60) days of date that he/she begins his/her duties.~~ Every Town official ~~and employee~~ shall sign and file with the Town ~~Clerk~~ Human Resources Director an acknowledgement form, prepared by the Town Attorney, indicating his/her awareness of the provisions of this Code. ~~Current Town officials and employees shall acknowledge~~ Every Board of Education official, including the Superintendent, shall sign and file with the Board of Education Human Resources Director an acknowledgement form, prepared by the Town attorney, indicating his/her awareness of the provisions of this Code. The Human Resources Directors of both the Town and Board of Education, respectively, shall: (i) provide current Town and Board of Education employees a copy of the Code of Ethics within one-hundred-twenty (120) business days of its effective date; and (ii) provide a copy of the Code of Ethics to every Town and Board of Education employee within sixty (60) business days of employment. Copies of the Code of Ethics may be sent to officials and employees electronically.

~~b.~~ b. Within ten (10) business days of the effective date of this ordinance, the Code of Ethics shall be incorporated by reference into all prospective contracts entered into by the Town of Ledyard and the Board of Education with a consultant. ~~Each consultant shall sign and file with the Town Clerk an acknowledgment form, prepared by the Town Attorney, indicating his or her awareness of the provisions of this Code prior to being retained by the Town.~~ The Human Resources Directors of both the Town and Board of Education ~~or other agency.~~ Current, respectively, shall provide current Town and Board of Education consultants ~~shall acknowledge a copy of the Code of Ethics within one-hundred-twenty~~ thirty (120/30) business days of its effective date. Copies of the Code of Ethics may be sent to consultants electronically.

~~e.c.~~ The Mayor and Superintendent of Schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.

~~d.~~ d. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

### **Section 9. Establishment and Qualifications of Ethics Commission.**

A. Structure. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All regular members and alternate members of the Ethics Commission shall be electors of the Town. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be

unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.

B. Member and alternate member qualifications. No regular member or alternate members shall:

- i. be currently employed by the Town or Board of Education;
- ii. have been employed by the Town or Board of Education for a period of two years prior to being appointed to the Ethics Commission;
- iii. hold any elective Town office or have been elected to any elective Town office for a period of two years prior to being appointed to the Ethics Commission.
- iv. be a current member of the Board of Education or have been elected to the Board of Education for a period of two years prior to being appointed to the Ethics Commission.
- v. serve as a member of another Town agency;
- vi. hold office in a political party or political committee;
- vii. have been found in violation of any state, local or professional code of ethics.

If a current member of the Ethics Commission files to run for any elective Town office or for the Board of Education, such member shall resign from the Ethics Commission within seven (7) days of said filing.

C. Compensation. Members will not be compensated for their service on the Commission.

D. Organizational Meeting. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chair, Vice-Chair and a Secretary.

E. Method and Terms of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of ~~(6)~~ seven affirmative votes of the Town Council. Members shall be appointed for a term of three (3) years. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment. No member may serve more than three (3) terms total.

F. Removal. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the

Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

### **Section 10. Powers and Duties of Ethics Commission.**

A. The Ethics Commission shall be authorized to consult with the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.

B. The Ethics Commission may render advisory opinions to any Town [or Board of Education](#) official, employee or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provisions of this Code of Ethics or is otherwise prohibited by law.

C. The Ethics Commission may examine complaints and to make a determination of probable cause pursuant to the procedures outlined herein. The Ethics Commission may hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.

D. The Ethics Commission may review the Code of Ethics policies and procedures on an as-needed basis and may make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures. [The Ethics Commission may take action to increase public awareness of the Code of Ethics](#)

### **Section 11. Ethics Commission Rules of Procedure.**

A. Advisory opinions. Any current, former or prospective Town of Ledyard [or Board of Education](#) employee, official or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town [or Board of Education](#) official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or agency on which he/she serves.

Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign and date the form. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp the envelope and forward the sealed envelope promptly to the chair or vice-chair of the Ethics Commission. **On the day** [Within five \(5\) business days that](#) said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions. [The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the request.](#)

The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting at an executive session, except upon the request of the individual that is seeking the advisory opinion to present the request in open session.

Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) business days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty business (30) days. All advisory opinions must be in writing and communicated to the individual making the request.

The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

## B. Complaints.

i. Filing of a complaint. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp the envelope and forward the sealed envelope promptly to the chair or vice-chair of the Ethics Commission. On the day the sealed envelope is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) business days of receipt of the complaint. The chair or vice-chair of the Ethics Commission shall sign a form, provided by the Town Clerk, acknowledging the receipt of the complaint. The Ethics Commission shall also notify the respondent that a complaint was received and that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause. No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include the: (i) the name of the person accused (respondent); (ii) name of the person filing the complaint; and (iii) the specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

## ii. Probable Cause Determination.

Within sixty (60) business days of the receipt of a complaint by the Chair or Vice-Chair, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the

Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

If the Ethics Commission makes a finding of probable cause, which shall require three (3) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation.

### iii. Hearings

If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act (“UAPA”) (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel; to present evidence and witnesses and compel the attendance of witnesses; to produce books, documents, records and papers; to examine and cross-examine witnesses; and to inspect and copy relevant and material records, papers and documents. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten business (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

iv. Final Decisions. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members. The Ethics Commission must render its decision within sixty business (60) days of the closing of the hearing. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor ~~and,~~ the Ledyard Town Council and the Board of Education (if applicable) with a copy of its findings and memorandum within ten (10) business days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

### v. Penalties for Violations of the Code of Ethics.

A violation of the Code of Ethics may lead to any one or a combination of the following penalties:

- a. order to cease and desist the violation;
- b. pay a civil penalty of up to the maximum amount permitted by State law;
- c. censure;
- d. suspension without pay;
- e. demotion;
- f. termination of employment or contract; and
- g. Restitution of any benefits received because of the violation committed.

Penalties will be determined by a majority vote of the Town Council within sixty (60) business days after receipt of the finding and memorandum of Ethics Commission.

The remedies and procedures specified in any applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

**Section 12. Severability.**

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn , III, Mayor

<b>Summary report:</b>	
<b>Litera Compare for Word 11.10.1.2 Document comparison done on 2/9/2026 5:50:18 PM</b>	
<b>Style name:</b> Default Style	
<b>Intelligent Table Comparison:</b> Active	
<b>Original DMS:</b> iw://cloudimanager.com/SG/23452496/2	
<b>Modified DMS:</b> iw://cloudimanager.com/SG/23452496/3	
<b>Changes:</b>	
<u>Add</u>	87
<del>Delete</del>	46
<del>Move From</del>	0
<u>Move To</u>	0
<u>Table Insert</u>	0
<del>Table Delete</del>	0
<u>Table moves to</u>	0
<del>Table moves from</del>	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	<b>133</b>



Chairman Gary St. Vil

# TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339-1551  
(860) 464-3200  
[council@ledyardct.org](mailto:council@ledyardct.org)

## LEGAL NOTICE TOWN OF LEDYARD

### NOTICE OF PUBLIC HEARING

The Ledyard Town Council will conduct a Hybrid Format Public Hearing  
(In-Person & Video Conference)  
on Monday, November 10, 2025 at 5:00 p.m.  
to receive comments/recommendations regarding a Proposed

*“An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission”*  
As updated on or about October 29, 2025

Please join the Public Hearing in-person or remotely as follows:

In-person attendance will be at the  
Council Chambers, Town Hall Annex Building  
741 Colonel Ledyard Highway, Ledyard, Connecticut

Please join the video conference meeting from your computer, tablet, or smartphone at:  
<https://us06web.zoom.us/join/edl?muid=0ec0d0ed-c495-4aa5-adaa-ac97f88014e2>  
Meeting ID: 872 3852 2319; Passcode: 298911

or by audio only dial: +1 646 558 8656 Meeting ID: 872 3852 2319; Passcode: 298911

At this hearing interested persons may appear and be heard and written communications  
will be accepted at [towncouncil@ledyardct.org](mailto:towncouncil@ledyardct.org).

Dated at Ledyard, Connecticut this 30th day of October, 2025.

For the Ledyard Town Council  
s/s Gary St. Vil, Chairman

Please Publish on Friday, October 31, 2025

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission.
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report, and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “Agency” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.
2. “Beneficial interest” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.
3. “Business associate” means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. “Business day” means a day other than a Saturday, Sunday, or other day on which the office of the Ledyard Town Clerk is closed to the public for business.
5. “Campaigning” – *to be defined by attorney*
6. “Complainant” means a person or persons who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
7. “Confidential Information” means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
8. “Consultant” means any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
9. “Employee” is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
10. “Family” means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, lineal descendants, stepchildren, foster children, siblings, stepsiblings, foster siblings; lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
11. “Financial Interest” means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family but shall not include any duly authorized compensation from the town.
12. “Gift” is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) in any one (1) year from the same person, as well as loans that are not commercially reasonable. A gift may also include donations

to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
  2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
  3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
  4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
  5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
  6. Honorary degrees.
  7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
  8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.
13. *"Inquiry"* means a complaint or allegation of a possible violation of the Code.
14. *"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not limited to, the Town Council, Board of Education, Town commissions and committees, or any other agency.
15. *"Respondent"* means a person who is the subject of a complaint.

#### Section 4. Confidential information

Town officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

## Section 5. Conflict of Interest Provisions

- a. A Town official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service where the Town official, employee, or consultant has a financial or beneficial interest. *Notwithstanding anything contained in this ordinance to the contract, a Town official, employee, or consultant may enter into a contract with the Town if the contract is (i) publicly quoted or bid; or (ii) the Town official, employee, or consultant is not involved in the awarding of the contract. In addition, the provisions of this section shall not apply to any employment contracts in which a Town official, employee, or consultant is hired by the Town or the Board of Education to perform necessary services.*
- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- c. A Town official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, his/her family members or business associate(s) as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. ~~No Town Official or employee may directly hire a member of his/her family.~~ *Town employee supervision of a member of his/her family may occur in temporary emergency situations, including but not limited to winter storms, tropical storms, and labor shortages.*
- e. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties. *This section does not apply to Town-owned vehicles issued to emergency responders who are authorized by the Mayor, Fire Chief or Police Chief to take their Town-owned vehicles home, or vehicles issued to employees who are permitted to bring their Town-owned vehicles homes as part of an employment agreement or contract.*
- f. No Town official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

## Section 6. Consultants

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

## Section 7. Gifts and favors

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee, or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.
- b. This section shall not apply to any political contribution that is reported as required by law.

## Section 8. Equal treatment

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtues of his/her position or business association.

## Section 9. Disclosure and disqualification

- a. Any Town official, employee, or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e). Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, as aforesaid, by a corporation, trust or partnership in which any such elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.

2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a Town official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:
1. For a Town official who is a member of an elective or appointive board, commission, committee, or authority - to the particular chair of the commission or committee of which such official is a member.
  2. For Town employees and officials appointed by the appropriate authorities – the Mayor or Town Council.
  3. For Board of Education employees - to the superintendent of schools
  4. The Town department directors - to [the Mayor](#) or the Town Council.
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing the contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the Town official, employee, or consultant making the report to seek an advisory opinion from the Ethics Commission regarding whether such official, employee, or consultant should abstain from participating in the transaction or decision related to the possible conflict of interest.
- f. Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.

#### Section 10. Incompatible activities

- a. This Code shall not prohibit any current or former Town official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission pursuant to Section 14(b) prior to appearing.
- b. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.

- c. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of Town officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgment form

- a. The Town Clerk shall provide a copy of the Code of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code. Current Town officials and employees shall acknowledge the Code of Ethics within one-hundred-twenty (120) days of its effective date.
- b. Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his or her awareness of the provisions of this Code on or before being retained by the Town, Board of Education, or other agency. Current consultants shall acknowledge the Code of Ethics within one-hundred-twenty (120) days of its effective date.
- c. The Mayor and superintendent of schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.
- d. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

#### Section 13. Ethics Commission

- a. Structure
  - 1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town
  - 2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
  - 3. Members will not be compensated for their service on the Commission.
  - 4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary

- b. Member and alternate member qualifications
  - a. Members and alternate members must be residents of the Town of Ledyard.
  - b. No member or alternate member shall:
    - a. Be employed by the Town;
    - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
    - c. Hold or seek any Town office.
    - d. *Have campaigned for any other person seeking a town office.*
    - e. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.
    - f. Serve as a member of another Town agency.
    - g. Hold office in a political party or political committee.
    - h. Have been found in violation of state, local, or professional code of ethics.
- c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (6) affirmative votes of the Town Council.
- d. Terms of appointment
  - 1. Members will be appointed for three (3) year terms.
  - 2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
  - 3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
  - 4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment. *No member may serve more than three (3) terms total.*
  - 5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.
- e. Powers and duties
  - 1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
  - 2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
  - 3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 of the Code.

4. The Ethics Commission has the power to examine complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14.
5. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
6. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.
7. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics or is otherwise prohibited by law.
8. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14.
9. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

#### Section 14. Ethics Commission rules of procedure

- (a) These procedures shall be used by the Ethics Commission established in Section 14 hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. Subsection (c), complaints, describes a formal, public procedure for filing complaints. Subsection (d), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Ethics Commission, without requesting an advisory opinion or filing a complaint.

#### (b) Advisory opinions

1. Any current, former, or prospective Town of Ledyard employee, official, or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.
2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign ~~it~~ the form.

3. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.
4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.
5. Proceedings
  - i. The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting under executive session, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the Ethics Commission chair or vice-chair.
  - ii. The Ethics Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) commission members to make a recommendation for consideration by the full Ethics Commission, (3) Hold an informal hearing to receive comments from the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion.
6. Decisions
  - i. Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present.
  - ii. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.
  - iii. All advisory opinions must be in writing and communicated to the individual making the request.
  - iv. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.
7. Confidentiality
  - i. Requests for advisory opinions will be reviewed in executive session except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics.
  - ii. Advisory opinions reviewed in open sessions will be made available for public inspection by delivery to the Town Clerk's office.

### c. Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.
- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

#### 1. Evaluation and Acknowledgment

- a. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.
- b. If the Ethics Commission makes a finding of probable cause, which shall require three (3) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

#### 2. Hearings

- i. If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act ("UAPA") (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel

attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person's possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

### 3. Final Decisions

- ii. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.
- iii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.
- iv. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.
- v. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- vi. Penalties for Violations of the Code of Ethics  
Violation of the Code of Ethics may lead to any one or a combination of the following penalties:
  - a. Order to cease and desist the violation
  - b. Pay a civil penalty of up to the maximum amount permitted by State law.
  - c. Censure
  - d. Suspension without pay
  - e. Demotion
  - g. Termination of employment
  - h. Restitution of any benefits received because of the violation committed.

Penalties will be determined by a majority vote of the Town Council within sixty (60) days after receipt of the finding and memorandum of Ethics Commission.

#### d. Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said

communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

Signed/Certified on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn , III, Mayor

## Roxanne Maher

---

**From:** Jessica Buhle  
**Sent:** Tuesday, October 28, 2025 10:35 AM  
**To:** Roxanne Maher  
**Subject:** Fwd: Redline version of the draft and two notes.  
**Attachments:** Secondary Attorney Revisions Clean Copy 10-28.docx; Secondary Attorney Revisions Redline 10-28.docx

Good morning Roxanne,

Please attach this additional correspondence between Attorney Ritter and I.

I am also attaching a secondary redline draft showing these recommended changes, and a new attorney revised clean copy of the draft to attach as well.

Thank you.

Best,

Jessica Buhle  
Ledyard Town Council  
jessicab@ledyardct.org

Begin forwarded message:

**From:** "Ritter, Matthew D." <MRitter@goodwin.com>  
**Subject:** **Re: Redline version of the draft and two notes.**  
**Date:** October 28, 2025 at 8:59:39 AM EDT  
**To:** Jessica Buhle <Jbuh@ledyardct.org>

Thanks. -Matt

Sent from my iPhone

On Oct 28, 2025, at 8:31 AM, Jessica Buhle <[Jbuh@ledyardct.org](mailto:Jbuh@ledyardct.org)> wrote:

**CAUTION: EXTERNAL EMAIL:** Please be cautious of links and attachments.

Thank you. I will incorporate those changes and send you a clean copy after the meeting as requested.

-Jessica

Sent from my iPhone

On Oct 28, 2025, at 8:29 AM, Ritter, Matthew D. <MRitter@goodwin.com> wrote:

Hood morning Jessica – some small comments below. I have no additional comments at this time. However, after the meeting tomorrow please send me a clean version just so I can proofread it one more time for typos, section ordering, etc. Thanks. -Matt

1. Gift definition. I think it should be something like this:

“*Gift*” is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) in any one (1) calendar year from the same person, as well as loans that are not commercially reasonable.”

Under this language, you could take someone out to dinner for \$99.99 once a calendar year. Does that make sense?

2. Add the word two times to Section 9(d). 6:

1. For a consultant - to **the** agent  
executing **the** contract on behalf of the Town or  
Board of Education.

3. Section 10 – maybe re-title it since the employment language has been deleted?

4. Section 12 – not a legal issue...just concerned about the Town Clerk’s ability to get all these forms signed in 60 days especially since it includes teachers, etc. And if the ordinance is adopted in November, there are a lot of holidays/vacation days in the subsequent 60 days.

Maybe use 120 days? I would just make sure the Town Clerk can handle this in whatever time period is given.

Thanks, Matt

[<image001.png>](#)

**Matthew D. Ritter**  
Shipman & Goodwin LLP  
Partner  
One Constitution Plaza  
Hartford, CT 06103-1919

Tel: (860) 251-5092  
Fax: (860) 251-5212  
[MRitter@goodwin.com](mailto:MRitter@goodwin.com)  
[www.shipmangoodwin.com](http://www.shipmangoodwin.com)

*[Shipman & Goodwin LLP is a 2022 Mansfield Certified Plus Firm](#)*

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**From:** Jessica Buhle <[Jbuh@ledyardct.org](mailto:Jbuh@ledyardct.org)>  
**Sent:** Monday, October 27, 2025 7:30 PM  
**To:** Ritter, Matthew D. <[MRitter@goodwin.com](mailto:MRitter@goodwin.com)>  
**Subject:** Re: Redline version of the draft and two notes.

**CAUTION: EXTERNAL EMAIL:** Please be cautious of links and attachments.

Good evening,

I am attaching a final redline draft incorporating your changes. I have made the changes from the clean draft I sent you.

Green items are the changes you've recommended adding or defended modifying; redlines are items we've deleted.

With these changes adopted, do you feel this ordinance is effective to protect the Town of Ledyard and can be defended if the need arose?

Thank you again for your assistance and prompt replies (but if you happen to read this this evening, please don't reply until tomorrow and enjoy your evening).

Best,

Jessica Buhle  
Ledyard Town Council  
[jessicab@ledyardct.org](mailto:jessicab@ledyardct.org)

On Oct 27, 2025, at 6:29 PM, Ritter, Matthew D.  
<[MRitter@goodwin.com](mailto:MRitter@goodwin.com)> wrote:

Hi Jessica – thanks for the redline. Very helpful. Comments/suggested edits below:

1. Definition of “Gift” - I think you accidentally deleted the phrase “and one hundred dollars (\$100.00) total in any one (1) year from the same person.”

2. You include the “Town Attorney” in the definition of “Official.” However, the Town Attorney is already included in the definition of consultant.

If you include Town Attorney in the definition of “Official” you will have to clarify some provisions in which the term “Official” is used. See Section 9.d., Section 12.a. and #8 of “Gifts do not include”, for example. There may be some more as well.

3. Conflicts of Interest – I fully appreciate that this language below in subsection (a) comes directly from the Glastonbury code. I will only point out that this is a subjective standard. I just note that it will be easier for the Ethics Commission to make rulings if there are objective criteria (i.e. the gift rule or financial interest rule). However, this is a policy decision for the Town Council/Mayor to determine.

