TOWN OF LEDYARD
CONNECTICUT

Town Council

~ AGENDA ~

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

Chairman Gary St. Vil

Public Hearing

Monday, November 10, 2025 **5:00 PM** **Town Hall Council Chambers**

In-Person: Council Chambers Town Hall Annex
Remote: Information noted below:

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

https://us06web.zoom.us/launch/edl?muid=0ec0d0ed-c495-4aa5-adaa-ac97f88014e2
or by audio only dial: +1 646 558 8656 Meeting ID: 872 3852 2319; Passcode: 298911

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

VI. PROCEDURE OF THE PUBLIC HEARING

VII. CALL OF THE PUBLIC HEARING

Public Hearing- Legal Notice- November 10, 2025 at 5:00 p.m. "An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission," as revised on or about October 29, 2025.

Attachments:
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 ADDITONAL 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

IV. PRESENTATIONS

Presentation "An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission" as updated on or about October 29, 2025.

Attachments:
10-29 Clean Copy with Employee and Public Feedback-TRACK CHANGES
Amendments to Ethics Ordinance
10-29 Clean Copy with Employee Feedback
BUHLE EMAIL-2025-10-28-TRANSMITTING ADDITONAL CORRESPONDENCE-REDLINE
Secondary Attorney Revisions Clean Copy 10-28
Secondary Attorney Revisions Redline 10-28
Final Draft with Attorney Revisions - Clean Copy
BUHLE-ATTORNEY-PROPOSED ETHICS ORDINANCE-EMAIL COMMUNICATION-2025-10-27
Modified Draft with Attorney Revisions
Modified Draft with Attorney Revisions-with communcations email
Redline Glastonbury to Ledyard ordinance
Ethics Ordinance DRAFT-2025-10-27
Code of Ethics Searchable Version-GLASTONBURY
Attorny Legal Oinion-Ethics Ordinance Adopted October8-2025-email-2025-10-22
MEMO TRANSMITTING MAYOR LTR VETO-ORDINANCE ESTABLISHING ETHICS COMMISISON-2025-10-16
Exhibit 1_Comments to Ordinance_MRitter_10.15.2025
Exhibit 2 Parks & Recreation Director Ordinance Comments 10.14.2025
Exhibit 3_JBuhle Correspondence 10.9.2025
TC-MIN-2025-09-24-PUBLIC HEAIRNG
DRAFT CODE OF ETHICS AND ETHICS COMMISSION-ADMIN MTG-2025-09-10
AN ORDINANCE ESTABLISHING A TOWN OF LEDYARD CODE OF ETHICS AND ETHICS-ATTORNE RED LINE DRAFT
AN ORDINANCE ESTABLISHING A TOWN OF LEDYARD CODE OF ETHICS AND ETHICS-RITTER-22434477-v2
Ethics Ordinance - FAQ- J-Buhle-2025-09-10
DRAFT CODE OF ETHICS AND ETHICS COMMISSION-JESSICA-2025-09-08
Town Attroney-Ethics Odinance-email-2025-07-24
DRAFT_AN ORDINANCE ESTABLISHING A TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSIONDRAFT-2025-06-11-CLEAN COPY
SCHROEDER - Proposed Changes CoE 9_10_2025
Ball-Ethics Commisson email-2025-08-21
Schroder ltr-Proposed Ordinance Creating a Code of Ethics & Ethics Commisison-Attorney Comments-2025-08-06
Acknowledgement Form-Code of Ethics-DRAFT.docx
Town Charter-Investigation-Conflict of Interest
Fraud Policy - Adopted-2014-05-28

CGS - CHAPTER 10-ETHICS PUBLIC EMPLOYEES.docx
Ethics Commission- Fothergill-dmail-2024-09-13
Ethics Commission- Franzone emaill-2024-09-13
Ethics Commission- Lyons-emaill-2024-09-13
Ethics Commission- Wilkinson-emaill-2024-09-13
Ethics Commission-Samos-email-2024-09-24
Ethics Commisison - Wilkinson-email-2024-11-18
Ethics Commission-Edwards email-2024-12-07
EThis Commission-Porazzi-email-2024-12-11
Ethics Commisison-Schroeder ltr-2024-12-11
Jelden-Ethics Commission-email-2024-12-16
Murray - Ethics Commission-email-2025-1-08
Ethics Commission Ordinance-Ball email-2025-02-02
House of Representatives HB 6502 Ethics Reform 2008-07-09.pdf
ACC Municipal Ethics - Minimum Provisions (2019).docx
Representative France-Code of Ethics E-mail 2019-03-04.pdf
Ethics Commisison-Ball-email-2025-02-02
Kil Ethics Commission email-2025-01-10
RTC Ethics Commission email-2025-01-10
S Pealer Ethics Commission email-2025-01-10
Saums Ethics Commission email-2025-01-10
Cherry-Ethics Commission Draft Ordinance-email-2025-02-12
D-Pealer-Ethics Commission-email-2025-02-12
Hellekson-Ethics Commissioneemail-2025-02-12
Lamb Third Party Flags-Ethics Commission--email- 2025-02-12
Cassidy -email-2025-02-11-Ethics Commission
D-Pealer Ethics Commission email-2025-02-11
Hurt-Ethics Commission- email-2025-02-11
Siegel-Miles-Ethics Commission--email-2025-02-11
Shelton email-Ethics Commission-2025-03-11
Roberts-Pierson-Ethics Commision-email-2025-04-01
Consolini -ETHICS COMMISSION-EMAIL-2025-04-07
Larson-Ethics Commission-2025-04-08
Schroeder -ETHICS COMMISSION-EMAIL-2025-04-07
Berry-Ethics Commisstion-ltr -2025-04-08- Page 1-
Berry-Ethics Commisstion-ltr -2025-04-08- Page 2-
Khors-Ethics Commisstion-ltr -2025-04-08
Christy-Fogg-DEI-In Schools-email-2025-04-08
Porazzi-Ethics Commisstion-ltr -2025-04-08
Zeronsa-Ethics Commisstion-ltr -2025-04-08
Atwood-Ethics Commission-email-2025-04-08
Franzone-Ethics Commisstion-ltr -2025-04-08
MURRAY-PROPOSED ORDINANCE ETHICS
COMMISSION-PUBIC HEARING-EMAIL-2025-10-28

Administrator of Emergency Serivces -Buhle email thread-Comments on Ethics Ordinance-2025-`0-28
Administrator of Emergency Serivces -Buhle-Mayor email thread-Comments on Ethics Ordinance-Vehicle Useage Policy-2025-`0-28
Police Chief -Buhle--email thread-Comments on Ethics Ordinance-2025-`0-29-Vehicle Usage Policy
Buhle-Attorney -email thread-Comments on Ethics Ordinance-2025-`0-29-Vehicle Usage Policy
Mayor-Comments Proposed Ethics Ordinance ltr-2025-10-29

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

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.

File #: 25-2449 **Agenda Date:** 11/10/2025 **Agenda #:**

POLICY-PROCEDURE

Motion/Request:
Public Hearing- Legal Notice- November 10, 2025 at 5:00 p.m. "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission,"* as revised on or about October 29, 2025.

Background:

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/launch/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

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In accordance with the Town Charter; 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.

Legal Notice :

Proposed Ordinance:

Chairman Gary St. Vil

TOWN OF LEDYARD
CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339-1551
(860) 464-3200
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/launch/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.

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

DRAFT: 10/29/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 1st 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. 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 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 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: _____

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> 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
www.shipmangoodwin.com

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From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Monday, October 27, 2025 7:30 PM
To: Ritter, Matthew D. <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

> 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 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
MRitter@goodwin.com
www.shipmangoodwin.com

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From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Monday, October 27, 2025 4:09 PM
To: Ritter, Matthew D. <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

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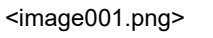

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 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 1st 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. 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 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: _____

_____

Gary St. Vil, Chairman

Approve/Disapprove on: _____ _____

Fred B. Allyn , III, Mayor

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 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 1st 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. 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 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: _____

_____

Gary St. Vil, Chairman

Approve/Disapprove on: _____ _____

Fred B. Allyn , III, Mayor

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 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 1st 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.

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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).

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a. Structure

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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

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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.

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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.

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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. 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 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: _____

_____

Gary St. Vil, Chairman

Approve/Disapprove on: _____ _____

Fred B. Allyn , III, Mayor

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 1st 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.
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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. 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 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

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 1st 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. 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 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

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

> 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 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.

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
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.

From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Monday, October 27, 2025 4:09 PM
To: Ritter, Matthew D. <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

Disclaimer

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DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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~~n~~ 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~~n~~ 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(c)(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 1st 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.

~~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).~~

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(c) and 2-69(d) of the Code~~.

5. ~~The Commision 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. 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 (c) 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 (c) hereof and pursuant to G.S. 1-82a.~~

2. Advisory opinions ~~for matters not treated as inquiries under subsection (c) hereof~~ reviewed in open sessions 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 reagarding 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. 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 meetingor 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 reviewa 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 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 Secion 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

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 1st 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. 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 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 Secion 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 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

INTRODUCED: **OCTOBER 8, 2, 2013**
PUBLIC HEARING: **OCTOBER 22, 2013**
ADOPTED: **OCTOBER 22, 2013**
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EFFECTIVE DATE: **NOVEMBER 8, 2013**

DIVISION 3. CODE OF ETHICS
REVISION DATED OCTOBER 22, 2013

Sec. 2-56. - Declaration of policy and purpose.

Sec. 2-57. - Definitions.

Sec. 2-58. - Ethics Commission.

Sec. 2-59. - Consultants.

Sec. 2-60. - Confidential information.

Sec. 2-61. - Use of influence.

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Sec. 2-64. - Conflict of interest.

Sec. 2-65. - Disclosure and disqualification.

Sec. 2-66. - Incompatible employment and activities.

Sec. 2-67. - Penalty for violation.

Sec. 2-68. - Acknowledgment form.

Sec. 2-69. - Ethics Commission rules of procedure.

Sec. 2-70. - Reserved.

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. 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. 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 reviewa 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.

File #: 25-2715 **Agenda Date:** 11/10/2025 **Agenda #:**

ORDINANCE

Motion/Request:
Presentation "A*n Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission"* as updated on or about October 29, 2025.

