

## Roxanne Maher

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**From:** Roxanne Maher  
**Sent:** Wednesday, October 22, 2025 10:54 AM  
**To:** Town Council Group  
**Cc:** Roxanne Maher  
**Subject:** FW: Request for Legal Opinion – October 8, 2025 Town Council Vote on Ethics Ordinance

| Tracking: | Recipient              | Read                      |
|-----------|------------------------|---------------------------|
|           | Town Council Group     |                           |
|           | Roxanne Maher          |                           |
|           | Jessica Buhle          | Read: 10/22/2025 10:59 AM |
|           | Adrienne L. Parad      | Read: 10/22/2025 11:01 AM |
|           | Timothy Ryan           | Read: 10/22/2025 11:44 AM |
|           | Carmen Garcia Irizarry | Read: 10/22/2025 4:52 PM  |

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**From:** Fred Allyn, III <mayor@ledyardct.org>  
**Sent:** Wednesday, October 22, 2025 10:40 AM  
**To:** Roxanne Maher <council@ledyardct.org>  
**Subject:** FW: Request for Legal Opinion – October 8, 2025 Town Council Vote on Ethics Ordinance

Roxanne,

I don't know if Chairman St. Vil provided the legal opinion from the Town Attorney or not, so I've included it below. This opinion was rendered based on a written request from Chairman St. Vil on October 20, 2025. Given the content (a legal opinion on a pending matter), I thought it appropriate to provide to the Councilors as a whole.

Best,

Fred B. Allyn III



Mayor, Town of Ledyard, CT  
741 Colonel Ledyard Hwy.  
Ledyard, CT 06339  
Tel (860) 464-3221  
[www.ledyardct.org](http://www.ledyardct.org)

NOTICE\* Effective June 11, 2018  
Town Hall hours are 7:30AM-4:45PM Mon-Thurs  
**CLOSED FRIDAYS**

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**From:** Fred Allyn, III  
**Sent:** Tuesday, October 21, 2025 12:12 PM  
**To:** Ritter, Matthew D. <[MRitter@goodwin.com](mailto:MRitter@goodwin.com)>  
**Subject:** RE: Request for Legal Opinion – October 8, 2025 Town Council Vote on Ethics Ordinance

Thank you Matt,

Fred

*Fred B. Allyn III*



Mayor, Town of Ledyard, CT  
741 Colonel Ledyard Hwy.  
Ledyard, CT 06339  
Tel (860) 464-3221  
[www.ledyardct.org](http://www.ledyardct.org)

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**From:** Ritter, Matthew D. <[MRitter@goodwin.com](mailto:MRitter@goodwin.com)>  
**Sent:** Tuesday, October 21, 2025 8:12 AM  
**To:** Fred Allyn, III <[mayor@ledyardct.org](mailto:mayor@ledyardct.org)>  
**Subject:** FW: Request for Legal Opinion – October 8, 2025 Town Council Vote on Ethics Ordinance



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

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**From:** Ritter, Matthew D.  
**Sent:** Tuesday, October 21, 2025 7:24 AM  
**To:** Gary St. Vil <[GSVil@ledyardct.org](mailto:GSVil@ledyardct.org)>  
**Subject:** RE: Request for Legal Opinion – October 8, 2025 Town Council Vote on Ethics Ordinance

Gary – The Freedom of Information Commission has consistently held that a meeting agenda “must fairly apprise the public of the action proposed” and “of the matters to be taken up at the meeting in order to [permit the public] to properly prepare and be present to express their views.” See Zoning Board of Appeals of the Town of Plainfield v. Freedom of Information Commission (Docket No. CV 99-047917-S, 2000 WL 765186 (superior court, judicial district of New Britain, May 3, 2000)).

On October 8, 2025, the agenda item on the Town Council agenda was as follows:

“Discussion and possible action to review and consider text amendments to the proposed “An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission” in preparation to present at a Public Hearing.”

A plain reading of the agenda item indicates that the Town Council planned to discuss and possibly take action on “text amendments” to the ordinance and that these text amendments were to be made “in preparation to present at a Public Hearing.” That language indicates that the Town Council was planning on having an additional public hearing after the text amendments were adopted. It calls into question whether the public was fairly apprised of the action taken that night to adopt the ordinance in full.

Section 1-225(c) of the General Statutes does authorize a legislative body to add items to a regular meeting agenda “ [u]pon the affirmative vote of two-thirds of the members of a public agency present and voting.” However, the minutes do not indicate that a motion was made to add an item to the agenda to formally adopt the ordinance. In addition, the final vote was 5-3-1 so the 2/3 vote threshold was not met even if the minutes are incomplete and do not properly reflect a motion to add an item to the agenda.

It is also worth noting that the motion in the meeting minutes (See Page 14 of 25) does not mirror the agenda item. The motion that was made and seconded is to “adopt a proposed ‘An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission as presented in the draft dated September 10, 2025.’” The motion is then amended it appears to change the date from September 10, 2025 to October 8, 2025. The motion differs from the agenda item in that it adopts the ordinance as opposed to text amendments and there is no mention of the language “in preparation to present at a Public Hearing.” The motion also changes the date of the draft under review which provides further concern that the public was not properly informed of the action to be taken at the meeting.

Based upon my review above, I believe that Section 1-225(c) was violated and the Town Council should consider that the Freedom of Information Commission (“FOIC”), if a complaint were filed, may hold that the October 8, 2025 action is null and void.

The FOIC has an ombudsman who is very helpful in advising municipalities in situations like this. With the Town Council’s permission, I can reach out to the ombudsman and get his feedback.

Thanks, Matt



Matthew D. Ritter  
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**From:** Gary St. Vil <[GSVil@ledyardct.org](mailto:GSVil@ledyardct.org)>  
**Sent:** Monday, October 20, 2025 11:05 PM  
**To:** Ritter, Matthew D. <[MRitter@goodwin.com](mailto:MRitter@goodwin.com)>  
**Subject:** Request for Legal Opinion – October 8, 2025 Town Council Vote on Ethics Ordinance

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

Dear Attorney Ritter,

I am requesting your formal legal opinion regarding the procedure followed by the Town Council during its October 8, 2025 meeting when it voted on the proposed “*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission.*”

Please review whether the Council’s actions that evening were consistent with the requirements of **Connecticut General Statute** (including § 1-225(c), which governs agenda posting and amendments) as well as any applicable provisions of the **Ledyard Town Charter** and the **Town Council’s Rules of Procedure**. Specifically, your opinion should address:

1. Whether the October 8, 2025 Town Council agenda and subsequent vote to adopt the ordinance complied with the statutory and charter requirements for agenda content and posting.
2. Whether the procedure used to introduce and act upon the motion was consistent with accepted statutory practice for municipal legislative bodies.

For your convenience, I am attaching:

- The October 8, 2025 Town Council Meeting Agenda (which was posted online on October 2, 2025)
- The Draft Minutes of that meeting (TC-MIN-2025-10-08.pdf)
- Town Council’s Rules of Procedure

Please provide your written opinion **no later than Tuesday, October 22, 2025, by 5:00 p.m.**, so it may be available for reference at that evening’s regular meeting.

Respectfully,  
**Gary A. St. Vil**  
Chairman, Ledyard Town Council

860-980-0656

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