“that is incompatible with the proper discharge of that individual’s official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities.”

-I think it is fine to leave in subsection (d) even though it is already in the employee handbook.

-I would delete (f) because it appears earlier in the ordinance (or vise versa...delete the earlier section).

4. Section 9(c) – I assume section 1. applies only to property in Ledyard? I would clarify that for the corporation, trust, partnerships, etc.

Section(c) 3. – delete the term “political subdivision.” Or let me know what you are trying

to capture here? This was in my prior comments as well.

Section 9(d) – I know this comes from Glastonbury but what does it mean for a Town official to report to a “particular agency?” I would recommend that these officials report to the Town Council Chair and/or Mayor maybe? Or maybe the chair of that board or commission?

For Town employees, it is hard without a Town Manager. However, the term “appropriate authorities” may not be clear enough. Again, maybe it is the Mayor and/or Town Council Chair? Or the full Town Council like with department heads?

-It may also be easier to just require anyone who is uncertain to ask for an advisory opinion? Maybe eliminate the middle step? The involvement of other individuals raises questions about FOIA, confidentiality, etc.

5. Section 10 – is almost identical to the conflicts of interest section I highlighted above. If the Town Council keeps the provision, I would just use it once in the ordinance.

-10. b. I understand subsection (c) because it relates to a matter a consultant/employee may have been involved with in their role as a consultant (and they may be privy to certain confidential information, etc). However, it does not work as well for subsection (b). What is meant by “affiliated” for a consultant? For example, if the P&Z Commission hires a consultant for advice in 2025, can that consultant advise a different applicant in 2026 if it is a completely different property and an unrelated matter?

“No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency with which he/she previously was employed or affiliated for a period of one (1) year after the termination of his/her public service or employment; provided,

however, that such an individual may be permitted to make such an appearance upon receipt of a favorable prior advisory opinion by the Ethics Commission pursuant to Section 13 following its review of the individual's written application and relevant facts."

-As noted before, I understand that Glastonbury has these revolving door provisions but I do not know if they will pass legal muster for certain consultants, unionized employees, etc. We can certainly research this issue further if requested.

-10. f. – I know this is in Glastonbury, but I still think it is a typo. I would recommend deleting this language in yellow. This was also in my earlier comments.

To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official, **not otherwise restrained by the Code**, shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

6. Section 12. How are you going to handle existing employees/consultants as opposed to new hires/contracts? Are you going to require them to all sign the form or just new employees? The language may have to be amended to reflect this policy decision.

7. There are no legal issues with adding the training requirements.

<image001.png>

**Matthew D. Ritter**  
Shipman & Goodwin LLP  
Partner  
One Constitution Plaza  
Hartford, CT 06103-1919

Tel: (860) 251-5092  
Fax: (860) 251-5212  
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[www.shipmangoodwin.com](http://www.shipmangoodwin.com)

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---

**From:** Jessica Buhle <[Jbuh@ledyardct.org](mailto:Jbuh@ledyardct.org)>  
**Sent:** Monday, October 27, 2025 4:09 PM  
**To:** Ritter, Matthew D. <[MRitter@goodwin.com](mailto:MRitter@goodwin.com)>  
**Subject:** Redline version of the draft and two notes.

**CAUTION: EXTERNAL EMAIL:** Please be cautious of links and attachments.

Good afternoon,

I have attached the redline draft of the ordinance proposed comparing to the Glastonbury code of ethics. There are also notes in the document as well regarding some of the changes if they are visible. If they are not visible, please let me know and I can send those separately.

Before a final draft is adopted, I have two changes I would like to make to it that didn't get changed before I sent it to you.

First, I would like to change the requirements for finding probable cause to 3 votes instead of 4 while retaining 4 for a final decision.

Second, I would like to re-add section c and d from Section 2-68 about maintaining training for town employees and officials. The language as written in the Glastonbury code is sufficient removing the reference to their charter and naming the Mayor instead of the Town Manager.

Lastly, if you think the language specific to inquiries and complaints directly from the Glastonbury code is better overall, we can move forward with that language instead of the previously proposed language. All of the hearing and procedural language in the draft sent to you is directly from the previous draft.

Thank you for all the feedback and assistance  
you have provided to support effective  
legislation for Ledyard

Best,

Jessica Buhle  
Ledyard Town Council  
[jessicab@ledyardct.org](mailto:jessicab@ledyardct.org)

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<image001.png>

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission.
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report, and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “*Agency*” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.
2. “*Beneficial interest*” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

3. “*Business associate*” means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. “*Business day*” means a day other than a Saturday, Sunday, or other day on which the office of the Ledyard Town Clerk is closed to the public for business.
5. “*Complainant*” means a person or person who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
6. “*Confidential Information*” means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
7. “*Consultant*” means any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
8. “*Employee*” is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
9. “*Family*” means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, lineal descendants, stepchildren, foster children, siblings, stepsiblings, foster siblings; lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
10. “*Financial Interest*” means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family but shall not include any duly authorized compensation from the town.
11. “*Gift*” is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) in any one (1) year from the same person, as well as loans that are not commercially reasonable. A gift may also include donations to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
6. Honorary degrees.
7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

12. *"Inquiry"* means a complaint or allegation of a possible violation of the Code.

13. *"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not limited to, the Town Council, Board of Education, Town commissions and committees, or any other agency.

14. *"Respondent"* means a person who is the subject of a complaint.

#### Section 4. Confidential information

Town officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

#### Section 5. Conflict of Interest Provisions

- a. A Town official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service where the Town official, employee, or consultant has a financial or beneficial interest.
- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest

if the Town official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.

- c. A Town official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, his/her family members or business associate(s) as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. No Town official or employee may directly hire or supervise a member of his/her family.
- e. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties.
- f. No Town official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 6. Consultants

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

#### Section 7. Gifts and favors

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee, or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.
- b. This section shall not apply to any political contribution that is reported as required by law.

## Section 8. Equal treatment

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtue of his/her position or business association.

## Section 9. Disclosure and disqualification

- a. Any Town official, employee, or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e). Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, as aforesaid, by a corporation, trust or partnership in which any such elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
  2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a Town official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:
  1. For a Town official who is a member of an elective or appointive board, commission, committee, or authority - to the particular chair of the commission or committee of which such official is a member.
  2. For Town employees and officials appointed by the appropriate authorities - the Mayor or Town Council.
  3. For Board of Education employees - to the superintendent of schools

4. The Town department directors - to the Town Council.
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing the contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the Town official, employee, or consultant making the report to seek an advisory opinion from the Ethics Commission regarding whether such official, employee, or consultant should abstain from participating in the transaction or decision related to the possible conflict of interest.
  - f. Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.

#### Section 10. Incompatible activities

- a. This Code shall not prohibit any current or former Town official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission pursuant to Section 14(b) prior to appearing.
- b. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.
- c. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of Town officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgment form

- a. The Town Clerk shall provide a copy of the Code of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code. Current Town officials and employees shall acknowledge the Code of Ethics within one-hundred-twenty (120) days of its effective date.
- b. Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his or her awareness of the provisions of this Code on or before being retained

by the Town, Board of Education, or other agency. Current consultants shall acknowledge the Code of Ethics within one-hundred-twenty (120) days of its effective date.

- c. The Mayor and superintendent of schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.
- d. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

### Section 13. Ethics Commission

#### a. Structure

- 1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.
- 2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
- 3. Members will not be compensated for their service on the Commission.
- 4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary

#### b. Member and alternate member qualifications

- a. Members and alternate members must be residents of the Town of Ledyard.
- b. No member or alternate member shall:
  - a. Be employed by the Town;
  - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
  - c. Hold or seek any Town office.
  - d. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.
  - e. Serve as a member of another Town agency.
  - f. Hold office in a political party or political committee.
  - g. Have been found in violation of state, local, or professional code of ethics.
- c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (6) affirmative votes of the Town Council.
- d. Terms of appointment
  - 1. Members will be appointed for three (3) year terms.

2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment.
5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

e. Powers and duties

1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 of the Code.
4. The Ethics Commission has the power to examine complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14
5. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
6. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.
7. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics or is otherwise prohibited by law.
8. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14.
9. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

## Section 14. Ethics Commission rules of procedure

(a) These procedures shall be used by the Ethics Commission established in Section 14 hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. Subsection (c), complaints, describes a formal, public procedure for filing complaints. Subsection (d), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Ethics Commission, without requesting an advisory opinion or filing a complaint.

### (b) Advisory opinions

1. Any current, former, or prospective Town of Ledyard employee, official, or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.

2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.

3. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.

4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.

### 5. Proceedings

- i. The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting under executive session, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the Ethics Commission chair or vice-chair.
- ii. The Ethics Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) commission members to make a recommendation for consideration by the full Ethics Commission, (3) Hold an informal hearing to receive comments from

the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion.

#### 6. Decisions

- i. Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present.
- ii. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.
- i. All advisory opinions must be in writing and communicated to the individual making the request.
- ii. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

#### 7. Confidentiality

- i. Requests for advisory opinions will be reviewed in executive session except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics.
- ii. Advisory opinions reviewed in open sessions will be made available for public inspection by delivery to the Town Clerk's office.

#### c. Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.

- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

## 2.Evaluation and Acknowledgment

- i. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.
- ii. If the Ethics Commission makes a finding of probable cause, which shall require three (3) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

## 3.Hearings

- i. If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act (“UAPA”) (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person’s possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

## 4.Final Decisions

- i. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.
- ii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.

- iii. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.
- iv. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- v. Penalties for Violations of the Code of Ethics
  - a. A violation of the Code of Ethics may lead to any one or a combination of the following penalties:
  - b. Order to cease and desist the violation
  - c. Pay a civil penalty of up to the maximum amount permitted by State law.
  - d. Censure
  - e. Suspension without pay
  - f. Demotion
  - g. Termination of employment
  - h. Restitution of any benefits received because of the violation committed.

d. Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

## Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn , III, Mayor

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission.
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report, and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “*Agency*” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.
2. “*Beneficial interest*” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

3. *“Business associate”* means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. *“Business day”* means a day other than a Saturday, Sunday, or other day on which the office of the Ledyard Town Clerk is closed to the public for business.
5. *“Complainant”* means a person or person who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
6. *“Confidential Information”* means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
7. *“Consultant”* means any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
8. *“Employee”* is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
9. *“Family”* means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, lineal descendants, stepchildren, foster children, siblings, stepsiblings, foster siblings; lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
10. *“Financial Interest”* means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family but shall not include any duly authorized compensation from the town.
11. *“Gift”* is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) ~~for any one (1) occasion, and one hundred dollars (\$100.00) total~~ in any one (1) year from the same person, as well as loans that are not commercially reasonable. A gift may also include donations to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
6. Honorary degrees.
7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

12. *"Inquiry"* means a complaint or allegation of a possible violation of the Code.

13. *"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not limited to, the Town Council, Board of Education, Town commissions and committees, or any other agency.

14. *"Respondent"* means a person who is the subject of a complaint.

#### Section 4. Confidential information

Town officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

#### Section 5. Conflict of Interest Provisions

- a. A Town official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service where the Town official, employee, or consultant has a financial or beneficial interest.
- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest

if the Town official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.

- c. A Town official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, his/her family members or business associate(s) as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. No Town official or employee may directly hire or supervise a member of his/her family.
- e. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties.
- f. No Town official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 6. Consultants

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

#### Section 7. Gifts and favors

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee, or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.
- b. This section shall not apply to any political contribution that is reported as required by law.

## Section 8. Equal treatment

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtue of his/her position or business association.

## Section 9. Disclosure and disqualification

- a. Any Town official, employee, or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e). Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, as aforesaid, by a corporation, trust or partnership in which any such elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
  2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a Town official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:
  1. For a Town official who is a member of an elective or appointive board, commission, committee, or authority - to the particular chair of the commission or committee of which such official is a member.
  2. For Town employees and officials appointed by the appropriate authorities - the Mayor or Town Council.
  3. For Board of Education employees - to the superintendent of schools

4. The Town department directors - to the Town Council.
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing ~~the~~ contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the Town official, employee, or consultant making the report to seek an advisory opinion from the Ethics Commission regarding whether such official, employee, or consultant should abstain from participating in the transaction or decision related to the possible conflict of interest.
  - f. Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.

#### Section 10. Incompatible ~~employment and~~ activities

- a. This Code shall not prohibit any current or former Town official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission pursuant to Section 14(b) prior to appearing.
- b. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.
- c. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of Town officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgment form

- a. The Town Clerk shall provide a copy of the Code of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code. Current Town officials and employees shall acknowledge the Code of Ethics within ~~sixty (60)~~ ~~one-hundred-twenty (120)~~ days of its effective date.
- b. Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his or her awareness of the provisions of this Code on or before being retained

by the Town, Board of Education, or other agency. Current consultants shall acknowledge the Code of Ethics within ~~sixty (60)~~ **one-hundred-twenty (120)** days of its effective date.

- c. The Mayor and superintendent of schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.
- d. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

### Section 13. Ethics Commission

#### a. Structure

1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.
2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
3. Members will not be compensated for their service on the Commission.
4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary

#### b. Member and alternate member qualifications

- a. Members and alternate members must be residents of the Town of Ledyard.
- b. No member or alternate member shall:
  - a. Be employed by the Town;
  - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
  - c. Hold or seek any Town office.
  - d. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.
  - e. Serve as a member of another Town agency.
  - f. Hold office in a political party or political committee.
  - g. Have been found in violation of state, local, or professional code of ethics.
- c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (6) affirmative votes of the Town Council.
- d. Terms of appointment
  1. Members will be appointed for three (3) year terms.

2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment.
5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

e. Powers and duties

1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 of the Code.
4. The Ethics Commission has the power to examine complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14
5. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
6. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.
7. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics or is otherwise prohibited by law.
8. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14.
9. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

## Section 14. Ethics Commission rules of procedure

(a) These procedures shall be used by the Ethics Commission established in Section 14 hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. Subsection (c), complaints, describes a formal, public procedure for filing complaints. Subsection (d), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Ethics Commission, without requesting an advisory opinion or filing a complaint.

### (b) Advisory opinions

1. Any current, former, or prospective Town of Ledyard employee, official, or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.

2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.

3. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.

4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.

### 5. Proceedings

- i. The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting under executive session, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the Ethics Commission chair or vice-chair.
- ii. The Ethics Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) commission members to make a recommendation for consideration by the full Ethics Commission, (3) Hold an informal hearing to receive comments from

the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion.

#### 6. Decisions

- i. Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present.
- ii. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.
- i. All advisory opinions must be in writing and communicated to the individual making the request.
- ii. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

#### 7. Confidentiality

- i. Requests for advisory opinions will be reviewed in executive session except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics.
- ii. Advisory opinions reviewed in open sessions will be made available for public inspection by delivery to the Town Clerk's office.

#### c. Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.

- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

## 2.Evaluation and Acknowledgment

- i. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.
- ii. If the Ethics Commission makes a finding of probable cause, which shall require three (3) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

## 3.Hearings

- i. If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act (“UAPA”) (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person’s possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

## 4.Final Decisions

- i. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.
- ii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.

- iii. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.
- iv. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- v. Penalties for Violations of the Code of Ethics
  - a. A violation of the Code of Ethics may lead to any one or a combination of the following penalties:
  - b. Order to cease and desist the violation
  - c. Pay a civil penalty of up to the maximum amount permitted by State law.
  - d. Censure
  - e. Suspension without pay
  - f. Demotion
  - g. Termination of employment
  - h. Restitution of any benefits received because of the violation committed.

d. Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn , III, Mayor

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission.
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report, and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “*Agency*” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.
2. “*Beneficial interest*” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

3. “*Business associate*” means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. “*Business day*” means a day other than a Saturday, Sunday, or other day on which the office of the Ledyard Town Clerk is closed to the public for business.
5. “*Complainant*” means a person or person who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
6. “*Confidential Information*” means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
7. “*Consultant*” means any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
8. “*Employee*” is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
9. “*Family*” means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, lineal descendants, stepchildren, foster children, siblings, stepsiblings, foster siblings; lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
10. “*Financial Interest*” means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family but shall not include any duly authorized compensation from the town.
11. “*Gift*” is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) for any one (1) occasion, and one hundred dollars (\$100.00) total in any one (1) year from the same person, as well as loans that are not commercially reasonable. A gift may also include donations to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
6. Honorary degrees.
7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

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- a. A Town official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service where the Town official, employee, or consultant has a financial or beneficial interest.
- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest

if the Town official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.

- c. A Town official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, his/her family members or business associate(s) as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. No Town official or employee may directly hire or supervise a member of his/her family.
- e. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties.
- f. No Town official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 6. Consultants

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

#### Section 7. Gifts and favors

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee, or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.
- b. This section shall not apply to any political contribution that is reported as required by law.

## Section 8. Equal treatment

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtue of his/her position or business association.

## Section 9. Disclosure and disqualification

- a. Any Town official, employee, or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e). Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the Town of Ledyard owned or leased, as aforesaid, by a corporation, trust or partnership in which any such elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
  2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a Town official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:
  1. For a Town official who is a member of an elective or appointive board, commission, committee, or authority - to the particular chair of the commission or committee of which such official is a member.
  2. For Town employees and officials appointed by the appropriate authorities - the Mayor or Town Council.
  3. For Board of Education employees - to the superintendent of schools

4. The Town department directors - to the Town Council.
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the Town official, employee, or consultant making the report to seek an advisory opinion from the Ethics Commission regarding whether such official, employee, or consultant should abstain from participating in the transaction or decision related to the possible conflict of interest.
  - f. Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.

#### Section 10. Incompatible employment and activities

- a. This Code shall not prohibit any current or former Town official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission pursuant to Section 14(b) prior to appearing.
- b. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.
- c. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of Town officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgment form

- a. The Town Clerk shall provide a copy of the Code of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code. Current Town officials and employees shall acknowledge the Code of Ethics within sixty (60) days of its effective date.
- b. Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his or her awareness of the provisions of this Code on or before being retained

by the Town, Board of Education, or other agency. Current consultants shall acknowledge the Code of Ethics within sixty (60) days of its effective date.

- c. The Mayor and superintendent of schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.
- d. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

### Section 13. Ethics Commission

#### a. Structure

1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.
2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
3. Members will not be compensated for their service on the Commission.
4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary

#### b. Member and alternate member qualifications

- a. Members and alternate members must be residents of the Town of Ledyard.
- b. No member or alternate member shall:
  - a. Be employed by the Town;
  - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
  - c. Hold or seek any Town office.
  - d. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.
  - e. Serve as a member of another Town agency.
  - f. Hold office in a political party or political committee.
  - g. Have been found in violation of state, local, or professional code of ethics.
- c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (6) affirmative votes of the Town Council.
- d. Terms of appointment
  1. Members will be appointed for three (3) year terms.

2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment.
5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

e. Powers and duties

1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 of the Code.
4. The Ethics Commission has the power to examine complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14
5. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
6. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.
7. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics or is otherwise prohibited by law.
8. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14.
9. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

## Section 14. Ethics Commission rules of procedure

(a) These procedures shall be used by the Ethics Commission established in Section 14 hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. Subsection (c), complaints, describes a formal, public procedure for filing complaints. Subsection (d), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Ethics Commission, without requesting an advisory opinion or filing a complaint.

### (b) Advisory opinions

1. Any current, former, or prospective Town of Ledyard employee, official, or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.

2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.

3. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.

4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.

### 5. Proceedings

- i. The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting under executive session, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the Ethics Commission chair or vice-chair.
- ii. The Ethics Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) commission members to make a recommendation for consideration by the full Ethics Commission, (3) Hold an informal hearing to receive comments from

the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion.