Background:

Town Council Special Meeting - October 29, 2025 - The Town Council did not Remove from the Table override the Mayor's disapproval/veto dated October 16, 2025 and approved the *"An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission"* as approved by the Town Council at their October 8, 2025 meeting.

Administration Committee Special Meeting - October 29, 2025 - The Administration Committee reviewed a *"An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission"* and took actions to incorporate public feedback, staff feedback and recommendations provided by the Town Attorney.

The Administration Committee forwarded a recommendation to the Town Council to adopt a proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" *"* as updated on or about October 29, 2025. (Please see both a Clean Draft and a Track Changes Draft).

Town Council Meeting - October 22, 2025: Approved the following:

Tabled the following Motion to a date to be determined by the Chairman:
MOTION to override the Mayor's disapproval/veto dated October 16, 2025 and approved the *"An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission"* as approved by the Town Council at their October 8, 2025 meeting.

Mayor VETO- October 16, 2025: (Please see attached Mayor's letter dated 10/16/2025)

In accordance with the Town Charter, I am transmitting *"Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission for the Town of Ledyard* which the Mayor stated his disapproval in his letter dated October 16, 2025 listing his reasons for not approving the proposed Ordinance.

Chapter III, Section12 of the Town Charter states the following:

Every ordinance, except an emergency ordinance or an ordinance relating to the Town Council or its procedures, shall, before it becomes effective, be certified to the Mayor for his approval within seven (7) days of the final passage by the Town Council. The Mayor shall sign the proposed ordinance, if he approves it, whereupon, subject to the provisions of

Section 5 of this Chapter, it shall become effective. If he disapproves a proposed ordinance, he shall, within five (5) days of its receipt by him, return it to the clerk of the Town Council with a statement of the reasons for his disapproval, which statement shall be transmitted by said clerk to the Town Council at its next meeting.

If the Town Council shall pass the proposed ordinance by an affirmative vote of at least six (6) members within fourteen (14) days after such ordinance has been returned with the Mayor's disapproval, it shall become effective without his approval subject to said Section 5. *If the Mayor does not return the proposed ordinance within the time required, it shall become effective without his approval subject to said Section 5.*

Town Council Meeting - October 8, 2025: Town Council approved Amendments to the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" dated September 10, 2025 as follows:

- ✓ ***Section 4, paragraph 3b,*** remove the phrase "~~spouse or minor child~~" and replace it with "***or immediate family of***".
- ✓ ***Section 4, paragraph*** 8, Town Employee definition will be modified to add the phrase, ***"including outsourced administrative or executive professionals, including but not limited to consultants and the Town Attorney***"
- ✓ ***Section 5, paragraph 3,*** add the phrase, "***unless the contract or purchase order is awarded through the traditional bid or quote process and conflict is disclosed.***"
- ✓ ***Section 5, paragraph 4,*** add the following sentence, "***This provision does not apply to Town employees or Board of Education employees providing recreational services including but not limited to classes, coaching, camp counseling through Ledyard Parks and Recreation or Ledyard Board of Education".***
- ✓ ***Section 7, paragraph 1b6***, add the phrase "***unless disclosed to the Ethics Commission.***"

And adopted a proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" dated October 8, 2025.

October 14, 2025: The adopted Ordinance was certified/signed and submitted to the Mayor.

Public Hearing- September 24, 2025

As a follow-up to September 24, 2025 Public Hearing, Chairman St. Vil requested from the Town Council the following deliverables.

1) Resident Questions & Responses
For the September 24, 2025 Public Hearing on the proposed **"Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"** (draft attached), please submit:

- **The question** you wish to address (as stated at the hearing).
- **Your written response** (suitable for the official record).
- **Deadline:** Wednesday, October 1, 2025 (email to Town Council Office).

These Q&As will be included in the 9/24/2025 Public Hearing Minutes as "Post Meeting Notes."
2) Proposed Amendments

A discussion on the proposed ordinance is planned for the October 8, 2025 Town Council meeting. To ensure a productive, collaborative session:

- Review the draft ordinance and the hearing video (**Town Council - 2025-09-24 5:00 PM - Public Hearing**).
- If there are issues preventing your support, **propose solutions in full amendment text** (additions/removals), ready for debate and a vote for inclusion on October 8.
- **Deadline:** Wednesday, October 1, 2025 (email amendment text to the Town Council to be included the meeting packet).

The Administration Committee began working to draft a Code of Ethics and Ethics Commission on June 12, 2024 under the Committee Chairmanship of Councilor Garcia-Irizarry.

March, 2025 changes were made Standing Committees with Councilor Buhle being assigned as Committee Chairman of the Administration Committee.

The Committee spent several months receiving residents comments and drafting a proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*.

- ***June 23, 2025*** the Administration Committee forwarded a draft Ordinance dated June 11, 2025 to Town Attorney Matt Ritter for his legal review and recommendations.

- ***June 25, 2025*** Councilor Buhle and Attorney Ritter spoke by telephone about the proposed Ordinance.

- ***July 14, 2025*** Attorney Ritter provided a Red Line document with his legal recommendations
- ***August 6, 2025*** Administration Committee Meeting; Councilor Buhle asked the Administration Committee to review Attorney Ritters comments and recommendation for discussion at their September 01, 2025 meeting.

- ***September 8, 2025*** Councilor Buhle provided a revised draft "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethic Commission"*.(dated July 8, 2025).

- ***September 10, 2025*** Administration Committee Meeting the Committee reviewed the revised draft provided by Councilor Buhle and made a change to the Section 8 "*Penalties for Violations of the Code of Ethics* "(f) to strike the following langue ***"and/or removal from elected or appointed office***" as noted below:
  - Termination of employment ~~and/or removal from elected or appointed office;~~

- And forwarded a proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethic Commission"* presented in the draft dated September 10, 2025 to the Town Council for approval and also recommend setting a Public Hearing on September 24, 2025.

- ***September 10, 2025*** Town Council Meeting - Set Public Hearing on September 24, 2025 to receive public comment on the *An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethic Commission"* presented in the draft dated September 10, 2025.

- ***September 24, 2025*** Public Hearing - 20 Residents/Town Staff provided comments regarding the proposed Ordinance.

June, 2024 At the request of Residents, Chairman Rodriguez referred the subject of an Ethics Commission to the Administration Committee.

Over the years previous Town Councils have discussed establishing an Ethics Commission.

Please find attached the following documentation:

- Draft Ordinance Establishing a Town of Ledyard Code of Ethics
- Acknowledgement Form
- Fraud Policy
- Town Charter- Investigation-Conflict of Interest
- Attorney Dietter email re: Review draft Ordinance
- ACC Municipal Ethics Minimum Provisions
- Former State Representative France email dated 3/4/2019
- CGS Chapter 10 Ethics Public Employees
- State Representative Reynolds memo dated July 9, 2008 re: House Bill 6502- Ethics Reform

Department Comment/Recommendation:
(type text here)

Mayor Comment/Recommendation:
(type text here)

Body:
(type text here)

DRAFT: 10/29/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 1st 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. 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 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 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: _____

Signed/Certified on: _____ _____

Gary St. Vil, Chairman

Approve/Disapprove on: _____ _____

Fred B. Allyn , III, Mayor

I make a motion to amend the proposed ordinance:

In Section 5a, I would like to add the following language, with exact language suggested by Town Attorney Matt Ritter:

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.

In Section 5e, I would like to add the following, with exact language suggested by Attorney Ritter:

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.

In Section 14. C. 4 . v., I would like to add the following language, which has been reviewed and agreed upon by Attorney Ritter:

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.

DRAFT: 10/29/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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. 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 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. 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 1st 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. 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 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 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.

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 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

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> 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

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
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.

From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Monday, October 27, 2025 7:30 PM
To: Ritter, Matthew D. <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

> 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 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.

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
www.shipmangoodwin.com

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From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Monday, October 27, 2025 4:09 PM
To: Ritter, Matthew D. <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

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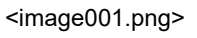

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 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 1st 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. 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 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: _____

_____

Gary St. Vil, Chairman

Approve/Disapprove on: _____ _____

Fred B. Allyn , III, Mayor

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 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 1st 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. 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 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: _____

_____

Gary St. Vil, Chairman

Approve/Disapprove on: _____ _____

Fred B. Allyn , III, Mayor

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING A
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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 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 1st 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. 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 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: _____

_____

Gary St. Vil, Chairman

Approve/Disapprove on: _____ _____

Fred B. Allyn , III, Mayor

Roxanne Maher

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

> 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 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.

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
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.

From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Monday, October 27, 2025 4:09 PM
To: Ritter, Matthew D. <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

Disclaimer

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DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 1st 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. 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 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

DRAFT: 10/27/2025

Ordinance # _____

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

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

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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 1st 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. 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 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

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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~~n~~ 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~~n~~ 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(c)(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 1st 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.

~~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).~~

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(c) and 2-69(d) of the Code~~.

5. ~~The Commision 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. 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 (c) 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 (c) hereof and pursuant to G.S. 1-82a.~~

2. Advisory opinions ~~for matters not treated as inquiries under subsection (c) hereof~~ reviewed in open sessions 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 reagarding 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. 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 meetingor 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 reviewa 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 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 Secion 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

DRAFT: 10/27/2025

Ordinance # _____

AN ORDINANCE ETABLISHING 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 1st 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. 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 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 Secion 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 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

INTRODUCED:	**OCTOBER 8, 2, 2013**
PUBLIC HEARING:	**OCTOBER 22, 2013**
ADOPTED:	**OCTOBER 22, 2013**
PUBLISHED:	**OCTOBER 29, 2013**
EFFECTIVE DATE:	**NOVEMBER 8, 2013**

DIVISION 3. CODE OF ETHICS
REVISION DATED OCTOBER 22, 2013

Sec. 2-56. - Declaration of policy and purpose.

Sec. 2-57. - Definitions.

Sec. 2-58. - Ethics Commission.

Sec. 2-59. - Consultants.

Sec. 2-60. - Confidential information.

Sec. 2-61. - Use of influence.

Sec. 2-62. - Gifts and favors.

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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. 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. 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 reviewa 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.

Roxanne Maher

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

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

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

From: Fred Allyn, III
Sent: Tuesday, October 21, 2025 12:12 PM
To: Ritter, Matthew D. <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

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

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

SHIPMAN

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
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.