#### 6. Decisions

- i. Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present.
- ii. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.
- i. All advisory opinions must be in writing and communicated to the individual making the request.
- ii. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

#### 7. Confidentiality

- i. Requests for advisory opinions will be reviewed in executive session except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics.
- ii. Advisory opinions reviewed in open sessions will be made available for public inspection by delivery to the Town Clerk's office.

#### c. Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.

- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

## 2.Evaluation and Acknowledgment

- i. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.
- ii. If the Ethics Commission makes a finding of probable cause, which shall require three (3) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

## 3.Hearings

- i. If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act (“UAPA”) (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person’s possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

## 4.Final Decisions

- i. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.
- ii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.

- iii. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.
- iv. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- v. Penalties for Violations of the Code of Ethics
  - a. A violation of the Code of Ethics may lead to any one or a combination of the following penalties:
  - b. Order to cease and desist the violation
  - c. Pay a civil penalty of up to the maximum amount permitted by State law.
  - d. Censure
  - e. Suspension without pay
  - f. Demotion
  - g. Termination of employment
  - h. Restitution of any benefits received because of the violation committed.
- d. Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelop and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

#### Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

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Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

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Fred B. Allyn , III, Mayor

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission.
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report, and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “*Agency*” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.
2. “*Beneficial interest*” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

3. “*Business associate*” means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. “*Business day*” means a day other than a Saturday, Sunday, or other day on which the office of the Ledyard Town Clerk is closed to the public for business.
5. “*Complainant*” means a person or person who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
6. “*Confidential Information*” means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
7. “*Consultant*” means any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
8. “*Employee*” is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
9. “*Family*” means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, lineal descendants, stepchildren, foster children, siblings, stepsiblings, foster siblings; lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
10. “*Financial Interest*” means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family but shall not include any duly authorized compensation from the town.
11. “*Gift*” is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) for any one (1) occasion, and **one hundred dollars (\$100.00) total** in any one (1) year from the same person, as well as loans that are not commercially reasonable. A gift may also include donations to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
6. Honorary degrees.
7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

12. *"Inquiry"* means a complaint or allegation of a possible violation of the Code.

13. *"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not limited to, the Town Council, Board of Education, Town commissions and committees, ~~Town attorney~~, or any other agency.

14. *"Respondent"* means a person who is the subject of a complaint.

#### Section 4. Confidential information

Town officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

#### Section 5. Conflict of Interest Provisions

- a. A Town official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service ~~that is incompatible with the proper discharge of that individual's official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities where~~ the Town official, employee, or consultant has a financial or beneficial interest.

- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- c. A Town official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, his/her family members or business associate(s) as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. No Town official or employee may directly hire or supervise a member of his/her family.
- e. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties.
- ~~f. No Town official, employee, or consultant may use his/her public office or position or disclose or use confidential information, in order to obtain a financial or beneficial interest for herself, himself, or for his/her family, or for any business associate.~~
- g. No Town official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 6. Consultants

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

#### Section 7. Gifts and favors

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within

the responsibilities of the official, employee, or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.

- b. This section shall not apply to any political contribution that is reported as required by law.

#### Section 8. Equal treatment

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtues of his/her position or business association.

#### Section 9. Disclosure and disqualification

- a. Any Town official, employee, or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e). Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the **Town of Ledyard** owned or leased, as aforesaid, by a corporation, trust or partnership in which any such elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
  2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard ~~or its political subdivisions~~ during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a Town official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:

1. For a Town official who is a member of an elective or appointive board, commission, committee, or authority - to the particular ~~agency~~ chair of the ~~commission or committee~~ of which such official is a member.
  2. For Town employees and officials appointed by the appropriate authorities – the Mayor or Town Council.
  3. For Board of Education employees - to the superintendent of schools
  4. The Town department directors - to the Town Council.
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the Town official, employee, or consultant making the report ~~whether such official, employee, or consultant should abstain from participating in the transaction or decision to which the possible conflict of interest relates and whatever other appropriate action should be taken~~ to seek an advisory opinion from the Ethics Commission regarding whether such official, employee, or consultant should abstain from participating in the transaction or decision related to the possible conflict of interest.
- f. Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.

#### Section 10. Incompatible employment and activities

- ~~a. No Town official or employee shall engage in or accept private employment or render services when the employment or services: (1) are incompatible with the proper discharge of the official duties of the official or employee; or (2) would tend to impair independence of judgment, or action by the official or employee in the performance of that individual's official duty. No consultant shall engage in employment or render services for interest other than the Town when such employment or services: (1) are incompatible with the proper discharge of his or her consulting duties on behalf of the town; or (2) would tend to impair the independence of the consultant's judgment or action on the matter for which the consultant has been engaged by the Town.~~
- ~~b. No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency with which he/she previously was employed or affiliated for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable prior advisory opinion by the Ethics Commission pursuant to Section 13 following its review of the individual's written application and relevant facts.~~
- ~~c. No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency in regard to a matter in which that individual previously participated in the course of his/her official responsibilities for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable advisory opinion by the Ethics Commission pursuant to Section 13.~~
- a. Subsection (a), (b), and (c) of This section code shall not prohibit any current or former Town official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged

from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission pursuant to Section 14(b) prior to appearing.

- b. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.
- c. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official, ~~not otherwise restrained by the Code~~, shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of Town officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgment form

- a. The Town Clerk shall provide a copy of the Code of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code. **Current Town officials and employees shall acknowledge the Code of Ethics within sixty (60) days of its effective date.**
- b. Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his or her awareness of the provisions of this Code on or before being retained by the Town, Board of Education, or other agency. **Current consultants shall acknowledge the Code of Ethics within sixty (60) days of its effective date.**
- c. **The Mayor and superintendent of schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.**
- d. **The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).**

#### Section 13. Ethics Commission

##### a. Structure

1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.

2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
  3. Members will not be compensated for their service on the Commission.
  4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary
- b. Member and alternate member qualifications
- a. Members and alternate members must be residents of the Town of Ledyard.
  - b. No member or alternate member shall:
    - a. Be employed by the Town;
    - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
    - c. Hold or seek any Town office.
    - d. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.
    - e. Serve as a member of another Town agency.
    - f. Hold office in a political party or political committee.
    - g. Have been found in violation of state, local, or professional code of ethics.
- c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (6) affirmative votes of the Town Council.
- d. Terms of appointment
1. Members will be appointed for three (3) year terms.
  2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
  3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
  4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment.
  5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

e. Powers and duties

1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 of the Code.
4. The Ethics Commission has the power to examine complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14
5. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
6. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.
7. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics or is otherwise prohibited by law.
8. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14.
9. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

Section 14. Ethics Commission rules of procedure

(a) These procedures shall be used by the Ethics Commission established in Section 14 hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. Subsection (c), complaints, describes a formal, public procedure for filing complaints. Subsection (d), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Ethics Commission, without requesting an advisory opinion or filing a complaint.

(b) Advisory opinions

1. Any current, former, or prospective Town of Ledyard employee, official, or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town official also may

request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.

2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.

3. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.

4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.

#### 5. Proceedings

- i. The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting under executive session, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the Ethics Commission chair or vice-chair.
- ii. The Ethics Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) commission members to make a recommendation for consideration by the full Ethics Commission, (3) Hold an informal hearing to receive comments from the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion.

#### 6. Decisions

- i. Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present.
- ii. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.
  - i. All advisory opinions must be in writing and communicated to the individual making the request.
  - ii. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion

requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

## 7. Confidentiality

- i. Requests for advisory opinions will be reviewed in executive session except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics.
- ii. Advisory opinions reviewed in open sessions will be made available for public inspection by delivery to the Town Clerk's office.

## c. Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.
- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

## 2. Evaluation and Acknowledgment

- i. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

- ii. If the Ethics Commission makes a finding of probable cause, which shall require ~~four (4)~~ **three (3)** affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

### 3. Hearings

- i. If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act (“UAPA”) (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person’s possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

### 4. Final Decisions

- i. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.
- ii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.
- iii. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.
- iv. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- v. Penalties for Violations of the Code of Ethics
  - a. A violation of the Code of Ethics may lead to any one or a combination of the following penalties:

- b. Order to cease and desist the violation
  - c. Pay a civil penalty of up to the maximum amount permitted by State law.
  - d. Censure
  - e. Suspension without pay
  - f. Demotion
  - g. Termination of employment
  - h. Restitution of any benefits received because of the violation committed.
- d. Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
 Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
 Fred B. Allyn , III, Mayor

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission.
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report, and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “*Agency*” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.
2. “*Beneficial interest*” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

3. *“Business associate”* means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. *“Business day”* means a day other than a Saturday, Sunday, or other day on which the office of the Ledyard Town Clerk is closed to the public for business.
5. *“Complainant”* means a person or person who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
6. *“Confidential Information”* means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
7. *“Consultant”* means any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
8. *“Employee”* is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
9. *“Family”* means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, lineal descendants, stepchildren, foster children, siblings, stepsiblings, foster siblings; lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
10. *“Financial Interest”* means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family but shall not include any duly authorized compensation from the town.
11. *“Gift”* is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) for any one (1) occasion, and **one hundred dollars (\$100.00) total** in any one (1) year from the same person, as well as loans that are not commercially reasonable. A gift may also include donations to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
6. Honorary degrees.
7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

12. *"Inquiry"* means a complaint or allegation of a possible violation of the Code.

13. *"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not limited to, the Town Council, Board of Education, Town commissions and committees, ~~Town attorney~~, or any other agency.

14. *"Respondent"* means a person who is the subject of a complaint.

#### Section 4. Confidential information

Town officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

#### Section 5. Conflict of Interest Provisions

- a. A Town official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service ~~that is incompatible with the proper discharge of that individual's official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities where~~ the Town official, employee, or consultant has a financial or beneficial interest.

- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- c. A Town official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, his/her family members or business associate(s) as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. No Town official or employee may directly hire or supervise a member of his/her family.
- e. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties.
- ~~f. No Town official, employee, or consultant may use his/her public office or position or disclose or use confidential information, in order to obtain a financial or beneficial interest for herself, himself, or for his/her family, or for any business associate.~~
- g. No Town official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 6. Consultants

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

#### Section 7. Gifts and favors

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within

the responsibilities of the official, employee, or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.

- b. This section shall not apply to any political contribution that is reported as required by law.

#### Section 8. Equal treatment

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtues of his/her position or business association.

#### Section 9. Disclosure and disqualification

- a. Any Town official, employee, or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e). Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate in the **Town of Ledyard** owned or leased, as aforesaid, by a corporation, trust or partnership in which any such elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
  2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard ~~or its political subdivisions~~ during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a Town official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:

1. For a Town official who is a member of an elective or appointive board, commission, committee, or authority - to the particular ~~agency~~ chair of the ~~commission or committee~~ of which such official is a member.
  2. For Town employees and officials appointed by the appropriate authorities – the Mayor or Town Council.
  3. For Board of Education employees - to the superintendent of schools
  4. The Town department directors - to the Town Council.
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the Town official, employee, or consultant making the report ~~whether such official, employee, or consultant should abstain from participating in the transaction or decision to which the possible conflict of interest relates and whatever other appropriate action should be taken~~ to seek an advisory opinion from the Ethics Commission regarding whether such official, employee, or consultant should abstain from participating in the transaction or decision related to the possible conflict of interest.
- f. Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.

#### Section 10. Incompatible employment and activities

- ~~a. No Town official or employee shall engage in or accept private employment or render services when the employment or services: (1) are incompatible with the proper discharge of the official duties of the official or employee; or (2) would tend to impair independence of judgment, or action by the official or employee in the performance of that individual's official duty. No consultant shall engage in employment or render services for interest other than the Town when such employment or services: (1) are incompatible with the proper discharge of his or her consulting duties on behalf of the town; or (2) would tend to impair the independence of the consultant's judgment or action on the matter for which the consultant has been engaged by the Town.~~
- ~~b. No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency with which he/she previously was employed or affiliated for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable prior advisory opinion by the Ethics Commission pursuant to Section 13 following its review of the individual's written application and relevant facts.~~
- ~~c. No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency in regard to a matter in which that individual previously participated in the course of his/her official responsibilities for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable advisory opinion by the Ethics Commission pursuant to Section 13.~~
- a. Subsection (a), (b), and (c) of This section code shall not prohibit any current or former Town official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged

from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission pursuant to Section 14(b) prior to appearing.

- b. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.
- c. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official, ~~not otherwise restrained by the Code~~, shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of Town officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgment form

- a. The Town Clerk shall provide a copy of the Code of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code. **Current Town officials and employees shall acknowledge the Code of Ethics within sixty (60) days of its effective date.**
- b. Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his or her awareness of the provisions of this Code on or before being retained by the Town, Board of Education, or other agency. **Current consultants shall acknowledge the Code of Ethics within sixty (60) days of its effective date.**
- c. **The Mayor and superintendent of schools shall develop a protocol for periodic training of employees concerning the Code of Ethics. The Commission shall develop a protocol for periodic training of officials.**
- d. **The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).**

#### Section 13. Ethics Commission

##### a. Structure

1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.

2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
  3. Members will not be compensated for their service on the Commission.
  4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary
- b. Member and alternate member qualifications
- a. Members and alternate members must be residents of the Town of Ledyard.
  - b. No member or alternate member shall:
    - a. Be employed by the Town;
    - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
    - c. Hold or seek any Town office.
    - d. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.
    - e. Serve as a member of another Town agency.
    - f. Hold office in a political party or political committee.
    - g. Have been found in violation of state, local, or professional code of ethics.
  - c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (6) affirmative votes of the Town Council.
  - d. Terms of appointment
    1. Members will be appointed for three (3) year terms.
    2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
    3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
    4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment.
    5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

e. Powers and duties

1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 of the Code.
4. The Ethics Commission has the power to examine complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14
5. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
6. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.
7. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics or is otherwise prohibited by law.
8. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14.
9. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

Section 14. Ethics Commission rules of procedure

(a) These procedures shall be used by the Ethics Commission established in Section 14 hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. Subsection (c), complaints, describes a formal, public procedure for filing complaints. Subsection (d), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Ethics Commission, without requesting an advisory opinion or filing a complaint.

(b) Advisory opinions

1. Any current, former, or prospective Town of Ledyard employee, official, or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town official also may

request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.

2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.

3. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.

4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.

#### 5. Proceedings

- i. The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting under executive session, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the Ethics Commission chair or vice-chair.
- ii. The Ethics Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) commission members to make a recommendation for consideration by the full Ethics Commission, (3) Hold an informal hearing to receive comments from the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion.

#### 6. Decisions

- i. Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present.
- ii. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.
  - i. All advisory opinions must be in writing and communicated to the individual making the request.
  - ii. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion

requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

## 7. Confidentiality

- i. Requests for advisory opinions will be reviewed in executive session except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics.
- ii. Advisory opinions reviewed in open sessions will be made available for public inspection by delivery to the Town Clerk's office.

## c. Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.
- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

## 2. Evaluation and Acknowledgment

- i. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

- ii. If the Ethics Commission makes a finding of probable cause, which shall require ~~four (4)~~ **three (3)** affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

### 3. Hearings

- i. If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act (“UAPA”) (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person’s possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

### 4. Final Decisions

- i. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.
- ii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.
- iii. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.
- iv. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- v. Penalties for Violations of the Code of Ethics
  - a. A violation of the Code of Ethics may lead to any one or a combination of the following penalties:

- b. Order to cease and desist the violation
  - c. Pay a civil penalty of up to the maximum amount permitted by State law.
  - d. Censure
  - e. Suspension without pay
  - f. Demotion
  - g. Termination of employment
  - h. Restitution of any benefits received because of the violation committed.
- d. Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelop and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
 Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
 Fred B. Allyn , III, Mayor

## Roxanne Maher

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**From:** Jessica Buhle  
**Sent:** Monday, October 27, 2025 7:41 PM  
**To:** Roxanne Maher  
**Subject:** Forward of communication with Matt Ritter  
**Attachments:** Modified Draft with Attorney Revisions.docx

Begin forwarded message:

**From:** Jessica Buhle <jessicab@ledyardct.org>  
**Subject: Re: Redline version of the draft and two notes.**  
**Date:** October 27, 2025 at 7:29:29 PM EDT  
**To:** "Ritter, Matthew D." <MRitter@goodwin.com>

Good evening,

I am attaching a final redline draft incorporating your changes. I have made the changes from the clean draft I sent you.

Green items are the changes you've recommended adding or defended modifying; redlines are items we've deleted.

With these changes adopted, do you feel this ordinance is effective to protect the Town of Ledyard and can be defended if the need arose?

Thank you again for your assistance and prompt replies (but if you happen to read this this evening, please don't reply until tomorrow and enjoy your evening).

Best,

Jessica Buhle  
Ledyard Town Council  
[jessicab@ledyardct.org](mailto:jessicab@ledyardct.org)

On Oct 27, 2025, at 6:29 PM, Ritter, Matthew D. <MRitter@goodwin.com> wrote:

Hi Jessica – thanks for the redline. Very helpful. Comments/suggested edits below:

1. Definition of "Gift" - I think you accidentally deleted the phrase "and one hundred dollars (\$100.00) total in any one (1) year from the same person."

2. You include the “Town Attorney” in the definition of “Official.” However, the Town Attorney is already included in the definition of consultant.

If you include Town Attorney in the definition of “Official” you will have to clarify some provisions in which the term “Official” is used. See Section 9.d., Section 12.a. and #8 of “Gifts do not include”, for example. There may be some more as well.

3. Conflicts of Interest – I fully appreciate that this language below in subsection (a) comes directly from the Glastonbury code. I will only point out that this is a subjective standard. I just note that it will be easier for the Ethics Commission to make rulings if there are objective criteria (i.e. the gift rule or financial interest rule). However, this is a policy decision for the Town Council/Mayor to determine.

“that is incompatible with the proper discharge of that individual’s official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities.”

-I think it is fine to leave in subsection (d) even though it is already in the employee handbook.

-I would delete (f) because it appears earlier in the ordinance (or vice versa...delete the earlier section).

4. Section 9(c) – I assume section 1. applies only to property in Ledyard? I would clarify that for the corporation, trust, partnerships, etc.

Section(c) 3. – delete the term “political subdivision.” Or let me know what you are trying to capture here? This was in my prior comments as well.

Section 9(d) – I know this comes from Glastonbury but what does it mean for a Town official to report to a “particular agency?” I would recommend that these officials report to the Town Council Chair and/or Mayor maybe? Or maybe the chair of that board or commission?

For Town employees, it is hard without a Town Manager. However, the term “appropriate authorities” may not be clear enough. Again, maybe it is the Mayor and/or Town Council Chair? Or the full Town Council like with department heads?

-It may also be easier to just require anyone who is uncertain to ask for an advisory opinion? Maybe eliminate the middle step? The involvement of other individuals raises questions about FOIA, confidentiality, etc.

5. Section 10 – is almost identical to the conflicts of interest section I highlighted above. If the Town Council keeps the provision, I would just use it once in the ordinance.

-10. b. I understand subsection (c) because it relates to a matter a consultant/employee may have been involved with in their role as a consultant (and they may be privy to certain confidential information, etc). However, it does not work as well for subsection (b). What is meant by “affiliated” for a consultant? For example, if the P&Z Commission hires a consultant for advice in 2025, can that consultant advise a different applicant in 2026 if it is a completely different property and an unrelated matter?

“No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency with which he/she previously was employed or affiliated for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable prior advisory opinion by the Ethics Commission pursuant to Section 13 following its review of the individual’s written application and relevant facts.”

-As noted before, I understand that Glastonbury has these revolving door provisions but I do not know if they will pass legal muster for certain consultants, unionized employees, etc. We can certainly research this issue further if requested.

-10. f. – I know this is in Glastonbury, but I still think it is a typo. I would recommend deleting this language in yellow. This was also in my earlier comments.

To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official, not otherwise restrained by the Code, shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

6. Section 12. How are you going to handle existing employees/consultants as opposed to new hires/contracts? Are you going to require them to all sign the form or just new employees? The language may have to be amended to reflect this policy decision.

7. There are no legal issues with adding the training requirements.

<image001.png>

**Matthew D. Ritter**  
Shipman & Goodwin LLP  
Partner  
One Constitution Plaza  
Hartford, CT 06103-1919

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[MRitter@goodwin.com](mailto:MRitter@goodwin.com)  
[www.shipmangoodwin.com](http://www.shipmangoodwin.com)

*[Shipman & Goodwin LLP is a 2022 Mansfield Certified Plus Firm](#)*

Disclaimer: Privileged and confidential. If received in error, please notify me by e-mail and delete the message.

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**From:** Jessica Buhle <[Jbuh@ledyardct.org](mailto:Jbuh@ledyardct.org)>  
**Sent:** Monday, October 27, 2025 4:09 PM  
**To:** Ritter, Matthew D. <[MRitter@goodwin.com](mailto:MRitter@goodwin.com)>  
**Subject:** Redline version of the draft and two notes.

**CAUTION: EXTERNAL EMAIL:** Please be cautious of links and attachments.

Good afternoon,

I have attached the redline draft of the ordinance proposed comparing to the Glastonbury code of ethics. There are also notes in the document as well regarding some of the changes if they are visible. If they are not visible, please let me know and I can send those separately.

Before a final draft is adopted, I have two changes I would like to make to it that didn't get changed before I sent it to you.

First, I would like to change the requirements for finding probable cause to 3 votes instead of 4 while retaining 4 for a final decision.

Second, I would like to re-add section c and d from Section 2-68 about maintaining training for town employees and officials. The language as written in the Glastonbury code is sufficient removing the reference to their charter and naming the Mayor instead of the Town Manager.

Lastly, if you think the language specific to inquiries and complaints directly from the Glastonbury code is better overall, we can move forward with that language instead of the previously proposed language. All of the hearing and procedural language in the draft sent to you is directly from the previous draft.

Thank you for all the feedback and assistance you have provided to support effective legislation for Ledyard

Best,

Jessica Buhle  
Ledyard Town Council  
[jessicab@ledyardct.org](mailto:jessicab@ledyardct.org)

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AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- ~~Fulfill the requirement of establishing guidelines for ethical conduct, pursuant to Section 1101 of the Town Charter~~
- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission,
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “Agency” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.

2. *“Beneficial interest”* means any nonfinancial interest or special treatment that is not common to other citizens of the Town.
3. *“Business associate”* means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. *“Business day”* means a day other than a Saturday, Sunday, or other day on which the office of the ~~Ledyard Glastonbury~~ Town Clerk is closed to the public for business.
5. *“Complainant”* means a person or person who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
6. *“Confidential Information”* means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
7. *“Consultant”* ~~means is~~ any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract ~~as defined in Glastonbury Code of Ordinances sections 2-262 and 2-263,~~ engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
8. *“Employee”* is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
9. *“Family”* means the spouse, domestic partner, fiancé, fiancée, parents, ~~daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law,~~ grandparents, great-grandparents, lineal descendants, stepchildren, ~~foster children,~~ siblings, stepsiblings, ~~foster siblings;~~ lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
10. ~~Significant~~ *“Financial Interest”* means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family, but shall not include any duly authorized compensation from the town.
11. ~~Valuable~~ *“Gift”* is a gift of more than ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100.00) in value. A ~~valuable~~ gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds ~~fifty dollars (\$50.00)~~ ~~one hundred dollars (\$100.00)~~ for any one (1) occasion, and ~~one hundred dollars (\$100.00) total~~

in any one (1) year from the same person, as well as loans that are not commercially reasonable. A **valuable** gift may also include donations to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
  2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
  3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
  4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
  5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
  6. Honorary degrees.
  7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
  8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.
12. *"Inquiry"* means a complaint or allegation of a possible violation of the Code.
13. *"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not limited to, the Town Council, Board of Education, ~~town plan & zoning commission,~~ Town commissions and committees, town attorney, or any other agency.
14. *"Respondent"* means a person who is the subject of a complaint.

#### Section 4. Confidential information ~~Section 2-60~~

Town officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

#### Section 5. Conflict of Interest Provisions ~~Section 2-61 and 2-64~~

- a. A ~~A~~ **Town** official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service that is incompatible with the proper discharge of that individual's official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities.
- b. A **significant** financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the **Town** official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- c. A ~~A~~ **Town** official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, **his/her family members or business associate(s)** as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. **No Town official or employee may directly hire or supervise a member of his/her family.**
- e. **Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties.**
- f. No **Town** official, employee, or consultant may use his/her public office or position or disclose or use confidential information, in order to obtain a financial or beneficial interest for herself, himself, or for his/her family, or for any business associate.
- g. No **Town** official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

Section 6. Consultants **Section 2-59**

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

Section 7. Gifts and favors ~~Section 2-62~~

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any valuable gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee, or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.
- b. This section shall not apply to any political contribution that is reported as required by law.

Section 8. Equal treatment ~~Section 2-63~~

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtues of his/her position or business association.

Section 9. Disclosure and disqualification ~~Section 2-65~~

- a. Any Town official, employee, or consultant who has a conflict of interest, significant financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e) ~~section 2-65(e)(1) through (6)~~. Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has significant financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate owned or leased, as aforesaid, by a corporation, trust or partnership in which any such

- elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard or its political subdivisions during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a **Town** official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:
1. For a **Town** official who is a member of an elective or appointive board, commission, committee, or authority - to the particular agency of which such official is a member.
  2. For **Town** employees and officials appointed by the **appropriate authorities** ~~the town manager to town manager~~.
  3. For Board of Education employees - to the superintendent of schools
  4. The **Town department directors** ~~manager~~- to the Town Council
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the **Town** official, employee, or consultant making the report whether such official, employee, or consultant should abstain from participating in the transaction or decision to which the possible conflict of interest relates and whatever other appropriate action should be taken.
- f. **Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.**

#### Section 10. Incompatible employment and activities

- a. No **Town** official or employee shall engage in or accept private employment or render services when the employment or services: (1) are incompatible with the proper discharge of the official duties of the official or employee; or (2) would tend to impair independence of judgment, or action by the official or employee in the performance of that individual's official duty. No consultant shall engage in employment or render services for interest other than the Town when such employment or services: (1) are incompatible with the proper discharge of his or her consulting duties on behalf of the town; or (2) would tend to impair the independence of the consultant's judgment or action on the matter for which the consultant has been engaged by the Town.

- b. No former **Town** official, employee, or consultant shall appear on behalf of any person or other entity before any agency with which he/she previously was employed or affiliated for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable prior advisory opinion by the Ethics Commission **pursuant to Section 13** following its review of the individual's written application and relevant facts.
- c. No former **Town** official, employee, or consultant shall appear on behalf of any person or other entity before any agency in regard to a matter in which that individual previously participated in the course of his/her official responsibilities for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable advisory opinion by the Ethics Commission **pursuant to Section 13**.
- d. Subsection (a), (b), and (c) of this section shall not prohibit any current or former **Town** official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission **pursuant to Section 14(b)** prior to appearing.
- e. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.
- f. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a **Town** official, not otherwise restrained by the Code, shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation **Section 2-67**

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of **Town** officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgment form **Section 2-68**

- a. The Town Clerk shall provide a copy of the Code ~~and Town Charter Section 1101~~ of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code ~~and of Section 1101 of the Town Charter~~.
- b. Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his or her awareness of the provisions of this Code ~~and Section 1101 of the Town Charter~~ on or before being retained by the Town, Board of Education, or other agency.

~~e. The town manager and superintendent of schools shall develop a protocol for periodic training of employees concerning this division and Town Charter Section 1101. The Commission shall develop a protocol for periodic training of officials.~~

~~d. The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).~~

### Section 13. Ethics Commission ~~Section 2-58~~

#### a. Structure

1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.
2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member and one alternate member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
3. Members will not be compensated for their service on the Commission.
4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary

#### b. Member and alternate member qualifications

- a. Members and alternate members must be residents of the Town of ~~Glastonbury~~ Ledyard.
- b. No member or alternate member shall:
  - a. Be employed by the Town;
  - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
  - c. Hold or seek any Town office.
  - ~~d. Have campaigned for any other person seeking a Town office.~~
  - e. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.
  - f. Serve as a member of another Town agency.
  - g. Hold office in a political party or political committee.
  - h. Have been found in violation of state, local, or professional code of ethics.
- c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of six (6) ~~seven (7)~~ affirmative votes of the Town Council.
- d. Terms of appointment
  1. Members will be appointed for three (3) ~~four (4)~~ year terms.

2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment.
5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.

e. Powers and duties

1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 2-69(b) of the Code.
4. The Ethics Commission has the power to examine ~~inquiries or~~ complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14 2-69(e) and 2-69(d) of the Code.
5. ~~The Commission itself, by majority vote, may initiate an inquiry or complaint.~~
6. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
7. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.
8. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics ~~Section 2-60~~ or is otherwise prohibited by law.
9. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14 2-60.

10. The **Ethics** Commission may take action to increase public awareness of the Code of Ethics.

#### Section 14. Ethics Commission rules of procedure ~~Section 2-69~~

(a) These procedures shall be used by the Ethics Commission established in Section ~~14-2-58~~ hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. ~~Subsection (c), inquiries, describes a process for resolving questions about specific conduct of a current town officer, official, employee or consultant, or about a town office or function.~~ Subsection (c)(d), complaints, describes a formal, public procedure for **filing complaints** ~~considering matters that cannot be resolved through the processes outlined in subsection (c) for inquiries.~~ Subsection (d) ~~(e)~~, other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the **Ethics** Commission, without requesting an advisory opinion or filing a complaint.

#### (b) Advisory opinions

##### ~~(1) Initiation~~

1. Any current, former, or prospective Town of **Ledyard** ~~Glastonbury~~ employee, official, or consultant may request an advisory opinion from the **Ethics** Commission as to whether conduct by that person or entity would violate the Code of **Ethics**. Any current Town official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.
2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the **Ethics** Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.
3. Requests must be addressed in a sealed envelope to the **Ethics** Commission, c/o The **Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511** who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.
4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.

##### (2) Proceedings

1. The chair will present the request to the **Ethics** Commission at its next regular meeting for ~~which no agenda has been filed yet with the Town Clerk~~ or at a special meeting **under executive session**, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the **Ethics** Commission chair or vice-chair.
2. The **Ethics** Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) Commission members to make a recommendation for consideration by the full Ethics Commission, (3) hold an informal hearing to receive comments from the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion, ~~and/or (5) treat the matter as an inquiry under subsection (e) hereof.~~

### (3) Decisions

1. Advisory opinions will be made by a majority of **the Ethics** Commission members voting at a meeting at which a quorum is present.
2. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.
3. All advisory opinions must be in writing and communicated to the individual making the request.
4. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of **Ethics**, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the **Ethics** Commission decides to so act, it shall state its reasons.

### (4) Confidentiality

1. Requests for advisory opinions will be reviewed in **executive session** except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics. ~~open session unless, upon review by the Commission chair or vice chair, it is determined that the matter would be more appropriately treated as an inquiry under subsection (e) hereof and pursuant to G.S. 1-82a.~~
2. Advisory opinions ~~for matters not treated as inquiries under subsection (e) hereof~~ reviewed **in open sessions** will be made available for public inspection by delivery to the Town Clerk's office.

### ~~(e) Inquiries:~~

~~(1) Initiation~~

- ~~a. Any member of the public may submit an inquiry asking whether a current official, consultant, or employee has failed to comply with the Code or asking about the appropriateness of conduct of a particular Town office, agency, or consultant.~~
- ~~b. The Commission may itself initiate an inquiry regarding a possible violation of the Code.~~
- ~~c. Individuals initiating an inquiry must do so by completing a form, available through the Glastonbury Town Clerk's office or through the town's web site at [www.glastonbury-ct.gov](http://www.glastonbury-ct.gov). The initiating individual must sign the form under penalty of false statement. The form must contain a description of the relevant facts in sufficient detail so that the Commission and any person who is subject of the inquiry can reasonably be expected to understand the nature of the allegations.~~
- ~~d. Inquiries must be addressed in a sealed envelope to the Commission, c/o the Glastonbury Town Clerk, 2155 Main Street, Town Hall, Glastonbury, Connecticut, who will date stamp but not open, the envelope and forward same promptly to the chair or vice chair of the Commission.~~
- ~~e. The date an inquiry is received by the Town Clerk will mark the official date of receipt for purposes of deadlines for decisions.~~

~~(2) Preliminary review.~~

- ~~a. The chair or vice chair of the Commission will conduct a preliminary review of all inquiries to determine whether the matter should be dismissed or reviewed by the entire Commission.~~
- ~~b. The chair or vice chair may dismiss a matter on any of these grounds:
  - ~~i. The complainant does not allege a violation of, or does not give enough information to suggest a violation of, Sec. 2-60 through 2-66 of the Code.~~
  - ~~ii. The person who is the subject of the inquiry is a minor.~~
  - ~~iii. The person who is the subject of the inquiry is no longer an official, employee, or consultant of the town.~~
  - ~~iv. The matter occurred more than (3) years earlier of before the enactment of the Code by the Town of Glastonbury.~~
  - ~~v. The Commission has already taken action on the matter.~~~~
- ~~c. If a matter is dismissed by the chair or vice chair after a preliminary review, the chair or vice chair will notify the complainant within five (5) business days, by regular mail of the reasons for the dismissal.~~
- ~~d. If a matter is dismissed by the chair or vice chair after a preliminary review, no further action by the Commission, including notice to the respondent(s), is necessary.~~

- e. ~~Complainants may appeal a dismissal by the chair or vice chair by filing with the Town Clerk a new inquiry form that contains additional evidence that would warrant review by the entire Commission.~~

### ~~(3) Notice.~~

- a. ~~Within five (5) business days of the Town Clerk's receipt of the inquiry or initiation of an independent inquiry, the chair or vice chair will notify the respondent(s) by regular mail and will provide the person with a copy of the completed form and the Code. The Commission will confirm by regular mail to the person who initiates an inquiry that it was received by the Commission.~~
- b. ~~In the event that an inquiry contains allegations against multiple respondents, the chair or vice chair must notify each respondent individually. Respondents are subject to the confidentiality provisions of Sec. 2-60 and Sec. 2-69(c)(7) of the Code.~~
- c. ~~Respondents may file a written response with the chair of the Commission within ten (10) business days after receiving the notice. In response to allegations against multiple respondents, respondents may respond individually or collectively.~~

### ~~(4) Proceedings.~~

- a. ~~Unless the inquiry previously was dismissed by action of the chair or vice chair pursuant to Section 2-69(c)(2) above, the chair will present the inquiry and any response received from the subject to the Commission at its next regular meeting or in a special meeting held after receipt of the inquiry, the mailing of notice to the subject, and the passage of at least (10) additional business days.~~
- b. ~~The Commission will meet one (1) or more times in closed session from which the public is excluded to review the inquiry and to determine whether or not there exists probable cause that the Code has been violated. In those sessions, it may decide to: (1) seek additional information, (2) create a subcommittee of at least two (2) Commission members to make a recommendation for consideration by the full Commission, (3) proceed to investigate the relevant facts and issues in order to render a decision, (4) decline to review the matter further, pursuant to subsection (c)(5) hereof, (5) endeavor to resolve the matter by convening a confidential meeting that includes the individual who is the subject of the inquiry and others relevant to the issue, (6) make a finding of probable cause and treat the matter as a complaint under subsection (d) hereof, and/or (7) make a finding of no probable cause. If the Commission proceeds under steps (1), (2), (3), or (5) above, it will establish a schedule of meetings for consideration of the inquiry, subject to the provisions of subsection (c)(4)(a) hereof.~~
- c. ~~A finding of probable cause means that based on a review of the available information the Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct outlined in Sec. 2-60 through 2-66 of the Code.~~

~~(5) The Commission may decline to review a matter on any of these grounds:~~

- ~~a. The alleged facts do not evidence the existence of probable cause of a violation of Sec. 2-60 through 2-66 of the Code.~~
- ~~b. The matter is judged to be vexatious, frivolous, groundless, or brought for the purpose of harassment. A vexatious matter is one that lacks any serious purpose or value that is designed to cause disruption or annoyance.~~
- ~~c. The person who is the subject of the matter has already taken corrective action and the Commission believes the action taken was appropriate in the circumstances and the matter should not be pursued.~~
- ~~d. There are other reasonable grounds for not taking action.~~

~~(6) Decisions:~~

- ~~a. As expeditiously as possible but in any event within one hundred twenty (120) days after the meeting at which the Town Clerk received the inquiry form, the Commission will decide that (1) the inquiry requires no further action because it was resolved or did not require further review under subsection (c)(5) hereof, or (2) probable cause exists that a violation of the Code occurred, in which case the inquiry will be treated as a complaint under subsection (d) hereof. The Commission may extend the time for decision if circumstances justify a delay.~~
- ~~b. No finding of the existence of probable cause may be made except upon the vote of at least (4) members of the Commission.~~
- ~~c. Within five (5) business days after making a decision under this subsection (c), the Commission will inform in writing both complainants and respondents of its decision and its reasons for the decision. It shall be sufficient that the Commission cite as a reason for its decision any of the reasons enumerated in section 2-69(c)(5), above.~~

~~(7) Confidentiality~~

- ~~a. If the Commission does not make a finding of probable cause, then the inquiry and the record of the Commission's investigation shall remain confidential, except upon the request of the respondent. If the inquiry alleged violations by multiple respondents, then the request to release information must be made by all respondents.~~
- ~~b. The Commission may publish decisions in whole or in part if it decides that publication would serve the public interest and publication can be made in such a way as to protect the personal identity and privacy of persons who were the subject of any evaluation of a possible violation of the Code.~~

### (c) ~~(d)~~ Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.
- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

#### 2. Evaluation and Acknowledgement

i. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

ii. If the Ethics Commission makes a finding of probable cause, which shall require four (4) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

#### 3. Hearings

i. If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act ("UAPA") (See Chapter 54 of the Connecticut General Statutes). At the hearing,

the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person's possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

#### 4. Final Decisions

- i. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.
- ii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.
- iii. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.
- iv. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- v. Penalties for Violations of the Code of Ethics
  - a. A violation of the Code of Ethics may lead to any one or a combination of the following penalties:
  - b. Order to cease and desist the violation
  - c. Pay a civil penalty of up to the maximum amount permitted by State law.
  - d. Censure
  - e. Suspension without pay
  - f. Demotion
  - g. Termination of employment
  - h. Restitution of any benefits received because of the violation committed.

#### (d) Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the

communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn , III, Mayor

AN ORDINANCE ESTABLISHING A  
TOWN OF LEDYARD CODE OF ETHICS

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Authority

In accordance with Chapter III of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 2. Declaration of Policy and Purpose

The trust of the public is essential for government to function effectively. The proper operation of the Town government requires that Town officials, Town employees, and Town consultants be independent, impartial, and responsible to the people; that governmental decision and policies be made in the proper channels of governmental structure; that public office and employment not be used for beneficial and/or financial interest; and that the public has confidence in the integrity of its government.

The purpose of the Town of Ledyard Code of Ethics is to:

- Identify standards of ethical conduct to guide all Town officials, including members of the Board of Education, and all Town and Board of Education officers, employees, and consultants as they conduct their public responsibilities.
- Clarify the role of the Ethics Commission.
- Outline a process that allows Town officials, including members of the Board of Education, and all Town and Board of Education employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report, and the Ethics Commission to investigate and respond to possible violation of the Code.