From: Ritter, Matthew D.
Sent: Tuesday, October 21, 2025 7:24 AM
To: Gary St. Vil <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 nothing 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

SHIPMAN | **Matthew D. Ritter**
Shipman & Goodwin LLP | Tel: (860) 251-5092
Fax: (860) 251-5212

Partner
One Constitution Plaza
Hartford, CT 06103-1919

MRitter@goodwin.com
www.shipmangoodwin.com

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Disclaimer: Privileged and confidential. If received in error, please notify me by e-mail and delete the message.

From: Gary St. Vil <GSVil@ledyardct.org>
Sent: Monday, October 20, 2025 11:05 PM
To: Ritter, Matthew D. <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

Disclaimer

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TOWN OF LEDYARD
CONNECTICUT

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

Chairman Gary St. Vil

MEMORANDUM

DATE: October 16, 2025
TO: Ledyard Town Council
FROM: Roxanne M. Maher, Administrative Assistant RM
To the Ledyard Town Council

Subject: *"Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission for the Town of Ledyard"*

In accordance with the Town Charter, I am transmitting *"Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission for the Town of Ledyard* which the Mayor stated his disapproval in his letter dated October 16, 2025 listing his reasons for not approving the proposed Ordinance.

Chapter III, Section12 of the Town Charter states the following:

Every ordinance, except an emergency ordinance or an ordinance relating to the Town Council or its procedures, shall, before it becomes effective, be certified to the Mayor for his approval within seven (7) days of the final passage by the Town Council. The Mayor shall sign the proposed ordinance, if he approves it, whereupon, subject to the provisions of Section 5 of this Chapter, it shall become effective. If he disapproves a proposed ordinance, he shall, within five (5) days of its receipt by him, return it to the clerk of the Town Council with a statement of the reasons for his disapproval, which statement shall be transmitted by said clerk to the Town Council at its next meeting.

If the Town Council shall pass the proposed ordinance by an affirmative vote of at least six (6) members within fourteen (14) days after such ordinance has been returned with the Mayor's disapproval, it shall become effective without his approval subject to said Section 5. *If the Mayor does not return the proposed ordinance within the time required, it shall become effective without his approval subject to said Section 5.*

Should you have any questions, please feel free to contact me.

Thank you.

TOWN OF LEDYARD
CONNECTICUT
OFFICE OF THE MAYOR

Fred B. Allyn III
Mayor

Kristen Chapman
Executive Assistant to the Mayor

741 Colonel Ledyard Highway
Ledyard, CT 06339-1551
(860) 464-3222
FAX (860) 464-8455

October 16, 2025

Ledyard Town Council
C/O Chairman Gary St. Vil
741 Colonel Ledyard Hwy.
Ledyard, CT 06339

RE: Disapproval of Ordinance #100-021

Chairman St. Vil,

I return to you the attached Ordinance #100-021 which is disapproved. Also attached are 2+ pages of comments from the Town Attorney, indicating issues with the document as well as 2 pages of comments from Parks and Rec Director Scott Johnson Jr. My concern is and continues to be a lack of a proper ordinance that reasonably addresses concerns raised in prior meetings, reduces liability exposure to the Town, does not adversely impact Parks and Rec programming for our residents and does not become a political weapon- as demonstrated in Montville and Waterford most recently. The Town Attorney has stated "he cannot defend this ordinance". Of grave concern is another attachment, which is Councilor Buhles reply email to me on Thursday, October 9th at 11:30AM. (You are provided both my email to her and her response to me). The one line response "I am working on it now and anticipate having it to you shortly" flies right in the face of governmental transparency as the Town Council voted on this ordinance the previous night (without the benefit of any Councilor having a copy of the ordinance they were voting on, other than Ms. Buhle). This email does not suggest, it says that she is ***working on an ordinance that was passed the night before.*** No ordinance should be edited in any way after approval- it should be exactly as was voted on the previous night. An ordinance that goes to Public Hearing is meant to be the final draft- it should not be amended post- Public Hearing. Lastly, I want to add further context to a memo you read at the October 8, 2025 meeting authored by Fred Allyn Jr, then Mayor. In said memo, it suggested the town create an ethics commission. What was omitted from the 10/8 meeting is that as part of the forensic audit- completed as a result of the embezzlement by a Town Employee, a decision was made to implement a Fraud Policy, require two sign-off's on checks of a certain dollar threshold, the

tax refund policy and the vehicle use policy. Since that time nearly two decades ago, the implemented policies continue to protect the Town and taxpayers.

As I previously stated in my letter to the Town Council on 9/24/25:

- The Town Charter grants the Town Council the power to investigate.
- The Fraud Policy outlines no less than eight different situations that constitute fraud.
- The Employee Handbook covers Nepotism, Conflict of Interest, Outside Employment and the Vehicle Use Policy.

Lastly, *there is no budget for this new commission or its attorneys.* Please note, the Authority/Duty of the new commission, upon receipt of a complaint is "To consult with The Town Attorney or another attorney" and "To request that the Town Attorney provide advisory opinions". These consultations, investigations and advisory opinions cost money. The Town Attorney has suggested a minimum of $20,000 for such a commission- though it can go markedly higher based on the allegations, if the result is appealed to Superior Court, etc. Also know, the Town is required to provide legal counsel to the accused. Our insurance carrier, CIRMA includes stated deductibles between $1,000 and $10,000 per occurrence.

In closing, please know I do fully support a proper "Code of Ethics" and updating to our Fraud Policy and Conflict of Interest statement, if warranted.

Thank you,

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, and Town employees be independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of governmental structure; that public office and employment not be used for personal gain; and that the public has confidence in the integrity of its government.

Therefore, herewith is an established Code of Ethics for all Town officials and Town employees. The purpose of this code is to establish standards of ethical conduct for all such officials and employees, and for those who serve or conduct business with the Town of Ledyard, to assist those parties under the jurisdiction of the Ethics Commission by establishing guidelines for their conduct in order to maintain a tradition of responsible and effective public service; and to establish rules of procedure to be followed by the Ethics Commission in receiving adjudicating, and reporting on alleged violations of the Code of Ethics.

Section 3. Applicability

The Code of Ethics shall apply to all Town officials, including members of the Board of Education, and all Town and Board of Education employees.

Section 4. Definitions

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

1. *"Complainant"* means any person who signs a complaint under penalties of false statement alleging a violation of this Code.

2. *"Confidential Information"* means information acquired by a Town official or Town employee 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.

3. *"Financial Interest"* means:

   a. Any interest that has a monetary value of more than one hundred dollars ($100.00) in any calendar year and is not common to the other citizens of the Town;

   b. Pecuniary or material benefit accruing to a Town official or Town employee, or immediate family of an official or employee of the Town as a result of a contract, transaction, zoning decision or other matter which is, or may be, the subject of an official act or action by or with the Town of Ledyard except for such contracts of transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all persons and/or property similarly situated;

c. Shall be deemed to exist if any Town official, Town employee, immediate family of a Town official or employee might, directly or indirectly, derive financial gain or suffer loss from any purchase, contract, transaction, zoning decision, or other matter involving any such Town office, board, commission, authority or committee, and shall also be deemed to exist if a business or professional enterprise in which the Town official or employee has any financial interest as owner, member, partner, officer, employee or stockholder or has any other form of participation which will be affected by the outcome of the matter under consideration.

4. *"Gift"* means anything of economic value in excess of one hundred dollars ($100.00), including but not limited to entertainment, food, beverage, travel, and lodging. A gift does not include:

a. A political contribution that is otherwise reported in accordance with the law.

b. Services provided by persons volunteering their time.

c. A commercially reasonable loan that is made on terms not more favorable than loans made in the ordinary course of business.

d. A gift received from a member of a person's immediate family or fiancé.

e. Goods or services which are provided to the municipality and facilitate government actions or functions.

f. A certificate, plaque, or other ceremonial award.

g. 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.

h. Printed or recorded information germane to municipal action or functions.
An honorary degree.

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

j. Any gift provided to a Town Official or Town Employee or to an immediate 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.

5. *"Immediate family"* means spouse, fiancé, child, parent, grandchild, brother, sister, grandparent, niece, nephew, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, or anyone living in the same household.

6. *"Respondent"* means any person accused of violating this Code.

7. *"Town Official"* means any person holding elective or appointive office in the government of the Town, including members of the Board of Education.

8. *"Town Employee"* means any person receiving a salary, wages, or stipend from the Town or the Board of Education for services rendered, whether full-time or part-time, including outsourced administrative or executive professionals, including but not limited to consultants and the Town Attorney.

Section 5. Conflict of Interest Provisions

1. A Town official, Town employee, or any member of his or her immediate family shall not engage in or participate in any business or transaction, nor have an interest, direct or indirect, which is incompatible with the proper discharge of that person or persons' independent judgement or action in the performance of that person or persons' official duties.

2. A Town official or any member of his or her immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by the board, agency or commission of which that person is an elected or appointed member.

3. A Town employee or any member of his or her immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment, or contractual services that is within the purview of such Town employee, unless the contract or purchase order is awarded through the traditional bid or quote process and conflict is disclosed.

4. The Mayor of the Town of Ledyard and members of the Town Council of the Town of Ledyard, members of the Board of Education of the Town of Ledyard, and any members of their immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment, or contractual services furnished to or used by the Town of Ledyard. This provision does not apply to Town employees or Board of Education employees providing recreational including but not limited to classes, coaching, or camp counseling through Ledyard Parks and Recreation or Ledyard Board of Education.

5. A Town official or employee shall refrain from voting upon or otherwise participating in any matter on behalf of the municipality if he or she, a member of his or her immediate family, or a business with which the person is associated has a financial or personal interest in the transaction or contract, including but not limited to the sale of real state, material, supplies, or services to the municipality. If such participation is within the scope of the Town official's or Town employee's responsibility, he or she shall be required to provide written disclosure, that sets forth in detail the nature and extent of such interest.

6. A Town official or Town employee shall not accept or receive, directly or indirectly, from any person or business to which any contract or purchase order may be awarded by the Town of Ledyard or any of its boards, agencies, or commissions any money, rebate, or gifts, or any promise, obligation, or contract for future reward or compensation.

7. No Town officials or employees shall accept a gift or engage in private employment or render services when the gift, employment, or services are incompatible with the proper discharge of the official duties of the Town official or Town employee, or could tend to impair independence of judgement or action by the Town official or Town employee, in the performance of his or her official duties. If a prohibited gift is offered to a Town official or a Town employee, he or she shall refuse it, return it, or pay the donor the market value of the gift.