Section 3. Definitions

As used in this ordinance, the following words or phrases shall have the meaning indicated:

1. “*Agency*” is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.
2. “*Beneficial interest*” means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

3. *“Business associate”* means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.
4. *“Business day”* means a day other than a Saturday, Sunday, or other day on which the office of the Ledyard Town Clerk is closed to the public for business.
5. *“Complainant”* means a person or person who files a complaint under penalties of false statement against an official, employee, or consultant containing allegation of prohibited activities under the Code of Ethics.
6. *“Confidential Information”* means information acquired by a Town official, employee, or consultant in the course of and by reason of performing an individual’s official duties and which is not a matter of public record or public knowledge.
7. *“Consultant”* means any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract engaged by and receives compensation from the Town or Board of Education for the purpose of providing professional, scientific, technical, or other specialized opinion, and is in a position to influence any decision of an agency, official, or employee.
8. *“Employee”* is any person receiving a salary, wages, or stipend from the Town or Board of Education for services rendered, whether full-time or part-time.
9. *“Family”* means the spouse, domestic partner, fiancé, fiancée, parents, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents, great-grandparents, lineal descendants, stepchildren, foster children, siblings, stepsiblings, foster siblings; lineal descendants of siblings, stepsiblings, and foster siblings of an official, employee, or consultant, or his/her spouse or domestic partner.
10. *“Financial Interest”* means any interest that:
  - a. has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year;
  - b. is not common to the other citizens of the Town. An individual’s financial interests shall include the financial interests of all members of his/her family but shall not include any duly authorized compensation from the town.
11. *“Gift”* is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) for any one (1) occasion, and in any one (1) year from the same person, as well as loans that are not commercially reasonable. A gift may also include donations to a third party on behalf of an official, employee, or consultant for which she/he receives some favor, advantage, or consideration.

Gifts do not include:

1. A political contribution that is otherwise reported in accordance with the law.
2. A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
3. Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
4. Certificates, plaques, or other ceremonial awards costing less than fifty dollars (\$50.00).
5. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.
6. Honorary degrees.
7. Costs associated with attending a conference or business meeting and/or registration or entrance fee to attend such conference or business meeting in which the Town official or Town employee participates in his/her official capacity.
8. Any gift provided to a Town Official or Town Employee or to a family member of a Town Official or Town Employee for the celebration of a major life event provided any such gift provided to an individual does not exceed one thousand dollars (\$1,000.00) in value. A major life event shall include, but not be limited to, a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or Town employment.

12. *"Inquiry"* means a complaint or allegation of a possible violation of the Code.

13. *"Official"* is any person holding elective or appointive office in the government of the town and shall include, but not limited to, the Town Council, Board of Education, Town commissions and committees, Town attorney, or any other agency.

14. *"Respondent"* means a person who is the subject of a complaint.

#### Section 4. Confidential information

Town officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

#### Section 5. Conflict of Interest Provisions

- a. A Town official, employee, or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service that is incompatible with the proper discharge of that individual's official responsibilities in the public interest or would tend to impair his/her independent judgement or action in the performance of official responsibilities.

- b. A financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the Town official, employee, or consultant has reason to believe or expect that he/she or any member of his family or business associate will obtain, secure, or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.
- c. A Town official, employee, or consultant does not have a financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual, his/her family members or business associate(s) as a member of a profession, occupation, or group to no greater extent that it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. 7-148h(b).
- d. No Town official or employee may directly hire or supervise a member of his/her family.
- e. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit. Personal convenience or profit refer to those matters that are not related to the individual's official duties.
- f. No Town official, employee, or consultant may use his/her public office or position or disclose or use confidential information, in order to obtain a financial or beneficial interest for herself, himself, or for his/her family, or for any business associate.
- g. No Town official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

#### Section 6. Consultants

- a. The Code of Ethics shall be incorporated by reference into all contracts entered into by the Town of Ledyard and the Board of Education with a consultant.
- b. Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official, or employee shall be guided by the Code.

#### Section 7. Gifts and favors

- a. No Town official, employee, or consultant, or any business associate, or member of his/her family nor any agency, employee organization, or group of employees shall solicit or accept any gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing, or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization, or group of employees. No Town official, employee, or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration, or advantage beyond that which is generally available to the citizens of the Town from any person who, to the knowledge of the official, employee, or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee, or consultant. For purposes of this section, a

pending matter includes, but is not limited to, any application to an agency, commission, committee, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment, or services.

- b. This section shall not apply to any political contribution that is reported as required by law.

#### Section 8. Equal treatment

Without proper authorization, no Town official, employee, or consultant shall accept, seek, grant, or cause to be granted any special consideration, treatment, or advantage to such individual, or his/her family by virtues of his/her position or business association.

#### Section 9. Disclosure and disqualification

- a. Any Town official, employee, or consultant who has a conflict of interest, financial interest, or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 9(b) through 9(e). Such disclosure shall disqualify the official, employee, or consultant from participation in the matter, transaction, or decision.
- b. No Town official, employee, or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application, or other matter in which he/she has financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.
- c. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1<sup>st</sup> each year, file with the Town Clerk, on a form to be prepared by the Town Attorney, a statement, under oath, containing the following information:
  1. All real estate located within the Town of Ledyard owned by such elected official or held under lease for a term exceeding five years, excluding, however, his/her principal residence. The foregoing shall also apply to real estate owned or leased, as aforesaid, by a corporation, trust or partnership in which any such elected official is the legal or equitable holder of at least five (5) percent of the legal or equitable interest in said corporation, trust, or partnership.
  2. The names of any firm, proprietorship, partnership, or corporation of which said elected official is an employee or in which such elected official holds at least a five (5) percent interest, and which firm, proprietorship, partnership, corporation, or limited liability corporation has sold or supplied goods or services in excess of ten thousand dollars (\$10,000.00) per annum to the Town of Ledyard during the two (2) years immediately preceding such official's election to office.
  3. Any income, fees, salary, or wages directly or indirectly, received by such official from the Town of Ledyard or its political subdivisions during the two (2) years immediate proceeding such official's election to public office.
- d. If there is an uncertainty whether a Town official, employee, or consultant has a conflict of interest, financial interest, or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:
  1. For a Town official who is a member of an elective or appointive board, commission, committee, or authority - to the particular agency of which such official is a member.

2. For Town employees and officials appointed by the appropriate authorities.
  3. For Board of Education employees - to the superintendent of schools
  4. The Town department directors - to the Town Council
  5. The superintendent of schools - to the Board of Education.
  6. For a consultant - to the agent executing contract on behalf of the Town or Board of Education.
- e. The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the Town official, employee, or consultant making the report whether such official, employee, or consultant should abstain from participating in the transaction or decision to which the possible conflict of interest relates and whatever other appropriate action should be taken.
  - f. Any such questions concerning a possible conflict of interest may be referred to the Ethics Commission pursuant to Section 13 for an advisory opinion.

#### Section 10. Incompatible employment and activities

- a. No Town official or employee shall engage in or accept private employment or render services when the employment or services: (1) are incompatible with the proper discharge of the official duties of the official or employee; or (2) would tend to impair independence of judgement, or action by the official or employee in the performance of that individual's official duty. No consultant shall engage in employment or render services for interest other than the Town when such employment or services: (1) are incompatible with the proper discharge of his or her consulting duties on behalf of the town; or (2) would tend to impair the independence of the consultant's judgement or action on the matter for which the consultant has been engaged by the Town.
- b. No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency with which he/she previously was employed or affiliated for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable prior advisory opinion by the Ethics Commission pursuant to Section 13 following its review of the individual's written application and relevant facts.
- c. No former Town official, employee, or consultant shall appear on behalf of any person or other entity before any agency in regard to a matter in which that individual previously participated in the course of his/her official responsibilities for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable advisory opinion by the Ethics Commission pursuant to Section 13.
- d. Subsection (a), (b), and (c) of this section shall not prohibit any current or former Town official, employee, or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, Town officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless he/she has received a prior favorable advisory opinion by the Ethics Commission pursuant to Section 14(b) prior to appearing.
- e. Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of Inland, Wetlands and Watercourses commissions.

- f. To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, a Town official, not otherwise retrained by the Code, shall exercise care when appearing before other agencies and shall disclose whether he/she is appearing in his/her official capacity or as a private citizen.

#### Section 11. Penalty for violation

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of Town officials, employees, and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies, and procedures, shall be followed in the enforcement of this section.

#### Section 12. Acknowledgement form

- a. The Town Clerk shall provide a copy of the Code of Ethics to every Town official and employee within sixty (60) days of date that he/she begins his/her duties. Every Town official and employee shall sign and file with the Town Clerk an acknowledgement form indicating his/her awareness of the provisions of this Code.
- b. Each consultant shall sign and file with the Town Clerk an acknowledgement form indicating his or her awareness of the provisions of this Code on or before being retained by the Town, Board of Education, or other agency.

#### Section 13. Ethics Commission

##### a. Structure

1. The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.
2. No more than two (2) of the regular members may be affiliated with any one political party. At all times, at least one regular member shall be unaffiliated with any political party. Both alternate members may not be affiliated with the same political party.
3. Members will not be compensated for their service on the Commission.
4. Within thirty (30) days of the appointment of the Ethics Commission, an organizational meeting shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary

##### b. Member and alternate member qualifications

- a. Members and alternate members must be residents of the Town of Ledyard.
- b. No member or alternate member shall:
  - a. Be employed by the Town;
  - b. Have been employed by the Town for a period of two years prior to being appointed to the Ethics Commission.
  - c. Hold or seek any Town office.
  - d. Have held any Town office for a period of two years prior to being appointed to the Ethics Commission.

- e. Serve as a member of another Town agency.
  - f. Hold office in a political party or political committee.
  - g. Have been found in violation of state, local, or professional code of ethics.
- c. Method of appointment: The Town Council shall appoint the Ethics Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of (6) affirmative votes of the Town Council.
- d. Terms of appointment
1. Members will be appointed for three (3) year terms.
  2. If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.
  3. In making the original appointments under this ordinance, the Town Council shall designate two (2) regular members to serve for three (3) years, two (2) regular members to serve for two (2) years; one (1) regular member to serve for (1) year; one (1) alternate member to serve for three (3) years and one (1) alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.
  4. Inaugural members shall be eligible to serve two (2) additional three (3) years term beyond his/her initial appointment.
  5. The Town Council may remove members for cause and fill the vacancy in accordance with the Town Charter. Cause for removal shall include, but is not limited to, an unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Ethics Commission to notify the Town Council when a member has not properly performed his/her duties.
- e. Powers and duties
1. The Ethics Commission shall be authorized to consult the Town Attorney or another attorney hired by the Commission if so authorized by the Town Council.
  2. The Ethics Commission shall be authorized to request that the Town Attorney provide advisory opinions.
  3. The Ethics Commission has the power to render advisory opinions to any Town official, employee, or consultant on whether conduct by that person would constitute a violation of the Code of Ethics. Individuals seeking an advisory opinion should follow the procedures outlined in Section 14 of the Code.
  4. The Ethics Commission has the power to examine complaints and to make a determination of probable cause, pursuant to the procedures outlined in Section 14
  5. The Ethics Commission has the power to hold hearings concerning alleged violations of the code, may administer oaths, and may compel attendance of witnesses by subpoena to the extent permitted by law.
  6. The Ethics Commission has the power to review the Code of Ethics policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code of Ethics policies and procedures.

7. The Ethics Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code of Ethics or is otherwise prohibited by law.
8. The Ethics Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 14.
9. The Ethics Commission may take action to increase public awareness of the Code of Ethics.

#### Section 14. Ethics Commission rules of procedure

(a) These procedures shall be used by the Ethics Commission established in Section 14 hereof, and are designed to guide public officials, officers, employees, consultants, and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for Town officers, officials, employees, or consultants, and other parties doing business with the Town who are seeking advice about their own conduct or the conduct of a Town office or function. Subsection (c), complaints, describes a formal, public procedure for filing complaints. Subsection (d), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Ethics Commission, without requesting an advisory opinion or filing a complaint.

#### (b) Advisory opinions

1. Any current, former, or prospective Town of Ledyard employee, official, or consultant may request an advisory opinion from the Ethics Commission as to whether conduct by that person or entity would violate the Code of Ethics. Any current Town official also may request an advisory opinion concerning the activities of any department over which he/she has jurisdiction or board or commission on which he/she serves.
2. Individuals initiating a request for an advisory opinion must do so by completing a form available through the Ledyard Town Clerk's Office or through the Town's website [www.ledyardct.org](http://www.ledyardct.org). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Ethics Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.
3. Requests must be addressed in a sealed envelope to the Ethics Commission, c/o The Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Ethics Commission, or both, of same.
4. The date the request is received by the Town Clerk will mark the official date of receipt for purpose of deadlines for decisions.

## 5. Proceedings

i. The chair will present the request to the Ethics Commission at its next regular meeting or at a special meeting under executive session, except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics, called by the Ethics Commission chair or vice-chair.

ii. The Ethics Commission will meet in to review the request. At that time, it may decide to (1) Seek additional information, (2) Create a subcommittee of at least two (2) commission members to make a recommendation for consideration by the full Ethics Commission, (3) Hold an informal hearing to receive comments from the individual who request the advisory opinion and/or from the public, (4) Investigate the relevant facts and issues in order to render the advisory opinion.

## 6. Decisions

i. Advisory opinions will be made by a majority of the Ethics Commission members voting at a meeting at which a quorum is present.

ii. The Ethics Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Ethics Commission may extend the time for a decision for up to an additional thirty (30) days.

i. All advisory opinions must be in writing and communicated to the individual making the request.

ii. The Ethics Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code of Ethics, (2) the known facts are incomplete or incorrect, and the omission or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Ethics Commission decides to so act, it shall state its reasons.

## 7. Confidentiality

i. Requests for advisory opinions will be reviewed in executive session except upon the request of the individual that is seeking the advisory opinion regarding whether his/her conduct constitutes a violation of the Code of Ethics.

ii. Advisory opinions reviewed in open sessions will be made available for public inspection by delivery to the Town Clerk's office.

## c. Complaints

1. A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission available at the Town's website [www.ledyardct.org](http://www.ledyardct.org) or through the Town's Clerk office, and signed under penalty of false statement. The form shall be delivered to the Town Clerk in a sealed envelope who will date stamp, but not open, the envelope and forward same promptly to the chair or vice-chair of the Ethics Commission. On the day said

request is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice-chair of the Commission, or both, and the respondent within five (5) days of receipt of the complaint. The Ethics Commission shall also notify the respondent that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Ethics Commission's determination of probable cause.

No complaint may be made under the Code of Ethics unless it is filed with the Ethics Commission within three (3) years after the violation alleged in the complaint has been committed.

The Complaint shall include:

- Name of the person accused (respondent).
- Name of the person filing the complaint.
- The specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

## 2.Evaluation and Acknowledgement

i. Within sixty (60) business days of the receipt of a complaint, the Ethics Commission shall review and determine whether there is probable cause that a violation of the Code of Ethics has occurred. A finding of probable cause means that based on a review of the available information, the Ethics Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct by the Code of Ethics. If the Ethics Commission does not make a finding of probable cause, the complaint shall be dismissed, and a copy of its decision shall be mailed to both the complainant and the respondent. Unless the Ethics Commission makes a finding of probable cause, a complaint alleging a violation of this Code of Ethics shall be confidential except upon the request of the respondent.

ii.If the Ethics Commission makes a finding of probable cause, which shall require four (4) affirmative votes, it shall so advise both the complainant and the respondent and begin a formal investigation process.

## 3.Hearings

i.If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing to determine whether or not a violation occurred in accordance with Uniform Administrative Procedure Act ("UAPA") (See Chapter 54 of the Connecticut General Statutes). At the hearing, the respondent will have the right to be represented by legal counsel, to present evidence and witnesses and compel attendance of witnesses and the production of books, documents, records, and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person's possession. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered.

The Ethics Commission will respect the rules of privilege recognized by the law. Not later than ten (10) days before the start of the hearing, the Ethics Commission will provide the respondent with a list of its intended witnesses. The Ethics Commission will make a record of the proceedings.

#### 4. Final Decisions

i. Decisions by the Ethics Commission that a person is in violation of the Code of Ethics must result from the concurring vote of four (4) of its members.

ii. The Ethics Commission must render its decision within sixty (60) days of the closing of the hearing.

iii. Such finding and memorandum will be deemed to be the final decision of the Ethics Commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provisions of Section 4-183 of the Connecticut General Statutes.

iv. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the respondent of his/her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

#### iii. Penalties for Violations of the Code of Ethics

- a. A violation of the Code of Ethics may lead to any one or a combination of the following penalties:
- b. Order to cease and desist the violation
- c. Pay a civil penalty of up to the maximum amount permitted by State law.
- d. Censure
- e. Suspension without pay
- f. Demotion
- g. Termination of employment
- h. Restitution of any benefits received because of the violation committed.

#### 5. Other communications; miscellaneous:

The Ethics Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Ethics Commission, c/o the Ledyard Town Clerk, 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511 who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Ethics Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his/her representative shall notify the chair or vice chair of the Ethics Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection

by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Ethics Commission.

Section 15. Severability

If any part of this Code of Ethics or Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
Gary St. Vil, Chairman

Approve/Disapprove on: \_\_\_\_\_

\_\_\_\_\_  
Fred B. Allyn , III, Mayor

**INTRODUCED:**                   **OCTOBER 8, 2, 2013**  
**PUBLIC HEARING:**           **OCTOBER 22, 2013**  
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**DIVISION 3. CODE OF ETHICS**  
**REVISION DATED OCTOBER 22, 2013**

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Sec. 2-56. - Declaration of policy and purpose.

It is the intent of the Glastonbury Town Council that Town officials, employees, and consultants adhere to high standards of ethical conduct, that they act impartially in the performance of their duties, do not abuse their authority or influence, and do not have interests that would be incompatible with the discharge of their official responsibilities. Officials, employees, and consultants are expected to comply with the standards of ethical conduct outlined in Sections 2-60 through 2-66 of the Town of Glastonbury Code of Ethics (“Code”).

The purpose of the Town of Glastonbury Code of Ethics is to:

- Fulfill the requirement of establishing guidelines for ethical conduct, pursuant to Section 1101 of the Town Charter.
- Identify standards of ethical conduct to guide officials, officers, employees, and consultants as they conduct their public responsibilities,
- Clarify the role of the Ethics Commission,
- Outline a process that allows town officials, employees, and consultants to seek guidance and advice about ethical issues connected with their public responsibilities, and
- Establish a process that enables citizens to report and the Ethics Commission to investigate and respond to possible violations of the Code.

Sec. 2-57. - Definitions.

*Agency* is any board, commission, authority, or committee of the Town, including the Town Council and Board of Education.

*Beneficial interest* means any nonfinancial interest or special treatment that is not common to other citizens of the Town.

*Business associate* means a person joined together with another person through employment or to achieve a common financial and/or business-related objective.

*Business day* means a day other than a Saturday, Sunday or other day on which the office of the Glastonbury Town Clerk is closed to the public for business.

*Complainant*: A person or persons who files a sworn statement, pursuant to Sec. 2-69(c)(1), against an official, employee, or consultant containing allegations of prohibited activities under the Code.

*Consultant* is any independent contractor or professional person or firm that is by virtue of an award of a public bid or contract as defined in Glastonbury Code of Ordinances sections 2-262 and 2-263, engaged by and receives compensation from the town or board of education for the purpose of providing professional, scientific, technical or other specialized opinion and is in a position to influence any decision of an agency, official or employee.

*Employee* is any person receiving a salary, wages or stipend from the town or board of education for services rendered, whether full-time or part-time.

*Family* means the spouse, domestic partner, fiancé, fiancée, parents, grandparents, great-grandparents, lineal descendants, stepchildren, siblings, lineal descendants of siblings and stepsiblings of an official, employee, or consultant, or of his/her spouse or domestic partner.

*Inquiry* means a complaint or allegation of a possible violation of the Code.

*Official* is any person holding elective or appointive office in the government of the town and shall include, but not be limited to, the town council, board of education, board of finance, town plan & zoning commission, town attorney, or any other agency.

*Respondent*: A person who is the subject of an inquiry or complaint.

*Significant financial interest* means any interest that: (1) has a monetary value of one hundred dollars (\$100.00) or more or generates a financial gain or loss of one hundred dollars (\$100.00) or more in a calendar year; and (2) is not common to the other citizens of the town. An individual's "significant financial interests" shall include the financial interests of all members of his/her family, but shall not include any duly authorized compensation from the town.

*Valuable gift* is a gift of more than fifty dollars (\$50.00) in value. A valuable gift includes, but is not limited to, entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds fifty dollars (\$50.00) for any one (1) occasion, and one hundred dollars (\$100.00) total in any one (1) year from the same person, as well as loans that are not commercially reasonable. A valuable gift may also include donations to a third party on behalf of an official, employee, or consultant for which s/he receives some favor or advantage or consideration.

Valuable gifts do not include:

- (1) A political contribution that is otherwise reported in accordance with the law.
- (2) A loan made on terms that are commercially reasonable and not more favorable than loans made in the ordinary course of business.
- (3) Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (a) the recipient of the gift, or (b) another family member residing in the same household as the recipient of the gift.
- (4) Certificates, plaques or other ceremonial awards costing less than fifty dollars (\$50.00).
- (5) Honorary degrees.
- (6) A meal, ticket, beverages, and lodging costing less than or equal to fifty dollars (\$50.00), but only if the total of all such gifts from a particular person does not exceed one hundred dollars (\$100.00) in any one (1) year.

Sec. 2-58. - Ethics Commission.

(a) Structure.

- (1) The Ethics Commission shall consist of five (5) regular members and two (2) alternate members.
- (2) No more than two (2) of the regular members may be affiliated with any one political party and the alternate members may not both be affiliated with the same political party. At all times, at least one regular member and one alternate member shall be unaffiliated with any political party.
- (3) Members will not be compensated for their service on the Commission.
- (4) The Commission shall elect a chair and vice chair/secretary who shall serve for two-year terms.

(b) Member and alternate member qualifications

- (1) Members and alternate members must be residents of the Town of Glastonbury.
- (2) No member or alternate member shall:
  - a. Be employed by the Town.
  - b. Have been employed by the Town for a period of two years prior to being appointed to the Commission.
  - c. Hold or seek any Town office.
  - d. Have campaigned for any other person seeking a Town office.
  - e. Have held any Town or State office for a period of two years prior to being appointed to the Commission.
  - f. Serve as a member of another agency.
  - g. Hold office in a political party or political committee.
  - h. Have been found in violation of any State, local, or professional code of ethics.

(c) Method of Appointment: The Town Council shall appoint Commission members in the manner provided in the Town Charter. Members of the Ethics Commission shall be appointed by a minimum of seven (7) affirmative votes of the Town Council.

(d) Terms of appointment.

- (1) Members will be appointed for four (4) -year terms.
- (2) If a member is appointed to fill an unexpired term, then that member's term ends at the same time as the term of the person being replaced.

(e) Powers and duties.

- (1) The Commission has the power to render advisory opinions to any official, employee, or consultant on whether conduct by that person would constitute a violation of the Code. Individuals seeking an advisory opinion should follow the procedures outlined in Section 2-69(b) of the Code.

- (2) The Commission has the power to examine inquiries or complaints and to make a determination of probable cause, pursuant to the procedures outlined in Sections 2-69(c) and 2-69(d) of the Code.
- (3) The Commission itself, by majority vote, may initiate an inquiry or complaint.
- (4) The Commission has the power to hold hearings concerning alleged violations of the Code, may administer oaths, and may compel the attendance of witnesses by subpoena to the extent permitted by law.
- (5) The Commission has the power to review Code policies and procedures on an as-needed basis and will make recommendations to the Town Council regarding changes to the Code policies and procedures.
- (6) The Commission will make advisory opinions available to the public unless doing so would violate the confidentiality provision of this Code, Section 2-60, or is otherwise prohibited by law.
- (7) The Commission will protect the personal privacy rights of any individual who is the subject of an inquiry or complaint, except as necessary to investigate and make determinations of probable cause. If there is a finding of no probable cause, the existence of an inquiry or complaint and any records relating to that inquiry or complaint shall remain confidential pursuant to Section 2-60.
- (8) The Commission may take action to increase public awareness of the Code.

Sec. 2-59. - Consultants.

The Code shall be incorporated by reference into all contracts entered into by the Town and Board of Education with a consultant.

Persons or firms who are engaged by and receive compensation from other governmental entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official or employee shall be guided by the Code, and the Commission may make recommendations to the entity employing such persons.

Sec. 2-60. - Confidential information.

Officials, employees, or consultants may not disclose or use any information or records that are not available to the public except in the performance of official duties or as required by law or court order.

Sec. 2-61. - Use of influence and/or intentional misrepresentation

- (a) No official, employee, or consultant may seek, demand, or obtain a significant financial interest or a beneficial interest in his/her favor or the favor of any member of his/her family or business associate.
- (b) No official, employee, or consultant may use her or his public office or position or disclose or use confidential information, in order to obtain a significant financial or beneficial interest for herself, himself, or for her or his immediate family, or for any business associate.
- (c) No official, employee, or consultant, except for police officers in the course of the police investigative process, may intentionally commit or omit any material fact designed to deceive others in the performance of his or her official duties.

(d) No official, employee, or consultant may withhold information or make a dishonest or fraudulent statement with the intent to deceive or to misrepresent material facts in the performance of his or her official duties.

Sec. 2-62. - Gifts and favors.

(a) No official, employee or consultant or any business associate or member of his/her family nor any agency, employee organization or group of employees shall solicit or accept any valuable gift, whether in the form of a service, a loan at a less than a commercially available rate, a material thing or a promise, from any person or entity who or which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such official, employee, consultant, agency, employee organization or group of employees. No official, employee or consultant shall accept, or knowingly seek or cause to be given to any member of his/her family, any valuable favor, treatment, consideration or advantage beyond that which is generally available to citizens of the town from any person who, to the knowledge of the official, employee or consultant, is interested directly or indirectly in any business transaction or pending matter that is within the responsibilities of the official, employee or consultant. For purposes of this section, a pending matter includes, but is not limited to, any application to an agency, a bid for work to be performed, an application for employment, and any bid for the furnishing of supplies, equipment or services.

(b) This section shall not apply to any political contribution that is reported as required by law.

Sec. 2-63. - Equal treatment.

Without proper authorization, no official, employee or consultant shall accept, seek, grant or cause to be granted any special consideration, treatment or advantage to such individual or his/her family by virtue of his/her position or business association.

Sec. 2-64. - Conflict of interest.

An official, employee or consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service that is incompatible with the proper discharge of that individual's official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities.

A significant financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the official, employee or consultant has reason to believe or expect that he/she will obtain, secure or advance such interest by reason of his/her actions in performance or nonperformance of his/her official responsibilities.

An official, employee or consultant does not have a significant financial interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual as a member of a profession, occupation, or group to no greater extent than it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in G.S. §7-148h(b).

Sec. 2-65. - Disclosure and disqualification.

(a) Any official, employee or consultant who has a conflict of interest, significant financial interest or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of his/her official responsibilities shall disclose that conflict of interest in accordance with section 2-65(c)(1) through (6). Such disclosure shall disqualify the official, employee or consultant from participation in the matter, transaction, or decision.

(b) No official, employee or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application or other matter in which he/ she has a significant financial interest or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding.

(c) If there is an uncertainty whether an official, employee or consultant has a conflict of interest, significant financial interest or beneficial interest that could disqualify that individual from participation in a matter, such individual shall disclose such possible conflict of interest to the following:

(1) For an official who is a member of an elective or appointive board, commission, committee, or authority to the particular agency of which such official is a member.

(2) For town employees and officials appointed by the town manager to town manager.

(3) For board of education employees to the superintendent of schools.

(4) The town manager to town council.

(5) The superintendent of schools to the board of education.

(6) For a consultant to the agent executing contract on behalf of the town or board of education.

(d) The appropriate authority to which the disclosure is made shall make an appropriate record of such disclosure and shall recommend to the official, employee or consultant making the report whether such official, employee or consultant should abstain from participating in the transaction or decision to which the possible conflict of interest relates and whatever other appropriate action should be taken.

(e) Any such questions concerning a possible conflict of interest may be referred to the Commission for an advisory opinion.

Sec. 2-66. - Incompatible employment and activities.

(a) No official or employee shall engage in or accept private employment or render services when the employment or services: (1) are incompatible with the proper discharge of the official duties of the official or employee; or (2) would tend to impair independence of judgment or action by the official or employee in the performance of that individual's official duty. No consultant shall

engage in employment or render services for interests other than the town when such employment or services: (1) are incompatible with the proper discharge of his/her consulting duties on behalf of the town; or (2) would tend to impair the independence of the consultant's judgment or action on the matter for which the consultant has been engaged by the town.

(b) No former official, employee or consultant shall appear on behalf of any person or other entity before any agency with which he/she previously was employed or affiliated for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable prior advisory opinion by the Ethics Commission following its review of the individual's written application and relevant facts.

(c) No former official, employee or consultant shall appear on behalf of any person or other entity before any agency in regard to a matter in which that individual previously participated in the course of his/her official responsibilities for a period of one (1) year after the termination of his/her public service or employment; provided, however, that such an individual may be permitted to make such an appearance upon receipt of a favorable advisory opinion by the Ethics Commission.

(d) Subsections (a), (b) and (c) of this section shall not prohibit any current or former official, employee or consultant from appearing before any agency on his/her own behalf. To avoid an actual or perceived conflict, officials are strongly discouraged from appearing before the agency on which they are a member or officer, absent extenuating circumstances, unless s/he has received a prior favorable advisory opinion by the Ethics Commission prior to appearing.

(e) Nothing in the Code shall be interpreted to authorize conduct restricted or prohibited by any provision of the Connecticut General Statutes including, but not limited to, G.S. §§ 8-11, 8-21, and 22a-42(c) that restrict conduct of members of municipal zoning and planning authorities and members of wetlands and watercourses boards or commissions.

(f) To avoid even the appearance of impropriety or creation of a situation that would be contrary to the declared policy and purpose of the Code, an official, not otherwise restrained by the Code, shall exercise care when appearing before other agencies and shall disclose whether s/he is appearing in his/her official capacity or as a private citizen.

#### Sec. 2-67. - Penalty for violation.

A failure to comply with the Code shall be considered grounds for censure, reprimand, suspension, demotion, removal, or dismissal of officials, employees and consultants as applicable. The remedies and procedures specified in applicable statutory and Charter provisions, personnel rules, contract grievance rules, or other work rules, policies and procedures, shall be followed in the enforcement of this section.

#### Sec. 2-68. - Acknowledgment form.

(a) The Town Clerk shall provide a copy of the Code and Town Charter Section 1101 to every official consultant within sixty (60) days of date that s/he begins his/her official duties. Every

town official shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code and of Section 1101 of the Town Charter.

(b)Each consultant shall sign and file with the Town Clerk an acknowledgment form indicating his/her awareness of the provisions of this Code, and Section 1101 of the Town Charter on or before being retained by the town, board of education, or other agency.

(c)The town manager and superintendent of schools shall develop a protocol for periodic training of employees concerning this division and Town Charter Section 1101. The Commission shall develop a protocol for periodic training of officials.

(d)The Town Council shall approve a procedure for monitoring compliance with this section and approve the training protocols specified in subsection (c).

Sec. 2-69. - Ethics Commission rules of procedure.

(a)These procedures shall be used by the Ethics Commission established in section 2-58 hereof, and are designed to guide public officials, officers, employees, consultants and citizens of the process to be followed if they seek advice or question the conduct of those in or affiliated with town government. Subsection (b), advisory opinions, describes a process for town officers, officials, employees or consultants, and other parties doing business with the town who are seeking advice about their own conduct or the conduct of a town office or function. Subsection (c), inquiries, describes a process for resolving questions about specific conduct of a current town officer, official, employee or consultant, or about a town office or function. Subsection (d), complaints, describes a formal, public procedure for considering matters that cannot be resolved through the processes outlined in subsection (c) for inquiries. Subsection (e), other communications; miscellaneous, describes the process to be followed by anyone wishing to bring something to the attention of the Commission, without requesting an advisory opinion or filing an inquiry.

(b)Advisory opinions

(1)Initiation.

a.Any current, former or prospective Town of Glastonbury employee, official, or consultant may request an advisory opinion from the Commission as to whether conduct by that person or entity would violate the Code. Any current town official also may request an advisory opinion concerning the activities of any department over which he or she has jurisdiction or board or Commission on which he or she serves.

b.Individuals initiating a request for an advisory opinion must do so by completing a form available through the Glastonbury Town Clerk's Office or through the town's web site [www.glastonbury-ct.gov](http://www.glastonbury-ct.gov). The form must contain a statement setting forth the advice requested and the relevant facts known to the individual making the request so that the Commission can reasonably be expected to understand the nature of the request. The individual making the request must sign it.

c. Requests must be addressed in a sealed envelope to the Commission, c/o the Glastonbury Town Clerk, 2155 Main Street, Town Hall, Glastonbury, Connecticut, who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Commission. On the day said request is received by the Town Clerk, the Town Clerk or his or her representative shall notify the chair or vice chair of the Commission, or both, of same.

d. The date the request is received by the Town Clerk will mark the official date of receipt for purposes of deadlines for decisions.

## (2) Proceedings.

a. The chair will present the request to the Commission at its next regular meeting for which no agenda has been filed yet with the town clerk or at a special meeting called by the Commission chair or vice chair.

b. The Commission will meet to review the request. At that time, it may decide to: (1) seek additional information, (2) create a subcommittee of at least two (2) Commission members to make a recommendation for consideration by the full Commission, (3) hold an informal hearing to receive comments from the individual who requested the advisory opinion and/or from the public, (4) investigate the relevant facts and issues in order to render the advisory opinion, and/or (5) treat the matter as an inquiry under subsection (c) hereof.

## (3) Decisions.

a. Advisory opinions will be made by a majority of Commission members voting at a meeting at which a quorum is present.

b. The Commission will issue an advisory opinion as expeditiously as possible but in any event within ninety (90) days from the day it first considers the request. The Commission may extend the time for decision for up to an additional thirty (30) days.

c. All advisory opinions must be in writing and communicated to the individual making the request.

d. The Commission may decline to render an advisory opinion if (1) the subject matter is not covered by the Code, (2) the known facts are incomplete or incorrect and the omissions or misstatements are material to the advisory opinion requested, or (3) other reasonable grounds exist for not taking action. If the Commission decides to so act, it shall state its reasons.

## (4) Confidentiality.

a. Requests for advisory opinions will be reviewed in open session unless, upon review by the Commission chair or vice chair, it is determined that the matter

would be more appropriately treated as an inquiry under subsection (c) hereof and pursuant to G.S. § 1-82a.

b. Requests for advisory opinions that are treated as inquiries under subsection (c) hereof will be reviewed in closed session, except upon the request of the person who is the subject of the inquiry.

c. Advisory opinions for matters not treated as inquiries under subsection (c) hereof will be made available for public inspection by delivery to the town clerk's office.

(c) Inquiries:

(1) Initiation.

a. Any member of the public may submit an inquiry asking whether a current official, consultant or employee has failed to comply with the Code or asking about the appropriateness of conduct of a particular Town office, agency, or consultant.

b. The Commission may itself initiate an inquiry regarding a possible violation of the Code.

c. Individuals initiating an inquiry must do so by completing a form, available through the Glastonbury Town Clerk's office or through the town's web site at [www.glastonbury-ct.gov](http://www.glastonbury-ct.gov). The initiating individual must sign the form under penalty of false statement. The form must contain a description of the relevant facts in sufficient detail so that the Commission and any person who is the subject of the inquiry can reasonably be expected to understand the nature of the allegations.

d. Inquiries must be addressed in a sealed envelope to the Commission, c/o the Glastonbury Town Clerk, 2155 Main Street, Town Hall, Glastonbury, Connecticut, who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Commission.

e. The date an inquiry is received by the Town Clerk will mark the official date of receipt for purposes of deadlines for decisions.

(2) Preliminary review.

a. The chair or vice chair of the Commission will conduct a preliminary review of all inquiries to determine whether the matter should be dismissed or reviewed by the entire Commission.

b. The chair or vice chair may dismiss a matter on any of these grounds:

- i. The complainant does not allege a violation of, or does not give enough information to suggest a violation of, Sec. 2-60 through 2-66 of the Code.
- ii. The person who is the subject of the inquiry is a minor.
- iii. The person who is the subject of the inquiry is no longer an official, employee, or consultant of the town.
- iv. The matter occurred more than three (3) years earlier or before the enactment of the Code by the Town of Glastonbury.
- v. The Commission has already taken action on the matter.

c. If a matter is dismissed by the chair or vice chair after a preliminary review, the chair or vice chair will notify the complainant within five (5) business days, by regular mail, of the reasons for the dismissal.

d. If a matter is dismissed by the chair or vice chair after a preliminary review, no further action by the Commission, including notice to the respondent(s), is necessary.

e. Complainants may appeal a dismissal by the chair or vice chair by filing with the Town Clerk a new inquiry form that contains additional evidence that would warrant review by the entire Commission.

### (3) Notice.

a. Within five (5) business days of the Town Clerk's receipt of the inquiry or initiation of an independent inquiry, the chair or vice chair will notify the respondent(s) by regular mail and will provide the person with a copy of the completed form and the Code. The Commission will confirm by regular mail to the person who initiates an inquiry that it was received by the Commission.

b. In the event that an inquiry contains allegations against multiple respondents, the chair or vice chair must notify each respondent individually. Respondents are subject to the confidentiality provisions of Sec. 2-60 and Sec. 2-69(c)(7) of the Code.

c. Respondents may file a written response with the chair of the Commission within ten (10) business days after receiving the notice. In response to allegations against multiple respondents, respondents may respond individually or collectively.

### (4) Proceedings.

a. Unless the inquiry previously was dismissed by action of the chair or vice chair pursuant to Section 2-69(c)(2) above, the chair will present the inquiry and any response received from the subject to the Commission at its next regular meeting

or in a special meeting held after receipt of the inquiry, the mailing of notice to the subject, and the passage of at least ten (10) additional business days.

b. The Commission will meet one (1) or more times in closed session from which the public is excluded to review the inquiry and to determine whether or not there exists probable cause that the Code has been violated. In those sessions, it may decide to: (1) seek additional information, (2) create a subcommittee of at least two (2) Commission members to make a recommendation for consideration by the full Commission, (3) proceed to investigate the relevant facts and issues in order to render a decision, (4) decline to review the matter further, pursuant to subsection (c)(5) hereof, (5) endeavor to resolve the matter by convening a confidential meeting that includes the individual who is the subject of the inquiry and others relevant to the issue, (6) make a finding of probable cause and treat the matter as a complaint under subsection (d) hereof, and/or (7) make a finding of no probable cause. If the Commission proceeds under steps (1), (2), (3), or (5) above, it will establish a schedule of meetings for consideration of the inquiry, subject to the provisions of subsection (c)(4)(a) hereof.

c. A finding of probable cause means that based on a review of the available information the Commission determines that reasonable grounds exist to believe that the respondent engaged in prohibited conduct outlined in Sec. 2-60 through 2-66 of the Code.