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

9. A Town official or employee who have a financial or personal interest in any transactions or contract with the Town, including but not limited to the sale of real estate, materials, supplies, or services to the Town, on which that person or persons may be called upon to act in that persons official capacity shall not vote or otherwise participate in the transaction on behalf of the Town. The Town official or employee shall declare on the record that he or she has or have a conflict of interest.

10. No Town official or Town employee shall solicit or accept a gift from any person or business entity which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such Town official or Town employee.

11. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit.

12. No Town official or Town employee shall disclose or use confidential information acquired in the course of and by reason of his or her official duties for personal or financial gain or for the personal or financial gain of a member of his or her immediate family.

13. No Town official or Town employee may directly hire or supervise a member of his or her immediate family or participate in influencing the appointment or hiring of his or her immediate family.

14. No former Town official shall represent anyone before any Town agency, board, commission, council, or committee in which he or she was formerly an elected or appointed member for a period of one (1) year following the end of such former member's service on such agency, board, commission, council, or committee.

15. No former Town employee shall represent anyone before any Town agency or department for which he or she was formerly employed for a period of one (1) year following the end of such former employee's employment with the Town.

Section 6. Disclosure of Interests Required

1. Any Town official or Town employee who has a private financial interest in any action, legislative or otherwise, by any Town agency and who is a member of, participates in discussion with or give an official opinion to such Town agency shall disclose on the written records of such agency the true nature and extent of such interest. This section shall not apply to:

   a. Contracts awarded to the lowest responsible bidder after public advertisement.

   b. Unpaid appointed officials during a declared state of emergency.

   c. Matters requiring disclosure to or approval by a court.

   d. The Town Attorney, Town Engineer, or similar Official, who is participating in or offering an opinion on behalf of said agency, and whose financial interest is merely in being paid for such services.

2. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1st 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 elected official or held under a lease for a term exceeding five years, excluding, however, his or 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 5% 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 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) per annum to the Town of Ledyard during the two 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 or its political subdivisions during the two years immediate proceeding such official's election to public office.

Section 7. Establishment of an Ethics Commission

1. Membership

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.

   a. No more than two (2) Regular Members may be affiliated with any one political party. Both Alternate Members may not be affiliated with the same political party. At least one Regular Member shall be registered as an unaffiliated.

b. No regular member or alternate member of the Ethics Commission shall:

i. Be a Town official or Town employee of the Town of Ledyard or be a member of the immediate family of any Town official;

ii. Have held any elected Town or State office for a period of one (1) year prior to being appointed to the Ethics Commission.

iii. Be a member of a Town committee or commission.

iv. Serve as a member of another Town agency, board, commission, council, or committee.

v. Have been employed by the Town for a period of one (1) year prior to being appointed to the Ethics Commission.

vi. Have any financial interest in matters before the Town or the Board of Education unless disclosed to the Ethics Commission.

vii. Have been found in violation of any federal, state, municipal, or professional Code of Ethics.

2. Terms of Appointment

a. Members shall be appointed by the Town Council for a term of three (3) years and shall serve until their successor has qualified or is removed by the Town Council.

b. 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.

c. Inaugural members shall be eligible to serve two (2) additional three (3) year term beyond his or her initial appointment.

d. Any vacancy on the Ethics Commission, other than by expiration of term, shall be filled for the unexpired portion of the term by the Town Council.

e. 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 or her duties.

f. 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.

3. Authority/Duties

The Town of Ledyard Ethics Commission shall be authorized to perform the following:

a. To consult with the Town Attorney or another attorney hired by the Ethics Commission if so authorized by the Town Council.

b. To request that the Town Attorney provide advisory opinions.

4. Filing of Complaints

A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission and signed under penalty of false statement. The form shall be delivered to the Town Clerk who shall transmit a copy of the complaint to the Chairperson of the Ethics Commission 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:

a. Name of the person accused (respondent)

b. Name of the person filing the complaint.

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

In the application of this Code of Ethics, care will be given to distinguish between concerns of management of Town employees and violations of the public trust. The daily management of employee performance is the responsibility of the Mayor or School Superintendent in the case of the employees of Ledyard Public Schools. Personnel policies should be the first guide in those areas where applicable. Similarly, the routine activities of the Commission should be governed by its rules and regulations.

5. Evaluation and Acknowledgement

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 four (4) affirmative votes, it shall so advise both the complainant and the respondent within ten (10) business days of its finding and begin a formal investigation process.

6. 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 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.

7. Final Decisions

a. 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.

b. The Ethics 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 final decision of the commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provision of Section 4-183 of the Connecticut General Statutes.

d. 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 or her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

8. 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;

g. Restitution of any pecuniary benefits received because of the violation committed;

Section 8. Severability

If any part of this Code 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: October 8, 2025

Signed/Certified on: 10·14·2025

Gary St. Vil, Chairman

Approve/Disapprove on: 10/16/25

Fred B. Allyn, III, Mayor

Published on:

Patricia A. Riley, Town Clerk

Effective Date:

****

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.

6X.1

Fred Allyn, III

From: Ritter, Matthew D. <MRitter@goodwin.com>
Sent: Wednesday, October 15, 2025 1:33 PM
To: Fred Allyn, III; Kristen Chapman
Subject: Comments to Ordinance

Mayor – I hope you can kindly share my comments with the Town Council. I would note that some of my previously suggested edits have been made.

However, I did flag many of the same sections discussed below in my prior draft and I did not review any subsequent drafts after my initial review. In addition, this ordinance appears to be a blend of several other municipal ordinances. In some cases, as I will note below, there are capitalized terms or key terms that are not defined or the ordinance contains redundant sections. I would suggest the Town start over with an ordinance from a single Town and add in provisions to that ordinance. I believe that will lead to a more streamlined review process and avoid inconsistencies within the ordinance.

Comments Below:

1. Definition of a "Financial Interest" – in the new subsection (b) it says "pecuniary or material benefit." A pecuniary benefit is defined in subsection (a) above as anything worth more than $100. I would add a definition to clarify what a "material benefit" is for a Town official or Town employee.

2. I would recommend merging subsections (b) and (c) under the new definition of financial interest because there is little difference between the two definitions. Both provisions are aimed at preventing a Town official or employee from obtaining a financial gain or loss due to official Town action.

However, subsection (c) does not have the same carve out that appears in subsection (b) – "except for such contracts or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all persons and/or property similarly situated."

I also want to clarify the following fact pattern: a BOE secretary has a husband who is an electrician. Can the electrician bid on a Town contract under the new definitions? Is this a "contract or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all persons and/or property similarly situated?"

3. Under the language in subsection (c), if a Town Council member owns $200 worth of stock in a company and that company wants to move to Town, is it a violation of this provision for that member of the Town Council to vote on an agreement with the company to relocate to Ledyard? What if the stock is held in a trust or 401k? Same outcome?

Subection (c) also says that a Town employee has a financial interest if they are an "employee" of a business or professional enterprise that may "directly or indirectly" receive a financial gain or loss as a result of a Town action. These types of sections usually run to the owner (or other high ranking officials) of the company and not regular employees. For example, what if a member of the Planning & Zoning Commission works at CVS as a cash clerk in New London. Are they prohibited from voting on a CVS zoning application in Ledyard?

EX. 1

4. Typo in this sentence: "except for such contracts of transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all persons and/or property similarly situated"… it should say "or" not "of."

5. New definition of immediate family – "anyone living in the same household." Does this include someone who may rent a room and is not related to the owner? What about two roommates who are not related and move in together?

6. Town employee definition has been expanded to include the "town attorney' and "outsourced administrative or executive professionals."

A. Whose responsibility is it to alert every outsourced administrative or executive professionals that they are subject to the Town's Code of Ethics and that they are held to the same standard as Town employees? Will these provisions be part of standard Town contracts?

B. Who is an "outsourced administrative or executive professional?" I would make this a defined term if it is to remain in the ordinance.

C. Under the current draft, if the Town hires an "executive professional", certain provisions of Section 5 apply to the spouse or the child, for example, of that executive professional. Section 5, subsection 6. now provides that the spouse of an executive professional cannot receive a gift from another Town contractor (and in this example neither the executive professional or the Town contractor work for the Town or the BOE). I think the Town will find it difficult, if not legally impossible, to regulate non-Town employees to this extent.

7. Section 5 – I deleted this provision in my original comments because it is a subjective standard as opposed to an objective standard. I think the Ethics Commission and lawyers will have a hard time agreeing on what is "incompatible with the proper discharge" of a person's "independent judgment or action in the performance of that person or person's duties."

8. Section 5, subsection (4) typo: "This provision does not apply to Town employees or Board of Education employees providing recreational including but not limited to classes, coaching, or camp counseling through Ledyard Parks and Recreation or Ledyard Board of Education."

Should it say "recreational services"?

9. Section 5, subsection 6. - A Town official or Town employee shall not accept or receive, directly or indirectly, from any person or business to which any contract or purchase order may be awarded by the Town of Ledyard or any of its boards, agencies, or commissions any money, rebate, or gifts, or any promise, obligation, or contract for future reward or compensation.

What does "may be awarded" mean? I would clarify that it means someone who has bid on a contract or has been awarded a contract.

10. Section 5, Subsection 7. – I would recommend deleting subjective standards. What constitutes private employment that "could tend to impair independence of judgment or action by the Town official or Town employee"?

11. Section 5 – Subsection 8. – what does this mean- "A Town official or a Town employee, not otherwise restrained by the Code"?

Ex. 1

In addition, that same section cites to "Agencies" which is capitalized and not defined elsewhere in the Ordinance.

12. Section 5 – Subsection 12 – what is "personal gain?" It is not defined in the ordinance.

13. Section 5 – Subsection 15 – I am not sure whether the Town can prohibit former employees from working in a job for 1 year after leaving Town service. I am OK with the language as it applies to former Town officials but Town employees may have a claim as to the legality of this provision.

EX.2

Sections 1&2:

- Both sections mention establishing a "Code of Ethics" and "standards of ethical conduct" (section 2). Where is the Code of Ethics or standards of ethical conduct?

Section 3:

- "Shall apply to all" groups town, BOE employees and officials together. In a small town essentially every PR&SC instructor falls into one of those 4 categories. Note: Program Instructors are paid as 1099 contractors for classes, Town/ BOE employees are W-2 creating the "conflict of interest". Same applies to volunteer officials.