(5) The Commission may decline to continue to review a matter on any of these grounds:

a. The alleged facts do not evidence the existence of probable cause of a violation of Sec. 2-60 through 2-66 of the Code.

b. The matter is judged to be vexatious, frivolous, groundless, or brought for the purpose of harassment. A vexatious matter is one that lacks any serious purpose or value or that is designed to cause disruption or annoyance.

c. The person who is the subject of the matter has already taken corrective action and the Commission believes the action taken was appropriate in the circumstances and the matter should not be pursued.

d. There are other reasonable grounds for not taking action.

(6) Decisions.

a. As expeditiously as possible but in any event within one hundred twenty (120) days after the meeting at which the Town Clerk received the inquiry form, the Commission will decide that (1) the inquiry requires no further action because it was resolved or did not require further review under subsection (c)(5) hereof, or (2) probable cause exists that a violation of the Code occurred, in which case the inquiry will be treated as a complaint under subsection (d) hereof. The Commission may extend the time for decision if circumstances justify a delay.

b.No finding of the existence of probable cause may be made except upon the vote of at least four (4) members of the Commission.

c.Within five (5) business days after making a decision under this subsection (c), the Commission will inform in writing both complainants and respondents of its decision and its reasons for the decision. It shall be sufficient that the Commission cite as a reason for its decision any of the reasons enumerated in section 2-69(c)(5), above.

*(7)Confidentiality.*

a. If the Commission does not make a finding of probable cause, then the inquiry and the record of the Commission's investigation shall remain confidential, except upon the request of the respondent. If the inquiry alleged violations by multiple respondents, then the request to release information must be made by all respondents.

b. The Commission may publish decisions in whole or in part if it decides that publication would serve the public interest and publication can be made in such a way as to protect the personal identity and privacy of persons who were the subject of any evaluation of a possible violation of the Code.

*(d)Complaints:*

*(1)Initiation.*

a.After conducting an investigation of any inquiry under subsection (c) hereof, if the Commission finds probable cause exists, then it will make public by providing to the Town Clerk its findings and its record of the investigation not later than five (5) business days after its decision, except it may postpone public release of the record for up to fourteen (14) days for the purpose of resolving the matter with the person who is the subject of the inquiry. If no resolution is reached, the Commission will proceed in the manner described in this subsection (d).

b.The findings and record of the investigation shall include: (1) the inquiry; (2) evidence received or considered; (3) a reference to the particular section of the Code involved; and (4) a short and plain statement of the Commission's reason for finding probable cause.

c.Any member of the public who desires to file a complaint against a current officer, official, consultant or employee for allegedly violating the Code must first pursue the matter as an inquiry under subsection (c) hereof.

*(2)Public hearings.*

If the Commission decides, after its investigation under subsection (c) hereof, that probable cause of a violation of the Code exists, it will conduct a public hearing to determine whether or not a violation occurred. At the hearing, the person who is the subject of the hearing will have the right to be represented by legal counsel, to present

evidence and witnesses and compel attendance of witnesses and the production of books, documents, records and papers, and to examine and cross-examine witnesses and inspect and copy relevant and material records, papers and documents not in such person's possession. Not later than ten (10) days before the start of the hearing, the Commission will provide the person with a list of its intended witnesses. The Commission will make a record of the proceedings.

*(3) Powers and conduct of hearings.*

a. For the hearing, the Commission will have the power to administer oaths, question witnesses, consider oral and documentary evidence, subpoena witnesses under procedural rules adopted by the Commission as regulations in accordance with the provisions of G.S. Chapter 54 (Uniform Administrative Procedure Act) to compel attendance before the Commission, and require the production for examination by the Commission of any books and papers which it deems relevant in any matter under investigation or in question.

b. The Commission may require witnesses to testify under oath administered by the presiding officer or any other duly qualified person. The hearings shall be recorded and/or transcribed.

c. Hearings are not governed by the legal rules of evidence and any information relevant to the matter may be considered. The Commission will respect the rules of privilege recognized by the law. When a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form. Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available, and, upon request, parties and the Commission will be given an opportunity to compare the copy with the original.

*(4) Decisions.*

a. Decisions by the Commission that a person is in violation of the Code must result from the concurring vote of four (4) of its members.

b. The Commission must render its decision within sixty (60) days of the closing of the hearing.

c. Such finding and memorandum will be deemed to be the final decision of the Commission for the purposes of G.S. Chapter 54. The person who was the subject of the hearing may appeal to the superior court in accordance with the provisions of G.S. § 4-183.

d. If the Commission finds that the Code was violated, it will provide the party who was the subject of the hearing and the Glastonbury Town Council with a copy of its findings and memorandum within ten (10) days after its decision. It will also advise the party of the right of appeal under G.S. § 4-183. At the same time, it will provide a copy of its findings and memorandum to the Glastonbury Town Manager, if such party is an employee, consultant or official appointed or under the jurisdiction of the town manager,

or the superintendent of schools and the board of education of the Town of Glastonbury if such person is an employee, consultant or official appointed or under the jurisdiction of the superintendent or such board.

e. Other communications; miscellaneous:

The Commission welcomes communications from the public even if they do not fall within the categories of an advisory opinion, inquiry, or complaint. These should be in writing and should include the name and address of the individual making the communication. The communication should be addressed in a sealed envelope to the chair of the Commission, c/o the Glastonbury Town Clerk, 2155 Main Street, Town Hall, Glastonbury, Connecticut, who will date stamp, but not open, the envelope and forward same promptly to the chair or vice chair of the Commission. On the day said communication is received by the Town Clerk, the Town Clerk or his or her representative shall notify the chair or vice chair of the Commission, or both, of same. The chair or vice chair shall determine whether said communication should be treated as confidential. Requests that are not treated as confidential will be made available for public inspection by delivery to the Town Clerk's office. Communications will be handled on a case-by-case basis and at the discretion of the Commission.

Sec. 2-70. - Reserved.



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 26-0615

**Agenda Date:** 6/10/2026

**Agenda #:** 2.

---

## APPOINTMENT

### **Motion/Request:**

MOTION to appoint the Councilor Carmen Garcia-Irizarry (D) 58 Eagle Ridge Drive, Gales Ferry, to the "Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission" a for six-month term in accordance with Res#002-2026/Mar 25

### **Background:**

Chairman St. Vil has assigned Councilor Garcia-Irizarry to the serve as the Town Council's Representative on the Ad Hoc Committee to evaluate whether the Planning and Zoning Commission should remain as a combined Commission; or whether it should be two separate Commissions.

### **Administrative Notes:**

#### **Town Council Meeting 5/27/2026:**

At the Town Council's May 27, 2026 meeting the following were appointed to the "Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission" in accordance with the structure outlined in the Res #002-2026/Mar 25.

- One Member from the Community-at-Large with Planning experience:  
Mr. Tony Capon (D) 37 Silas Deane Road, Ledyard
- One Member from the Community-at-Large with Zoning experience  
Mr. Kevin Dombrowski ( R) 139 Meetinghouse Lane, Ledyard
- One Member from the Planning & Zoning Commission  
Ms. Beth Ribe (U) 129 Rose Hill Road, Ledyard
- One Member from the Community-at-Large  
Mr. Milton (Dave) Schroeder, Jr., (U) 290 Whalehead Road, Gales Ferry
- One Member from the Town Council was not appointed at that time.

### **Nominating Committee Recommendation:**

(type text here)

**Minority Representation - CGS 9-167a:**

In accordance with Chapter IV; Section 8 of the Town Charter “Except as otherwise provided for in this Charter, the Town Council may appoint members to fill vacancies in other offices, boards, and commissions established by this Charter and by ordinance as vacancies may occur, and appointing members to such offices, boards, and commissions as may be created in the future. Such appointments shall be made by the Town Council for such terms and upon such conditions as provided in the respective ordinance”.

Chapter IV, Section 9: “In making appointments and removals, the Town Council shall act by the affirmative votes of at least a majority of all its members.

All members of boards, commissions, and committees contained in this Charter, or subsequently created under this Charter, except members of the Building Code Board of Appeals, the Fire Marshal, and the Deputy Fire Marshal(s), shall be electors of the Town at the time of their appointment and during their terms of office.”

**Connecticut General Statutes**

Sec. 9-167a. Minority representation. (a) (1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

Total Membership	Maximum from One Party
3	2
4	3
5	4
6	4
7	5
8	5
9	6
More than 9 Two-thirds of total membership	

(2) The provisions of this section shall not apply (A) to any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision, (B) to a legislative body of a municipality (i) having a town meeting as its legislative body or (ii) for which the charter or a special act, on January 1, 1987, provided otherwise or (C) to the city council of an unconsolidated city within a town and the town council of such town if the town has a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting or (D) to the board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty Thousand dollars.

(b) Prior to any election for or appointment to any such body, the municipal clerk, in cases of elections, and the appointing authority, in cases of appointments, shall determine the maximum number of members of any

political party who may be elected or appointed to such body at such election or appointment. Such maximum number shall be determined for each political party in the following manner: From the number of members of one political party who are members of such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of subsection (a) of this section.

## Roxanne Maher

---

**From:** Gary St. Vil  
**Sent:** Wednesday, May 13, 2026 4:27 PM  
**To:** Roxanne Maher  
**Cc:** Carmen Garcia Irizarry  
**Subject:** Town Council Ad Hoc Assignment

Hi Roxanne,

Please assign Councilor Garcia-Irizarry to the to the "Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission"

R,

Gary

Respectfully,

**Gary A. St. Vil**

Chairman, Ledyard Town Council

741 Colonel Ledyard Highway

Ledyard, CT 06339

(860) 980-0656 | [gsvil@ledyardct.org](mailto:gsvil@ledyardct.org)

[www.ledyardct.org](http://www.ledyardct.org)

**Application Form****Profile**

Michael

First Name

J

Middle  
Initial

Cherry

Last Name

mj.cherry@comcast.net

Email Address

5 Whippoorwill Drive

Home Address

Suite or Apt

Gales Ferry

City

CT

State

06335

Postal Code

Home: (860) 464-7886

Primary Phone

Mobile: (860) 460-3546

Alternate Phone

**Which Boards would you like to apply for?**

Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission: Submitted

**Education & Experiences**

Please tell us about yourself and why you want to serve.

**Why are you interested in serving on a board or commission?**

I possess Extensive Knowledge and experience in Land Use Boards and Commissions including their functions and operation. My unique experience would be most valuable to discern the feasibility, benefits, and costs of separating the Planning and Zoning Commission into two separate entities. I am well versed in the roles and possess the tools to evaluate whether separation would increase efficiency; improve public transparency, and reduce the potential for conflicts of interest. I possess in depth knowledge and experience to review and evaluate staffing impacts, budgetary implications, modifications to department organization, changes required to local ordinances including the Town of Ledyard Charter, and potential improvements to the permitting timeline.

**Community Involvement**

Previous member and chair of the Ledyard Planning Commission and Ledyard Planning and Zoning Commission. Current member and previous member and chair of the Ledyard Economic Development Commission. Previous member and chair of the Ledyard WPCA. Previous member and chair of the SECOG Regional Planning Commission. Former employment as interim Ledyard Zoning Enforcement Official

**Educational Background**

Graduate engineer, Retired Naval Nuclear Officer, Retired Electric Boat Manager Completed UCONN CLEAR Land Use Training for Commissioners Completed UCONN CLEAR Land Use Commissioner Advanced Training Participated in Biennial CT Bar Land Use Seminars Participated in numerous workshops on Land Use Issues over the years of serving

Michael J Cherry

Retired

Employer

Job Title

Upload a Resume

---

## Party Affiliation

### Party Affiliation \*

Unaffiliated

---

## Disclaimer & FOIA Information

Your attendance and active participation is important for the Committee to conduct its business. Any member of a Committee/Commission/Board who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Committee and the vacancy shall be filled, except that the Committee may vote to waive attendance requirements in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements. It shall be the responsibility of the Chairman of the Committee to notify the Town Council or Mayor's office when a member has not properly performed his/her duties.

### Please Agree with the Following Statement

**If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.**

I Agree

### Signature (type full name below)

Michael J Cherry

**Roxanne Maher**

---

**From:** mj.cherry@comcast.net  
**Sent:** Wednesday, February 11, 2026 12:21 PM  
**To:** Roxanne Maher  
**Subject:** formation of an Ad-Hoc Committee to evaluate if the Planning & Zoning Commission should stay as one commission or if it should be separated into two Commissions.

Please forward to Admin Committee

As a former member and Chair of the Ledyard Planning Commission and former member and Chair of the combined PZC I would be eminently qualified and pleased to serve on any Ad-Hoc committee formed to study the subject question.

Thank You for your consideration.

M. J. Cherry  
mj.cherry@comcast.net  
(860) 460-3546

**Application Form****Profile**

Tony

First Name

Capon

Last Name

Middle  
Initial

tcapon@pitt.edu

Email Address

37 Silas Deane Road

Home Address

Suite or Apt

Ledyard

City

CT  
State

06339

Postal Code

Home: (860) 381-5098

Primary Phone

Mobile: (814) 934-9067

Alternate Phone

**Which Boards would you like to apply for?**

Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission: Submitted

**Education & Experiences**

Please tell us about yourself and why you want to serve.

**Why are you interested in serving on a board or commission?**

I am a 38 year resident of Ledyard -- 1947-1969 and 2010 - present. I have knowledge and experience with planning and zoning and understand how the two functions are integrated. I am the immediate past chairman of PZC (2021-2024) and have served on ZBA and IWWC. I have been on WPCA for twelve years. WPCA is involved in the planning and zoning process since the provision of public water and sewer is critical to development, especially in Ledyard Center. I am a research methodologist and statistician by background and education and in my professional career have been involved in program evaluation. I have a total of about 40 years experience as a parliamentarian and am pretty good at keeping meetings on track.

**Community Involvement**

I chaired Ledyard's 175th celebration committee. I am a volunteer income tax preparer. I am a United Way volunteer. I am a member of the Ledyard Avalonia Town Committee. Over my life I served on a number of community boards.

**Educational Background**

B.A. Holy Cross, 1969 M.A. University of Virginia, 1974 PhD University of Virginia, 1976.

Retired

Employer

Job Title

---

**Party Affiliation****Party Affiliation \***

Democrat

---

**Disclaimer & FOIA Information**

Your attendance and active participation is important for the Committee to conduct its business. Any member of a Committee/Commission/Board who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Committee and the vacancy shall be filled, except that the Committee may vote to waive attendance requirements in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements. It shall be the responsibility of the Chairman of the Committee to notify the Town Council or Mayor's office when a member has not properly performed his/her duties.

**Please Agree with the Following Statement**

**If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.**

I Agree

**Signature (type full name below)**

Tony Capon

Tony Capon  
Brief Resume

Grew up in Ledyard, graduated from NFA in 1965

Graduated from Holy Cross in 1969

Served three years as a naval officer on a destroyer during the Vietnam War

Got a PhD in sociology from the University of Virginia in 1976

Taught at the University of Pittsburgh for 33 years, retired as an Emeritus  
Professor

Moved back to Ledyard in 2010

Taught at ECSU as an Adjunct Professor from 2010 to 2021

## Roxanne Maher

---

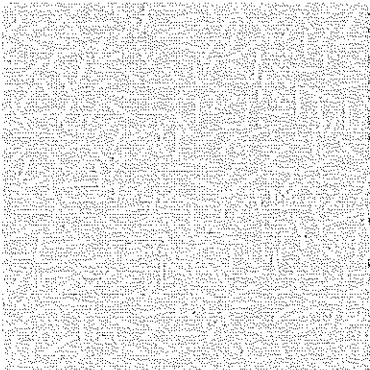
**From:** Craig Breverman <cbreverman@gmail.com>  
**Sent:** Wednesday, May 6, 2026 8:15 AM  
**To:** Roxanne Maher  
**Cc:** Wendy Hellekson  
**Subject:** Re: Appoint Applications - DTC Recommendation

Hi Roxanne,  
Thanks for everything, this is what happens to me when I let time slip past me.

We approved Jeff Kulo and Tony Capon to *Ad Hoc Committee to Evaluate The Separation of the Planning Commission & Zoning Commission*.

I'll work on these others today.

On Mon, May 4, 2026 at 10:51 AM Roxanne Maher <[council@ledyardct.org](mailto:council@ledyardct.org)> wrote:



Good Morning Craig:

Please find attached the following Appointment Applications for the  
DTC to provide a recommendation:

- Gary Schneider – Ad Hoc Committee – Develop Process for Capital Improvement Projects
- Jermey Norris – Famers Market Cmt

**Roxanne Maher**

---

**From:** Roxanne Maher  
**Sent:** Tuesday, March 31, 2026 2:51 PM  
**To:** Craig Breverman  
**Cc:** Roxanne Maher; Wendy Hellekson  
**Subject:** Appointment Application - Capon-  
**Attachments:** Appointment Application-Capon-Resume-Evaluate Seperate Planning & Zoning Commission-2026-03-31.pdf; Request Nominations-Committee to Evaluate Seperate Planning Commission & Seperate Zoning Commission- memo-2026-03-26.pdf

Good Afternoon Chairman Braverman:

Please find attached an Appointment Application from Mr. Tony Capon who is interested in the *Ad Hoc Committee to Evaluate The Separation of the Planning Commission & Zoning Commission*” for the DTC to provide an recommendation.

Please let me know if you have any questions or I can be of any assistance.

Thank you,  
Roxanne

*Roxanne M. Maher*  
Administrative Assistant to  
The Ledyard Town Council  
(860) 464-3203  
[council@ledyardct.org](mailto:council@ledyardct.org)

Town Hall Hours:  
Monday – Thursday 7:45 a.m. – 4:45 p.m.  
Closed on Friday



## Roxanne Maher

---

**From:** Roxanne Maher  
**Sent:** Tuesday, May 5, 2026 2:51 PM  
**To:** Carmen Garcia Irizarry  
**Cc:** Roxanne Maher  
**Subject:** FW: Appoint Application- Mr. Kulo - DTC Recommendation  
**Attachments:** APPOINT APPLICAITON-KULO-EVALUATE SEPERATE PLANNING AND ZONING COMMISISON AD HOC CMT.pdf; Request Nominations-Committee to Evaluate Seperate Planning Commission & Seperate Zoning Commission- memo-2026-03-26.pdf

---

**From:** Roxanne Maher  
**Sent:** Thursday, April 9, 2026 12:20 PM  
**To:** Craig Breverman <cbreverman@gmail.com>  
**Cc:** Wendy Hellekson <whellekson.dtc@gmail.com>; Roxanne Maher <council@ledyardct.org>  
**Subject:** Appoint Application- Mr. Kulo - DTC Recommendation

Good Afternoon Chairman Braverman

Please find attached an Appointment Application from Mr. Jeff Kulo who is interested in the *Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission* for the DTC to provide a recommendation.

Please let me know if you have any questions or I can be of any assistance.

Thank you,  
Roxanne

*Roxanne M. Maher*  
Administrative Assistant to  
The Ledyard Town Council  
(860) 464-3203  
[council@ledyardct.org](mailto:council@ledyardct.org)

Town Hall Hours:  
Monday – Thursday 7:45 a.m. – 4:45 p.m.  
Closed on Friday

# Application Form

## Profile

Jeffrey \_\_\_\_\_ Kulo \_\_\_\_\_  
 First Name Middle Initial Last Name

jkulo@sbcglobal.net \_\_\_\_\_  
 Email Address

39 Chriswood Trce \_\_\_\_\_ Suite or Apt \_\_\_\_\_  
 Home Address

Ledyard \_\_\_\_\_ CT \_\_\_\_\_ 06339 \_\_\_\_\_  
 City State Postal Code

Mobile: (860) 389-7878 \_\_\_\_\_ Home: (860) 464-1181 \_\_\_\_\_  
 Primary Phone Alternate Phone

## Which Boards would you like to apply for?

Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission: Submitted

## Education & Experiences

Please tell us about yourself and why you want to serve.

### Why are you interested in serving on a board or commission?

To maintain my community involvement on an organized basis.

## Community Involvement

Served on Planning Commission and then Planning & Zoning Commission for about 10 years total. Served on Commission to evaluate form of town government - 1 year duration. Current member of Ledyard DTC - serving as Treasurer.

## Educational Background

B.S. Mechanical Engineering. Various graduate courses; mostly technical.

Retired \_\_\_\_\_  
 Employer Job Title

Upload a Resume \_\_\_\_\_

## Party Affiliation

**Party Affiliation \***

---

Democrat

---

**Disclaimer & FOIA Information**

Your attendance and active participation is important for the Committee to conduct its business. Any member of a Committee/Commission/Board who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Committee and the vacancy shall be filled, except that the Committee may vote to waive attendance requirements in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements. It shall be the responsibility of the Chairman of the Committee to notify the Town Council or Mayor's office when a member has not properly performed his/her duties.

**Please Agree with the Following Statement**

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**If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.**

---

I Agree

**Signature (type full name below)**

---

Jeffrey Kulo

# Application Form

## Profile

Kevin \_\_\_\_\_ J \_\_\_\_\_ Dombrowski \_\_\_\_\_  
 First Name Middle Initial Last Name

kjdombrowski@comcast.net \_\_\_\_\_  
 Email Address

139 Meetinghouse Lane \_\_\_\_\_ Suite or Apt \_\_\_\_\_  
 Home Address

Ledyard \_\_\_\_\_ CT \_\_\_\_\_ 06339 \_\_\_\_\_  
 City State Postal Code

Home: (860) 536-8274 \_\_\_\_\_ Mobile: (860) 383-6463 \_\_\_\_\_  
 Primary Phone Alternate Phone

## Which Boards would you like to apply for?

Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission: Submitted

## Education & Experiences

Please tell us about yourself and why you want to serve.

### Why are you interested in serving on a board or commission?

Have previously served on the Zoning commission, and are looking to move forward Planning and Zoning in the best interest of the Town

## Community Involvement

Previous member of Zoning Commission, Ledyard Town Center Committee, Economic Development Commission, Zoning Board Of Appeals, Zoning Regulation Rewrite Adhoc Committee, Agricultural Zoning Regulation re-write committee, Charter Review Commission 2018, and Ledyard Town Council

## Educational Background

Associates Degree Electrical Engineering

Electric Boat \_\_\_\_\_ Staff Engineer \_\_\_\_\_  
 Employer Job Title

Upload a Resume \_\_\_\_\_

## Party Affiliation

**Party Affiliation \***

---

Republican

---

**Disclaimer & FOIA Information**

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**Please Agree with the Following Statement**

---

**If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.**

---

I Agree

**Signature (type full name below)**

---

Kevin J. Dombrowski

To the Ledyard Town Council,

The Ledyard Republican Town Committee absolutely endorses Kevin Dombrowski for the Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission. He has all the experiences to play a significant roll to assist the committee to work towards a fair and equitable solution.

Joe Gush - RTC Nominating Chairperson

**Application Form****Profile**

Eric Treaster  
 First Name Middle Last Name

bsaofnl-eric@yahoo.com  
 Email Address

10 Huntington Way  
 Home Address Suite or Apt

Ledyard CT 06339  
 City State Postal Code

Home: (860) 536-6240  
 Primary Phone Alternate Phone

**Which Boards would you like to apply for?**

Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission: Submitted

**Education & Experiences**

Please tell us about yourself and why you want to serve.

**Why are you interested in serving on a board or commission?**

I am retired, care, and have the time, ability, knowledge, and interest to contribute to the development of our Town. I appreciate your consideration and am available for an interview at any time.

**Community Involvement**

I was on the Zoning Commission for about 25 years, from September 1987 until the end of 2012, when it combined with the Planning Commission. I was its Chairman from August 2010 to October 2012. I wrote the zoning regulations that led to the development of Stonegate Village, which I believe is Ledyard's 17th-largest taxpayer. I authored the 2012 version of the Zoning Regulations and have maintained an active interest in zoning, property, the protection of property values, and especially land use issues as they apply to quality of life. In November 2015, the Town Council appointed me to the Board of Assessment Appeals, where I continue to serve. In May 2016, the Mayor appointed me to the Zoning Board of Appeals, where I served until December 2025. I authored the Zoning Citation Ordinance and corrected and improved the Blight Citation Ordinance. I also developed the forms and procedures to implement the ordinances. On October 31, 2022, the Mayor appointed me as the zoning citation hearing officer, and on July 26, 2023, he appointed me as the blight citation hearing officer - positions I held until November 20, 2025.

**Educational Background**

BS - Math & Electronic Engineering (Cal Poly, San Luis Obispo, CA) MS - Computer Systems Management (Naval Postgraduate School, Monterey, CA.)

Eric Treaster

Retired

Employer

Engineer - Naval Under  
Water Systems Center; Ship  
Analytics (Consultant)

Job Title

---

 Upload a Resume
 

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## Party Affiliation

### Party Affiliation \*

 Republican
 

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## Disclaimer & FOIA Information

Your attendance and active participation is important for the Committee to conduct its business. Any member of a Committee/Commission/Board who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Committee and the vacancy shall be filled, except that the Committee may vote to waive attendance requirements in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements. It shall be the responsibility of the Chairman of the Committee to notify the Town Council or Mayor's office when a member has not properly performed his/her duties.

### Please Agree with the Following Statement

**If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.**

---

 I Agree
 

---

### Signature (type full name below)

Eric Treaster

To: Admin Committee / Town Council,  
Eric Treaster is a well-informed, and well-versed candidate for a position on the ADHOC Committee for the evaluation of separating the Planning and Zoning Commission. He is a past Chairman of this Committee and understands the processes. The RTC forwards his application for your approval.

Joe Gush  
Ledyard RTC Nominating Committee Chairman

**Roxanne Maher**

---

**From:** Eric <bsaofnl-eric@yahoo.com>  
**Sent:** Monday, March 30, 2026 10:27 AM  
**To:** Town Council Group  
**Cc:** Roxanne Maher  
**Subject:** Request for Membership on the Ad Hoc Committee To Evaluate the Separation of the Planning Commission & Zoning Commission

To: Members of the Town Council

Pursuant to the Council's *"Resolution Establishing An Ad Hoc Committee To Evaluate the Separation of the Planning Commission & Zoning Commission,"* this email is a request to be considered a candidate for either the "Community-at-Large with Zoning Experience" member, or a candidate for the "Community-at-Large" member.

As some of you know, I was on the Zoning Commission for about 25 years, from September 1987 until the end of 2012, when it combined with the Planning Commission. I was its Chairman from August 2010 to October 2012, when the Commission disbanded and combined with the Planning Commission.

I wrote the zoning overlay regulations that led to the development of Stonegate Village, which I believe is Ledyard's 17th-largest taxpayer. I authored the 2012 version of the Zoning Regulations and have maintained an active interest in zoning, property, property values, and land-use issues.

In November 2015, the Town Council appointed me to the Board of Assessment Appeals, where I continue to serve.

In May 2016, the Mayor appointed me to the Zoning Board of Appeals, where I served until my last term expired in December 2025. I authored the Zoning Citation Ordinance and corrected and improved the Blight Citation Ordinance. I also developed the forms and procedures to implement the ordinances.

On October 31, 2022, the Mayor appointed me as the zoning citation hearing officer, and on July 26, 2023, he appointed me as the blight citation hearing officer – positions I held until November 20, 2025.

I am retired, care, and have the time, ability, knowledge, and interest to contribute to the development of our Town.

I appreciate your consideration and am available for an interview at any time.

Respectfully,

Eric Treaster  
860-536-6240



## TOWN OF LEDYARD

### Department of Land Use and Planning

*Elizabeth J. Burdick, Director*

741 Colonel Ledyard Highway, Ledyard, CT 06339

Telephone: (860) 464-3215, Fax: (860) 464-0098

Email: [planner@ledyardct.org](mailto:planner@ledyardct.org)

*VIA EMAIL: [council@ledyardct.org](mailto:council@ledyardct.org)*

April 15, 2026

Chairman Gay St. Vil  
Ledyard Town Council  
741 Colonel Ledyard Highway

**RE:** Request Nominations - Ad Hoc Committee to Evaluate the Separation of the Planning & Zoning Commission

Dear Chairman St. Vil:

The Ledyard Planning & Zoning Commission, at its April 9, 2026, Regular Meeting, received the above-referenced request for the nomination of one qualified member of the Planning & Zoning Commission to join the Ad Hoc Committee to Evaluate the Separation of the Planning & Zoning Commission. With the endorsement of Chairman Marcelle Wood, Commissioner Beth Ribe satisfies all qualifications and has volunteered to serve on the Ad Hoc Committee for its 6 month duration.

Please contact me with any questions. Thank you for your attention to this matter.

Sincerely,

*Liz Burdick*

Director of Land Use & Planning for  
Ledyard Planning & Zoning Commission

C: Planning & Zoning Commission Chairman, Marcelle Wood  
Administrative Assistant to the Ledyard Town Council, Roxanne Maher  
Assistant to the Director, Anna Wynn  
Mayor Fred Allyn III  
Planning & Zoning Commissioner, Beth Ribe

**Application Form****Profile**

Milton

First Name

D

Middle  
Initial

Schroeder Jr

Last Name

mltnschroeder@yahoo.com

Email Address

290 Whalehead Rd

Home Address

Suite or Apt

Gales Ferry

City

CT

State

06335

Postal Code

Home: (860) 464-9327

Primary Phone

Alternate Phone

**Which Boards would you like to apply for?**

Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission: Submitted

**Education & Experiences**

Please tell us about yourself and why you want to serve.

**Why are you interested in serving on a board or commission?**

I would like to use my experience and skill set to help the town, and I have the time to do so.

**Community Involvement**

Actively working on multiple initiatives with Citizen's Alliance for Land Use (CALU)

**Educational Background**

Ledyard Public Schools K-8, 12 High Wycombe High School (DODS), UK 9-11 Carnegie-Mellon, Bachelors of Architecture Ecole Polytechnique Federale de Lausanne (Federal Polytechnic Institute Lausanne), Switzerland - Mastery of Timber Construction Berner Fachhochschule (Bernese University of Applied Sciences), Switzerland - Timber Engineering Sciences, major in Structural Engineering

Retired

Employer

Structural Engineer,  
Architect, Designer

Job Title

Upload a Resume

**Party Affiliation**

**Party Affiliation \***

---

Unaffiliated

---

**Disclaimer & FOIA Information**

Your attendance and active participation is important for the Committee to conduct its business. Any member of a Committee/Commission/Board who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Committee and the vacancy shall be filled, except that the Committee may vote to waive attendance requirements in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements. It shall be the responsibility of the Chairman of the Committee to notify the Town Council or Mayor's office when a member has not properly performed his/her duties.

**Please Agree with the Following Statement**

---

**If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.**

---

I Agree

**Signature (type full name below)**

---

Milton D Schroeder Jr

**Application Form****Profile**

Edwin

First Name

S

Middle  
Initial

Murray

Last Name

murrayed9@gmail.com

Email Address

26 Devonshire Dr

Home Address

Suite or Apt

Gales Ferry

City

CT

State

06335

Postal Code

Home: (518) 928-5811

Primary Phone

Home: (518) 928-5811

Alternate Phone

**Which Boards would you like to apply for?**

Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission: Submitted

**Education & Experiences**

Please tell us about yourself and why you want to serve.

**Why are you interested in serving on a board or commission?**

I believe it is my responsibility to be an active and productive member of the community. I also believe it is the responsibility of our governing organizations is to take care of all residents first and foremost. Every action and decision must support this principle. From time to time it becomes necessary to review our governing organizations to insure they are fulfilling their responsibilities as effectively as possible.

**Community Involvement**

In the four years living in Ledyard, I have found a number of important issues to commit my energies too. The key to anything I decide to be a part of is will it improve and/or protect our community. Additionally, I will devote the time and energy required for any position i am selected to fill for our town.

**Educational Background**

I have had the responsibility for the development of approximately 100 restaurants from concept to opening. I created a sales building program that included physical plant changes that were key to success. President of star up restaurant concept. Held position of Corporate Ombudsman reporting to the CEO. Mediated cases regarding franchisee - corporate relationship and employee - management issues.

Employer

Job Title

---

## Party Affiliation

### Party Affiliation \*

---

Republican

---

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---

I Agree

### Signature (type full name below)

---

Edwin S Murray

**Application Form****Profile**

Edwin

First Name

S

Middle  
Initial

Murray

Last Name

murrayed9@gmail.com

Email Address

26 Devonshire Dr

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---

I Agree

### Signature (type full name below)

---

Edwin S Murray

Yes, the Ledyard Republican Committee supports Edwin Murray for this ADHOC Committee. He will bring a wealth of knowledge and experience to this committee.

Joe Gush

Ledyard RTC Nominating Committee Chairman



File #: 26-0843

Agenda Date: 6/10/2026

Agenda #: 3.

FINANCIAL BUSINESS REQUEST (FBR)

**Motion/Request:**

MOTION to approve a water rate increase to become effective on July 1, 2026 as recommended by the WPCA; in accordance with Ordinance #400-001 “*An Ordinance Creating a Water Pollution Control Authority for the Town of Ledyard*”)

**Background:**

Groton Utilities notified the WPCA that they would be increasing the cost of water. .

The WPCA held a Public Hearing on May 26, 2026 to present the a water rate increase to the Ratepayers; as it would be included in the upcoming Fiscal Year 2025/2026 Water Operations Budget. (see attached).

In accordance with Ordinance #400-001 “*An Ordinance Creating a Water Pollution Control Authority for the Town of Ledyard*”)

*Section 5. Establishing Benefit Assessments and Setting Rates*

*The WPCA shall review and recommend rates for use and shall be responsible for holding a public hearing at which all the users of the water system and the owners of the property served or to be served and others interested shall have an opportunity to be heard concerning such proposed rate or charge. Notice of such hearing shall be given, at least ten days before the date set therefore, in a newspaper having a circulation in such Town of Ledyard. Such notice shall set forth a schedule of rates or charges, and a copy of the schedule of rates or charges established shall be kept on file in the office of the WPCA administrative staff and in the office of the town clerk of the Town of Ledyard, and shall be open to inspection by the public.*

*Upon completion of the process to establish user rates, as set forth in CGS Chapter 102, Section 7-239, the Town Council shall set just and equitable rates or charges of the water system that shall be sufficient for the payment of expense of operation, repair, replacement and maintenance and foreseeable capital expenses of such system. Benefit assessments; and connection fees shall be established by the WPCA and approved by the Town Council. (see attached Ordinance)*

**Department Comment/Recommendation:**

(type text here)

**Finance Director Comment/Recommendation:**

(type text here)

**Mayor Comment/Recommendation:**

(type text here)



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

**File #:** 26-0832

**Agenda Date:** 6/10/2026

**Agenda #:** 4.

## FINANCIAL BUSINESS REQUEST (FBR)

### **Motion/Request:**

MOTION to set Fiscal Year 2026/2027 a Real Estate and Personal Property Mil Rate of 25.78.

### **Background:**

In accordance with Chapter VII; Section 5:”Duties of the Town Council on the Budget”

The resolution adopting the budget shall contain in detail the budget recommended by the Town Council as filed with the Town Clerk. Following adoption of the budget by the annual Town Meeting, **the Town Council shall, prior to the first day of July, fix the tax rate in mils** which shall be levied on taxable property in the Town for the ensuing fiscal year.

### **Department Comment/Recommendation:**

#### **Finance Committee Meeting 5/6/2026:**

The Finance Committee discussed the Plan below for the allocation of the Additional Supplemental State Revenues; and agreed to work toward setting a Mill Rate that would not exceed the adjusted/equalized Mill Rate:

- *Supplemental Education Aid (ECS) \$481,304; and*
- *Supplemental Pequot-Mohegan \$1,703,834.*
- Total: \$2,185,138*

- ✓ Reduce the \$1.8 million Mill Rate Stabilization Fund Revenue by \$765,000; to a new adjusted allocation of \$1,089,535
- ✓ Assumes the additional education aid (\$481,304) and town aid (\$1,703,834)
- ✓ Mill Rate of 25.78. This mill rate would match the prior year equalized mill rate.

### **Finance Director Comment/Recommendation:**

### **Mayor Comment/Recommendation:**

(type text here)



## Roxanne Maher

---

**From:** Matthew Bonin  
**Sent:** Wednesday, May 27, 2026 11:41 AM  
**To:** Roxanne Maher  
**Subject:** FW: follow-up to last night's discussion



Matthew Bonin, CPA  
Director of Finance  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard, CT 06339  
Office: (860) 464-3235  
[www.ledyardct.org](http://www.ledyardct.org)

Town Hall hours are 7:30AM-4:45PM Mon-Thurs

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**From:** Matthew Bonin  
**Sent:** Thursday, May 7, 2026 8:08 AM  
**To:** Timothy Ryan <[tryan@ledyardct.org](mailto:tryan@ledyardct.org)>; Jessica Buhle <[Jbuh@ledyardct.org](mailto:Jbuh@ledyardct.org)>; Carmen Garcia Irizarry <[CGIri@ledyardct.org](mailto:CGIri@ledyardct.org)>  
**Cc:** Fred Allyn, III <[mayor@ledyardct.org](mailto:mayor@ledyardct.org)>; Gary St. Vil <[GSVil@ledyardct.org](mailto:GSVil@ledyardct.org)>  
**Subject:** follow-up to last night's discussion

Good Morning,

Following up on last night's discussion regarding reducing the mill rate stabilization fund contribution to yield a mill rate of 25.78.

A reduction to the mill rate stabilization fund contribution of \$765,000 down to \$1,089,535 would yield a mill rate of 25.78 which would match the prior year equalized mill rate.

This assumes the additional education aid (\$481,304) and town aid (\$1,703,834) are also factored in.

Thank you,

Matt



Matthew Bonin, CPA  
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# Adopted FY 27 State Budget Adjustments

## Municipal Aid for: Ledyard

5/3/2026

	Est. FY 26	Orig. FY 27	Adjust. FY 27	\$ Change Adjust. v. FY 26	% Change Adjust. v. FY 26	\$ Change Adjust. v. Orig. FY 27	% Change Adjust. v. Orig. FY 27
Adult Education	25,840	30,558	29,786	3,946	15.3%	(772)	-2.5%
ECS	12,032,619	12,032,619	12,032,619	0	0.0%	0	0.0%
LoCIP	182,572	175,367	182,572	0	0.0%	7,205	4.1%
Pequot-Mohegan	1,391,000	1,391,000	2,191,000	800,000	57.5%	800,000	57.5%
PILOT	1,045,214	1,042,135	1,099,360	54,146	5.2%	57,225	5.5%
Town Aid Road	394,283	393,442	394,283	(0)	0.0%	841	0.2%
Municipal Grants-in-Aid	421,085	421,085	421,085	0	0.0%	0	0.0%
Motor Vehicle Reimbursement	445,888	445,888	741,052	295,164	66.2%	295,165	66.2%
Special Ed and Expan Dev	174,861	173,355	149,739	(25,122)	-14.4%	(23,616)	-13.6%
Supplemental Revenue Sharing	0	0	0	0		0	
Supplemental Education Aid	0	0	481,304	481,304		481,304	
Supplemental Pequot-Mohegan	0	0	1,703,834	1,703,834		1,703,834	
<b>TOTAL</b>	<b>16,113,362</b>	<b>16,105,449</b>	<b>19,426,635</b>	<b>3,313,273</b>	<b>20.6%</b>	<b>3,321,186</b>	<b>20.6%</b>