Section 4:

- 3.(a) "is not common to the other citizens of the town" Does this sufficiently cover instructors?
- 4.(d) "*or fiancé*" Not needed, fiancé is already defined as "Immediate family" in Sec. 5
- 5. "*anyone living in the same household*" This means we can't hire roommates, further restricting ability to hire camp staff.
- 8. Classifying contractors as "town employees" has major concerns
    - Contracts are already executed and this would require amendments.
    - Possible conflicts with Fed/ State grants.

Code of Ethics?:

- Where is the Code of Ethics- should be after definitions? A Code of Ethics is referenced multiple times, but one is not included in this ordinance. If a Code of Ethics from another source is used (ex. charter, employe handbook) it should be referenced.

Section 5:

- 3. "Unless the contract or purchase order is awarded through the traditional bid or quote process and conflict is disclosed." Instructors don't go through the traditional bid or quote process. The conflict is disclosed to HR.
- 3. Concerns with P&R maintenance contractors due to newly added language. This will not allow us to use our maintenance contractors for things that are not included in the initial contract. Example M&M Hydroseeding recommends after soil testing that we apply lime to a field. We would currently set up a PO for the lime, and he applies it at the same time as an application covered under the contract so there are no added labor costs.
- 3. Provision from Section 5-4 should be included in 5-3 with correct department name.

- 4. Provision is in wrong section, and the department name is incorrect, should read Parks, Recreation, and Senior Citizens Department. Provision should be kept in this section but worded to allow the Mayor, volunteer board/ commission members, and BOE members to teach. Also, wording is wrong as it states "...employees providing recreational including..."

General Concerns/Result:

- Conflicts with Fed/ State grants that have required ethic/ equal right codes. There are also VERY specific reporting and investigation procedures, who has the authority to conduct that investigation, appeal processes, and timelines for all of the above.
- Loss of $30,690.00 in program fees, almost $7,000.00 in revenue.
- Eliminate more than 15 programs enjoyed by more than 500 residents annually.
- Loss of revenue will result in increased budgetary needs to subsidize Senior Center programs and an increase in camp fees.
- This ordinance eliminates all our inclusive programing. This is a possible Federal ADA violation.
- Reduces our ability to hire summer camp staff because we can't hire roommates or family within the same department. We already have measures in place to hire a siblings/ roommate. We allow it but they work at different camp sites so there are no conflicts or sibling rivalries.
- We would no longer be able to use P&R Assistant Courtney for shirt orders. We do get quotes for substantial orders but some of the companies won't quote an order for 2-3 shirts.

EX. 3

Fred Allyn, III

From: Jessica Buhle
Sent: Thursday, October 9, 2025 11:30 AM
To: Fred Allyn, III
Subject: Re: Redline copy of proposed ordinance

Importance: High

Good morning,

I am working on it now and anticipate having it to you shortly.

Thank you.

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

On Oct 9, 2025, at 11:29 AM, Fred Allyn, III <mayor@ledyardct.org> wrote:

Good morning,

Following up on when I can anticipate receiving the electronic copy of the redline draft of the Town Attorney draft, showing all deletions, additions, edits. Councilor Buhle stated last night that she would send the newly revised copy this morning. The window of time for review is narrow and I will not permit the Town to be exposed to additional liability of not having a final review of an ordinance that has inherent liability risks anyway.

Best,

Fred

Fred B. Allyn III
<image001.png>
Mayor, Town of Ledyard, CT
741 Colonel Ledyard Hwy.
Ledyard, CT 06339
Tel (860) 464-3221
www.ledyardct.org

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

Chairman Gary St. Vil

TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL

MINUTES
PUBLIC HEARING
LEDYARD TOWN COUNCIL
COUNCIL CHAMBERS - ANNEX BUILDING
HYBRID FORMAT

DRAFT
PUBLIC HEARING MINUTES 5:00 PM; SEPTEMBER 24, 2025

I. CALL TO ORDER – Chairman St. Vil called to order the Public Hearing at 5:00 p.m. regarding a proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission"* as presented in the draft dated September 10, 2025.

II. PLEDGE OF ALLEGIANCE

III. PROCEDURE OF THE PUBLIC HEARING

Chairman St. Vil welcomed all to the Hybrid Meeting. He 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.

Chairman St. Vil provided an overview of the procedure of the Public Hearing, and he asked those attending remotely to put their name and address in the "*Chat"* noting that they would be called upon during the Public Comment portion of tonight's meeting.

Chairman St. Vil stated they should all appreciate their differences in perspectives and viewpoint; and therefore, he asked that they all respect one another as they express their viewpoints this evening. He stated if something was out of bounds, that he would preempt it.

IV. CALL OF THE PUBLIC HEARING

The following call of the Public Hearing was read by Town Council Administrative Assistant Roxanne M. Maher:

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 Wednesday, September 24, 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"*

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/j/86939760385?pwd=DHa2p2bE3BeJWMNbr1HqRBmGzO5CxR.1

or by audio only dial: +1 646 558 8656 Meeting ID: 869 3976 0385; Passcode: 723306

At this hearing interested persons may appear and be heard and written communications will be accepted at towncouncil@ledyardct.org.

Dated at Ledyard, Connecticut this 11th day of September, 2025.

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

Please Publish on Monday, September 15, 2025

V. PRESENTATIONS

Chairman St. Vil called upon Councilor Buhle to present the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission*" as contained in the draft dated September 10, 2025.

DRAFT: 9/10/2025

Ordinance # XXX-XXX

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, and Town employees be independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of governmental structure; that public office and employment not be used for personal gain; and that the public has confidence in the integrity of its government.

Therefore, herewith is an established Code of Ethics for all Town officials and Town employees. The purpose of this code is to establish standards of ethical conduct for all such officials and employees, and for those who serve or conduct business with the Town of Ledyard, to assist those parties under the jurisdiction of the Ethics Commission by establishing guidelines for their conduct in order to maintain a tradition of responsible and effective public service; and to establish rules of procedure to be followed by the Ethics Commission in receiving, adjudicating, and reporting on alleged violations of the Code of Ethics.

Section 3. Applicability

The Code of Ethics shall apply to all Town officials, including members of the Board of Education, and all Town and Board of Education employees.

Section 4. Definitions

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

1. *"Complainant"* means any person who signs a complaint under penalties of false statement alleging a violation of this Code.

2. *"Confidential Information"* means information acquired by a Town official or Town employee 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.

3. *"Financial Interest"* means:

a. any interest that has a monetary value of more than one hundred dollars ($100.00) in any calendar year and is not common to the other citizens of the Town;

b. pecuniary or material benefit accruing to a Town official or Town employee, spouse or minor child of an official or employee of the Town as a result of a contract, transaction, zoning decision or other matter which is, or may be, the subject of an official act or action by or with the Town of Ledyard except for such contracts of transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all persons and/or property similarly situated;

c. shall be deemed to exist if any Town official, Town employee, immediate family of a Town official or employee might, directly or indirectly, derive financial gain or suffer loss from any purchase, contract, transaction, zoning decision, or other matter involving any such Town office, board, commission, authority or committee, and shall also be deemed to exist if a business or professional enterprise in which the Town official or employee has any financial interest as owner, member, partner, officer, employee or stockholder or has any other form of participation which will be affected by the outcome of the matter under consideration.

4. *"Gift"* means anything of economic value in excess of one hundred dollars ($100.00), including but not limited to entertainment, food, beverage, travel, and lodging. A gift does not include:

   a. A political contribution that is otherwise reported in accordance with the law.

   b. Services provided by persons volunteering their time.

   c. A commercially reasonable loan that is made on terms not more favorable than loans made in the ordinary course of business.

   d. A gift received from a member of a person's immediate family or fiancé.

   e. Goods or services which are provided to the municipality and facilitate government actions or functions.

   f. A certificate, plaque, or other ceremonial award.

   g. 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.

   h. Printed or recorded information germane to municipal action or functions.

   i. An honorary degree.

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

   k. Any gift provided to a Town Official or Town Employee or to an immediate 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.

5. *"Immediate family"* means spouse, fiancé, child, parent, grandchild, brother, sister, grandparent, niece, nephew, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, or anyone living in the same household.

6. *"Respondent"* means any person accused of violating this Code.

7. *"Town Official"* means any person holding elective or appointive office in the government of the Town, including members of the Board of Education.

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

Section 5. Conflict of Interest Provisions

1. A Town official, Town employee, or any member of his or her immediate family shall not engage in or participate in any business or transaction, nor have an interest, direct or indirect, which is incompatible with the proper discharge of that person or persons' independent judgement or action in the performance of that person or persons' official duties.

2. A Town official or any member of his or her immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by the board, agency or commission of which that person is an elected or appointed member.

3. A Town employee or any member of his or her immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment, or contractual services that is within the purview of such Town employee.

4. The Mayor of the Town of Ledyard and members of the Town Council of the Town of Ledyard, members of the Board of Education of the Town of Ledyard, and any members of their immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment, or contractual services furnished to or used by the Town of Ledyard.

5. A Town official or employee shall refrain from voting upon or otherwise participating in any matter on behalf of the municipality if he or she, a member of his or her immediate family, or a business with which the person is associated has a financial or personal interest in the transaction or contract, including but not limited to the sale of real state, material, supplies, or services to the municipality. If such participation is within the scope of the Town official's or Town employee's responsibility, he or she shall be required to provide written disclosure, that sets forth in detail the nature and extent of such interest.

6. A Town official or Town employee shall not accept or receive, directly or indirectly, from any person or business to which any contract or purchase order may be awarded by the Town of Ledyard or any of its boards, agencies, or commissions any money, rebate, or gifts, or any promise, obligation, or contract for future reward or compensation.

7. No Town officials or employees shall accept a gift or engage in private employment or render services when the gift, employment, or services are incompatible with the proper discharge of the official duties of the Town official or Town employee, or could tend to impair independence of judgement or action by the Town official or Town employee, in the performance of his or her official duties. If a prohibited gift is offered to a Town official or a Town employee, he or she shall refuse it, return it, or pay the donor the market value of the gift.

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

9. A Town official or employee who have a financial or personal interest in any transactions or contract with the Town, including but not limited to the sale of real estate, materials, supplies, or services to the Town, on which that person or persons may be called upon to act in that persons official capacity shall not vote or otherwise participate in the transaction on behalf of the Town. The Town official or employee shall declare on the record that he or she has or have a conflict of interest.

10. No Town official or Town employee shall solicit or accept a gift from any person or business entity which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such Town official or Town employee.

11. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit.

12. No Town official or Town employee shall disclose or use confidential information acquired in the course of and by reason of his or her official duties for personal or financial gain or for the personal or financial gain of a member of his or her immediate family.

13. No Town official or Town employee may directly hire or supervise a member of his or her immediate family or participate in influencing the appointment or hiring of his or her immediate family.

14. No former Town official shall represent anyone before any Town agency, board, commission, council, or committee in which he or she was formerly an elected or appointed member for a period of one (1) year following the end of such former member's service on such agency, board, commission, council, or committee.

15. No former Town employee shall represent anyone before any Town agency or department for which he or she was formerly employed for a period of one (1) year following the end of such former employee's employment with the Town.

Section 6. Disclosure of Interests Required

1. Any Town official or Town employee who has a private financial interest in any action, legislative or otherwise, by any Town agency and who is a member of, participates in discussion with or give an official opinion to such Town agency shall disclose on the written records of such agency the true nature and extent of such interest. This section shall not apply to:

a. Contracts awarded to the lowest responsible bidder after public advertisement.

b. Unpaid appointed officials during a declared state of emergency.

c. Matters requiring disclosure to or approval by a court.

d. The Town Attorney, Town Engineer, or similar Official, who is participating in or offering an opinion on behalf of said agency, and whose financial interest is merely in being paid for such services.

2. All Town Councilors, Board of Education members, and the Mayor shall, on or before January 1st 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 elected official or held under a lease for a term exceeding five years, excluding, however, his or 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 5% 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 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) per annum to the Town of Ledyard during the two 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 or its political subdivisions during the two years immediate proceeding such official's election to public office.

Section 7. Establishment of an Ethics Commission

1. Membership

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.

a. No more than two (2) Regular Members may be affiliated with any one political party. Both Alternate Members may not be affiliated with the same political party. At least one Regular Member shall be registered as an unaffiliated.

b. No regular member or alternate member of the Ethics Commission shall:

i. Be a Town official or Town employee of the Town of Ledyard or be a member of the immediate family of any Town official;

ii. Have held any elected Town or State office for a period of one (1) year prior to being appointed to the Ethics Commission.

iii. Be a member of a Town committee or commission.

iv. Serve as a member of another Town agency, board, commission, council, or committee.

v. Have been employed by the Town for a period of one (1) year prior to being appointed to the Ethics Commission.

vi. Have any financial interest in matters before the Town or the Board of Education;

vii. Have been found in violation of any federal, state, municipal, or professional Code of Ethics.

2. Terms of Appointment

a. Members shall be appointed by the Town Council for a term of three (3) years and shall serve until their successor has qualified or is removed by the Town Council.

b. 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.

c. Inaugural members shall be eligible to serve two (2) additional three (3) year term beyond his or her initial appointment.

d. Any vacancy on the Ethics Commission, other than by expiration of term, shall be filled for the unexpired portion of the term by the Town Council.

e. 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 or her duties.

f. 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.

3. Authority/Duties

The Town of Ledyard Ethics Commission shall be authorized to perform the following:

a. To consult with the Town Attorney or another attorney hired by the Ethics Commission if so authorized by the Town Council.

b. To request that the Town Attorney provide advisory opinions.

4. Filing of Complaints

A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission and signed under penalty of false statement. The form shall be delivered to the Town Clerk who shall transmit a copy of the complaint to the Chairperson of the Ethics Commission 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:

a. Name of the person accused (respondent)

b. Name of the person filing the complaint.

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

In the application of this Code of Ethics, care will be given to distinguish between concerns of management of Town employees and violations of the public trust. The daily management of employee performance is the responsibility of the Mayor or School Superintendent in the case of the employees of Ledyard Public Schools. Personnel policies should be the first guide in those areas where applicable. Similarly, the routine activities of the Commission should be governed by its rules and regulations.

5. Evaluation and Acknowledgement

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 four (4) affirmative votes, it shall so advise both the complainant and the respondent within ten (10) business days of its finding and begin a formal investigation process.

6. 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 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.

7. Final Decisions

a. 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.

b. The Ethics 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 final decision of the commission for the purposes of the UAPA. The respondent may appeal to the superior court in accordance with the provision of Section 4-183 of the Connecticut General Statutes.

d. 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 or her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

8. 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;

g. Restitution of any pecuniary benefits received because of the violation committed;

Section 8. Severability

If any part of this Code 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

Published on: _____

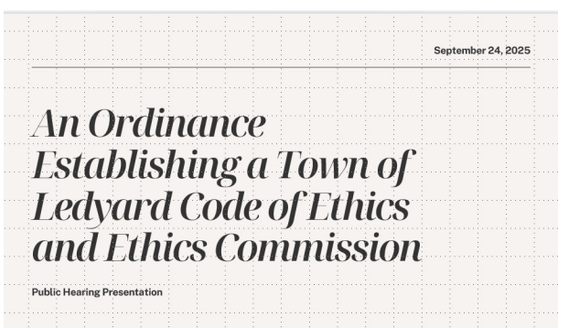
Effective Date:_____

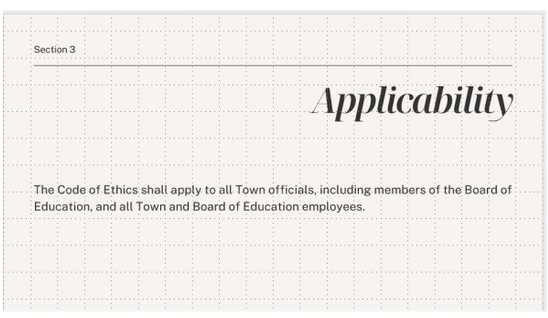
_____
Patricia A. Riley, Town Clerk

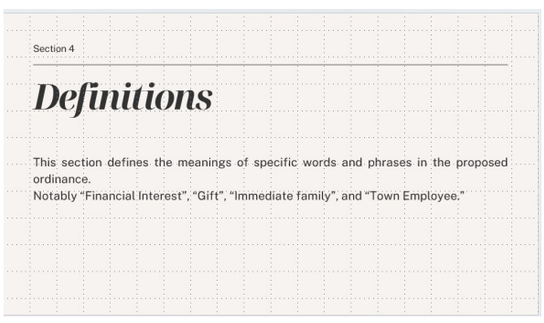
****

History: Based on the public's interest to establish standards of ethical conduct for all town officials, 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 rules of procedure to be followed by the Ethics Commission in receiving, adjudicating, and reporting on alleged violations of the Code of Ethics.

Councilor Buhle reviewed the following PowerPoint Presentation







Section 5

Conflict of Interest Provisions

The Conflict of Interest Provisions in the proposed ordinance define specific situations that constitute a conflict of interest. These definitions remove ambiguity and uncertainty regarding what is and is not considered a conflict of interest.

Section 6

Disclosure of Interests

This section has two parts, which I've summarized below:
Part one requires all Town officials or Town employees who have a private financial interest in any action, legislative or otherwise, that they participate in discussion on or are a part of to disclose the true nature and extent of such interest.

Part two requires all Town Councilors, Board of Education Members, and the Mayor to file a statement under oath containing property they own in Ledyard outside of their principal residence, any companies they own at least 5% of that have done business with the town of Ledyard in the amount of over $10,000, and any income received directly or indirectly from the Town of Ledyard.

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Section 7.1-2

Establishment of an Ethics Commission

The Ethics Commission shall be comprised of 5 regular members and 2 alternate members.

- No more than 2 regular members may be affiliated with the same political party. Both alternate members may not be affiliated with the same political party. At least one regular member must be registered as unaffiliated.
- Members may not be a town employee, on any town committee, be elected or immediate family of an Town official; may not be a past elected official or employee for a period of 1 year, and may not have been found in violation of any Code of Ethics.
- Terms of 3 years, with staggering first appointments. Other terms follow the same standards as other existing commissions.

Section 7.3-5

Establishment of an Ethics Commission

The Commission can seek advisory opinions from the Town Attorney or another attorney to provide consultation for complaints.

Complaints are filed under penalty of false statement and include the complainant's name, the respondent's name, and the specific acts alleged to constitute a violation of the Code of Ethics and when said actions occurred.

The Ethics Commission must determine probable cause within 60 days of the receipt of a complaint. 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.

Section 7.6-7

Establishment of an Ethics Commission

If the Ethics Commission decides that probable cause of a violation of the Code of Ethics exists, it will conduct a public hearing.

The respondent has the right to legal counsel, to present evidence and witnesses, and to compel attendance of witnesses and the production of books and records. The Commission must render its decision within 60 days of the closing of the hearing. The Commission will provide the respondent, the Mayor, and the Town Council with a copy of its findings and memorandum within 10 days after its decision, and will advise the respondent of their rights to appeal to the Superior Court.

Section 7.8

Establishment of an Ethics Commission

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;
g. Restitution of any pecuniary benefits received because of the violation committed.

Section 8

Severability

If any part of this Code 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.

Why an Ethics ordinance?

"Ethics is not about the way things are, but about the way they ought to be."

John Rawls
Political Philosopher

79% ↑

133 towns in Connecticut (79%)
have a Code of Ethics, an Ethics Ordinance, an Ethics Commission, or a Board of Ethics, with two more currently in progress (Ledyard and Goshen).

Inspiration

The following towns' ordinances were read to collaborate ideas and inspiration for an ordinance that reflects the needs of Ledyard.

- **Glastonbury**
- **Simsbury**
- **Norwich**
- **Stonington**
- **Essex**
- **Madison**
- **and more...**

Councilor Buhle concluded her presentation by providing an overview of the timeline to present the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission"* dated September 10, 2025 at tonight's Public Hearing as follows:

- Administration Committee drafted the proposed Ordinance.
- June 23, 2025 - Administration Committee forwarded the draft Ordinance to Town Attorney Matt Ritter for a legal review and recommendations.
- June 24, 2025 Councilor Buhle and Attorney Ritter spoke by telephone regarding the proposed Ordinance.
- July 14, 2025 Town Attorney provided a red line document with recommendations to Councilor Buhle. In the July 14, 2025 draft Attorney Ritter removed parts of the proposed Ordinance, even though he had verbally advised Councilor Buhle that they were admissible.
- August 6, 2025 Administration Committee reviewed Attorney Ritter's recommendations and agreed to provide comments at their September 10, 2025 meeting.\
- September 10, 2025 Councilor Buhle stated she provided a revised draft Ordinance dated September 8, 2025, which included some parts that Attorney Ritter had removed (July 14, 2025 draft) for the Administration Committee to review.
- September 10, 2025 Administration Committee provided additional revisions to the proposed Ordinance; and forwarded the draft dated September 10, 2025 to the Town Council for tonight's Public Hearing.

VI. PUBLIC COMMENT

Chairman St. Vil thanked Councilor Buhle for her prestation regarding the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission".* He stated at this time he would open the floor to residents comments; and he asked residents to keep their comments to 3 minutes or less. He also asked that if residents have already submitted written comments to the Town Council, that they not read their written communication, because the Town Council has already received their comments, and to allow time for all those who would like to speak this evening. He stated the written communications were already part of the record, noting that residents were welcome to provide other comments that they have not already been submitted. He also asked for those attending on-line to please put their name and address in the "*Chat"* and they would be called on in the order that they were signed up.

Mr. Eric Treaster, 10 Huntington Way, Ledyard, stated that he was only representing himself this evening. He stated that he provided written communications this afternoon. He stated that he would not review the twelve points in his written communication; however, he would like to identify the following:

- ***Enabling State Statute*** – Mr. Treaster stated the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics And Ethics Commission"* should reference the enabling the State Statute for Ethics Boards.

- ***Section 6 "Disclosure of Interests Required"*** Mr. Treaster noted that he believed that this Section should be deleted, because he thought that it would discourage people from running for elected office.

  - ✓ Section 6; Paragraph (1) – Mr. Treaster pointed out that this text allowed a town official or town employee ***to participate in a discussion; or give an official opinion if he/she disclosed the nature and extent of his/her financial interest in the issue being decided.*** However, he stated in Section 5 "*Conflict of Interest*"; Paragraph (5) the ***elected official was not allowed to participate if he/she had a financial interest in the issue.*** He stated the text of these two Sections were in conflict with each other because Section 6; paragraph (1) does not permit participation, even with disclosure. Therefore, he stated that these types of things within the proposed Ordinance needed to be resolved before the Town Council moved forward to consider the adoption of the proposed Ordinance.

- ***Hearings*** – Mr. Treaster stated everywhere the proposed Ordinance talked about "Public Hearing" there should be an option for an Executive Session, noting that the Executive Session should come first, because he thought that it was only fair to the respondent to first discuss the matter in an Executive Session.

- ***Section 7 "Final Decision:"*** – Mr. Treaster noted that the maximum of each Phase of the process would take 155 days for something to happen.

- ***Section 8 "Penalties for Violations of the Code of Ethics***" – Mr. Treaster stated that it was unclear whether the Penalties issued by an Ethics Commission were *Orders* or *Suggestions.* He noted for example:

  - ✓ Order to cease and desist the violation - Mr. Treaster questioned whether there was an opportunity to make restitution of community benefits; if appropriate.

  - ✓ Pay a civil penalty of up to the maximum amount permitted by State law – Mr. Treaster noted that there were unanswered questions about the civil penalty. What would happen if the civil penalty was not paid.

  - ✓ Censure.

  - ✓ Suspension without pay – Mr. Treaster stated there were questions regarding suspension without pay.

  - ✓ Demotion - Mr. Treaster stated there were questions regarding *Demotion;* noting that it should be a suggestion.

  - ✓ Termination of employment - Mr. Treaster stated there were questions regarding *Termination;* noting that it should be a suggestion.

- ***Section 7; Subsection 2 "Terms"*** – Mr. Treaster stated the three-year term limit was too short, noting that there should not be a term limit. He stated if everyone was doing a good job they should let them go on forever; in 3-year increments, but be allowed to continue to serve on the Ethics Commission.

  Mr. Treaster concluded his comments stating that he favored an Ethics Commission, noting that the proposed Ordinance was about 90% there. He stated that it needed to be amended so that non-financial issues would be included in the Ordinance.

Ms. Kristen Chapman, Executive Assistant to the Mayor stated that she was present this evening to read into the record a letter from Mayor Allyn, III; as he was already scheduled to be out of town before this September 24, 2025 Public Hearing was scheduled. Ms. Chapman read the following:

"Councilors,

I write in opposition to the proposed "An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission" for the following reasons:

1) *CT General Statutes 7-148(h). A municipality in Connecticut can cite this section to incorporate the state's ethical conduct rules into local investigations of misconduct by officials or employees.*

2) *The Town Charter, Chapter III, Section 9 grants this power to the Town Council to investigate, call witnesses, appear before the Town Council and testify. The electors of this town have vested this power with the Town Council, not another group.*

3) *Town of Ledyard Fraud Policy. Dated May 28, 2014 clearly outlines no less than eight (8) different actions that constitute fraud. It is noted the language also include the words "….but not limited to".*

4) *Town of Ledyard Employee Handbook. The handbook includes Nepotism (page 20), Conflict of Interest (page 20), Outside employment (page 21) and Vehicle Use Policy (appendix 8). Every Town employee received a copy of the handbook and are required to sign and accept the obligations contained in said handbook.*

5) *Though the draft ordinance, dated 6/11/25 did receive a legal review, the Council has not requested a legal review for the draft dated 9/7/2025. At the September 10, 2025 meeting, Councilor Buhle states "…the draft for tonight incorporates probably 80% of the Town Attorney's language." That statement would imply the newly revised ordinance would be approximately 20% shorter, however the proposed document is now 2+ pages longer than the 6/11/2025 draft. In an ordinance where substantial liability exposure to the Town may exist, I would certainly think a second legal review of the 9/7/25 draft should be mandatory.*

6) *There is no budget line for this new commission. The Town Attorney has suggested a minimum of $20,000 annually for legal fees, with some towns spending as much as $200,000. Keep in mind, if the aggrieved party does not agree with the outcome, the next stop for the town and the aggrieved party does not agree with the outcome, the next stop for the town and the aggrieved is Superior Court. Sincerely, Fred B. Allyn",*

Ms. Kristen Chapman, Executive Assistant to the Mayor stated as the Administrator of Liability-Auto-Property (LAP) Insurance Claims on the behalf of the Town, that she would like to make the Town Council aware of the potential costs related to the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" . She stated per CGS 7-101a ***Protection of Municipal Officers and Municipal Employes from Damage Suits:*** *"Each municipality shall protect and save harmless any such municipal officer or municipal employee from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand or suit instituted again such officer or employee by reason of alleged malicious, wanton or willful act or ultra virus act, on the part of such officer or employee while acting in the discharge of his duties".* Ms. Chapman stated that the insurance deductibles related to such claims range from $1,000 to $10,000 per claim.

Ms. Patricia Riley, Town Clerk, thanked the Town Council for the opportunity to provide comment this evening regarding the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* noting that she wanted to discuss the following concerns regarding the proposal as it would directly affect her and the Town Clerk's Office:

- ***Section 7; Paragraph 4***, The Town Clerk shall transmit a copy of the Complaint Form to the Chairperson of the Ethics Commission and the respondent within 5 days. Ms. Riley stated that this was a major problem noting the following:

  ✓ Ms. Riley questioned what would happen if she was on vacation for a week, the 5 days would have already passed. If the Town Clerk's Office cannot accept the Complaint Form; while she was out of the Office would the person need to come back when she returned to the office; and she questioned how this type of situation be handled.

  ✓ Ms. Riley noted if that she was not available or out of the office and unable to receive the initial Complaint Form; that she had concerns that this would cause complaints against her.

  ✓ Ms. Riley questioned whether Town Staff (Herself or Assistant Town Clerk) should have knowledge of complaints of other employees.

  ✓ Ms. Riley questioned what if the complaint was about an Ethics Commission Member. What would that process be.

- ***Section 6; Paragraph 2,*** - All Town Councilors, Board of Education Members and Mayor shall file each year by January 1st a form with a statement under oath. Who will give that oath? Ms. Riley stated that it would be a conflict of interest for the Town Clerk to give the oath since she was also going to be the only one accepting the Complain Forms. She suggested that perhaps the Complaint Form should be notarized by someone other than the Town Clerk's Office.

- ***Not a matter of public record or knowledge unless a probable cause exists***.

  Ms. Riley stated after some research, it appeared for the towns that have an Ethics Commission that their Ordinance/Code of Ethics was written so that all the Complaint Forms would go directly to the Ethics Commission. She stated that she thought this made sense because she was also an employee and she should not have access to those confidential records.

- ***FOIA Concerns vs. Ethics Exemptions*** – Ms. Riley questioned the following:

  ✓ What about the Ethics Commission Members emails.

  ✓ What happens to the paperwork/emails when they come off the Commission relative to the FOIA/Retention requirements.

  ✓ Where would she as Town Clerk store the confidential records away from staff. She stated her Assistant Town Clerk had access to all locked and unlocked spaces in the Town Clerk's Office. .

  ✓ As Town Clerk that she did not have access to the Board of Education Members to send notifications in the event of a complaint. Would the MIS Director be required to get all Board of Education Members into the Town's Outlook email system.

- ***Record Retention Schedule Requirements*** – Ms. Riley questioned whether anyone researched the Record Retention for ethics documents with the State Library.

- ***Freedom of Information Act (FOIA) Requirements –*** Ms. Riley questioned whether anyone researched FOIA Laws against Ledyard's Town Charter, Employee Handbook & Union Contracts regarding Ethics Commission vs any exemptions. She stated that she would have liked the opportunity to research other towns and to consult with the State FOIA Commission about these concerns.

  Ms. Riley stated that she strongly recommended that if the Town Council wished to proceed with an Ethics Commission that they consider one of the following:

  1. Consider a Code of Ethics that refers the ethics complaints to be submitted under the Mayor for Town employees, Superintendent for Board of Education employees, and elected officials under Town Council. This would align with the official documents already in place such as the Town Charter, Employee Handbook, and Union Contacts.

     -OR-

  2. Refer all ethics complaints to the Ethics Commission directly.

Ms. Riley concluded her comments by stating on September 10, 2025, she attended the Administration Committee to bring forward these concerns. However, she stated that no member from the Administration Committee or Town Council has reached out to her to have a conversation. She stated that she would have hoped that there would have been a discussion on these topics; and that she was disappointed that her concerns were not acknowledged.

Mr. Jeff Eilenberger, 2 Village Drive, Ledyard, noted the Town Clerk's concerns and he questioned whether this was the first time the Town Council heard about all of the concerns the Town Clerk had with the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*. Councilor Buhle stated that Ms. Riley provided comments at the Administration Committee's September 10, 2025 meeting. Chairman St. Vil interjected explaining that this was a Public Hearing; and that Mr. Eilenberger was free to speak this evening and that his comments would be entered into the record. However, he stated that they were not going to get into discourse. Mr. Eilenberger continued by questioning and commenting on the following:

- ***Town Clerk's Concerns –*** Mr. Eilenberger questioned whether anyone talked to the Town Clerk during the last fourteen-days to try to iron some things out.

- ***Legal Fees -*** Mr. Eilenberger noted the $4,000 cost for the Town Attorney to provide a legal review and recommendations regarding the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Ordinance*", noting that it did not make sense to disregard the Attorney's recommendations.

- ***Budget to Support the work of the Ethics Commission*** – Mr. Eilenberger questioned the budget for the first year; and the cost per year to maintain. He stated if there was no budget to go along with the proposal that anyone would be insane to vote for it.

Mr. Scott Johnsion, Jr., Parks, Recreation & Senior Citizens Director, stated that he hoped he could provide his comments in the three-minute allotted time, noting that he would try to fit it all in. He stated as a Parks & Recreation Professional, equity and inclusion were at the forefront of every decision they make. Whether it was ensuring fair play in sports or equal opportunities in programming, noting that ethics played a vital role in our profession and was something they take very seriously.

Mr. Johnson noted that he has held this position in Ledyard for six- years; and every Town Council except the current one has consulted with Department Heads on various ordinances and decisions being made, especially when it would affect the department they oversee. He stated the town's Directors were experts in their respective fields, they were versed in laws, regulations, and industry standards within their disciplines. He stated the Department Heads were one of the greatest tools at the town's disposal and he urge the Town Council going forward to utilize this tool to ensure they were making informed decisions.

Mr. Johnon went on to state that previous Town Councils would have emailed a draft of their proposed Ordinance to all the Department Heads to ask for their input or concerns long before a bringing the proposal to a Public Hearing. He stated this process was not only a professional courtesy but would ensure that taxpayers' dollars were not being wasted like they were in this situation. He stated having this type of dialog would have allowed Town Councilors and Department Heads to work together to develop and draft a proposed Ordinance that would have been worthy of being sent to the Town Attorney. He noted as they say in the Parks & Recreation Department "*Teamwork makes the Dream work*".

Mr. Johnson stated he was present this evening to strongly oppose the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* . He stated the Town already had measures in place through the Town Charter, Employee Handbook, Policies & Procedures, and most importantly Connecticut General Statutes. He stated that these measures have proven to protect the town in the past without affecting town operations or eliminating services for residents.

Mr. Johnson noted as he mentioned this evening, that if a simple email was sent, that he would have provided all these concerns prior to the town wasting over $4,000 in attorney fees. He stated that he would like to believe that no one wrote the proposed Ordinance with the intention of eliminating recreational programs, raising summer camp fees, or creating a significant loss of revenue for the Parks, Recreation & Senior Citizens Department. He commented that signing the proposed Ordinance would instantly eliminate more than 15 programs that were enjoyed by over 500 residents, noting that those Programs generated $30,690 in Program Fes last year increasing the in revenue into their Department's Special Revenue Account. He stated this revenue was used to help keep summer camp costs down for parents who were already struggling to make ends meet. He stated this revenue provided an opportunity to subsidize the Senior Center Programs using $10,000 from their General Fund. He stated a town Commission was eliminated when they merged the Parks & Recreation Commission with the Senior Citizens Commission, explaining that merger saved the town money, which this proposed Ordinance would add right back. He stated this proposed Ordinance would undo the three-years of hard work he has put into saving the Town thousands of dollars.

Mr. Johnson continued by stating that members of the Town Council may be asking themselves "*How an Ethics Ordinance would have such a catastrophic effect on the Parks, Recreation, & Senior Citizens Department's operation?"*. With that he would ask them the following question: "*What type of person makes the best Program Instructors?* He stated the answer was "*The Parks & Recreation Professionals, Summer Camp Staff, Teachers, and Coaches"*. He stated these individuals were town employees in some capacity that Parks & Recreation then contracts with to teach many of their Programs.

Mr. Johnson explained at the end of each summer, the Parks & Recreation Department surveys their staff to see if they have any skills that could be used for Programs and if they would be available during the school year. He stated for those interested they then pay them as a Contractor to offer some of their Preschool Sports Programs such as T-Ball, Little Tykes' Soccer and Peanut Basketball. He stated that all of these Programs would disappear if this proposed Ordinance were to pass because it would eliminate the Feeder Programs for Ledyard's Youth Sport Leagues. He stated that they have Parks, Recreation, & Senior Center union employees that run the Rowing and Fencing Programs. He explained that both of these Programs were something their Department brags about offering, as they were unique. He stated over the years they have put in a lot of effort to develop and grow these programs. Whether it was the countless hours coordinating with the Board of Education to have participants dropped off at the Boat Launch after school, to the thousands of dollars spent on equipment needed to start the Fencing Program, noting that these Programs would also disappear if this proposed Ordinance were to be enacted.

Mr. Johnson went on to note that his next concern was with their Coaches. He questioned *"Did this proposed Ordinance only pertain to staff working directly for this department*?" He explained that the Parks & Recreation Department works with the High School Coaches to offer Clinics and Camps during the off seasons. He stated the CIAC, the State's Body that oversees High School Sports Ethics, makes it very clear "*That no coach can hold team practices in the off season as it was an unfair advantage"*. However, he explained that those coaches could offer clinics or camps through the local Recreation Department in the off season. He stated the State Organization responsible for High School Sports Ethics not only allows for clinics and camps to be offered, but encourages them. He stated because the proposed Ethics Ordinance would deem this practice unethical they would potentially lose all Clinics provided by High School Coaches simply because they were already paid to coach through the Board of Education.

Mr. Johnson stated that one of his biggest concerns was that this proposed Ordinance would eliminate all the town's current inclusive programing. He stated in Connecticut it was illegal for a public entity to remove inclusive recreation programs unless it was due to non-discriminatory budget cuts, low participation, or safety concerns.

Chairman St. Vil stated that Mr. Johnson's three-minutes were up. Mr. Johnson stated he was almost done with his comments and asked if he could finish. Chairman St. Vil explained that they had to allow time for everyone present this evening that would like to speak.

Mr. Jay Pealer, 48 Highland Drive, Ledyard, stated that he would be reading comments provided by his son, Daniel, who could not be present this evening.

"Dear Mr. Chair and Members of the Council:

Thank you for the opportunity to address you. I write to express my strong opposition to the proposed ordinance titled "An Ordinance Establishing A Town of Ledyard Code of Ethics and Ethics Commission," dated September 10, 2025.

This ordinance raises serious legal concerns. It risks violating existing union contracts and intrudes upon personnel matters already governed by collective bargaining agreements. To be clear, this is not a question of values—it is a question of law.

Key Legal Issues:

- ***Conflict with Labor Law:*** *The ordinance appears to grant investigatory and disciplinary authority to the Ethics Commission over unionized employees, disregarding the grievance procedures and protections enshrined in their contracts. This directly conflicts with Connecticut labor law, which guarantees just cause standards, progressive discipline, and arbitration rights. These are binding and enforceable—not optional.*

- ***Unfair Labor Practice:*** *By introducing new oversight and penalties outside the scope of negotiated agreements, the ordinance effectively alters terms and conditions of employment without bargaining. This constitutes an unfair labor practice and exposes the Town to legal liability.*

- ***Failure to Differentiate Roles:*** *The ordinance does not distinguish between classified civil service positions and appointed or at-will roles. It treats all Town employees uniformly, ignoring the contractual protections unionized workers depend on. Disciplining union members outside the grievance procedure may be legally indefensible.*

- ***Lack of Due Process:*** *The Ethics Commission is empowered to impose penalties - including suspension and termination—without specifying representation rights, evidentiary standards, or appeal mechanisms. For union members, this omission bypasses contractual safeguards and invites arbitrary enforcement.*

- ***Statutory Conflict:*** *The ordinance conflicts with Connecticut General Statutes §7-474, which require municipalities to negotiate in good faith with recognized bargaining units over employment conditions. Applying the ordinance broadly to "Town employees" disregards this statutory framework and risks preemption by state law.*

Specific Concern: Town Clerk's Role

The ordinance assigns the Town Clerk sole responsibility for receiving and transmitting ethics complaints within five days, without naming an alternate or providing a backup mechanism. This creates a structural bottleneck that effectively prevents the Clerk from taking any leave longer than five days. Such a provision may violate the Clerk's rights under the collective bargaining agreement and imposes unreasonable work conditions. In cases of illness, emergency, or protected leave, the Ethics Commission's operations could be paralyzed—undermining the very governance the ordinance seeks to uphold.

Conclusion
This ordinance is legally insufficient. It places the Town at risk, undermines negotiated contracts, and imposes undue burdens on unionized employees. I respectfully urge the Council to reconsider. Please engage in meaningful consultation with union representatives, legal counsel, and the public.

Thank you for your time and consideration.
Sincerely, Daniel Pealer"

Mrs. Sharon Pealer, 48 Highland Drive, Ledyard, stated that she attended the September 10, 2025 Administration Committee at which the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* to listen. She noted that what she heard from the people who were both for and against the proposal such as Mr. M. Dave Schroeder, Jr., Councilor Dombrowski and Councilor Ryan: "*That the proposed Ordinance was not ready"*. She went on to state that drawing a line through the strictest penalties would not do away with the violation of the union labor contracts and it would not fix the fact that no one bothered to talk to the Town Clerk, the one person that would be most affected by the stipulations written in the proposed Ordinance. She noted at the September 10, 2025 Administration Committee meeting that Councilor Buhle said: "*She was concerned about letting perfect get in the way of good enough*". However, Mrs. Pealer stated the Town should be concerned with "*Unfinished getting passed"*. She stated the proposed Ordinance as presented in the draft dated September 10, 2025 was incomplete and as such was not ready for passage.

Ms. Christine Dias, Director of Human Resources, stated although the Employee Handbook has already been brought up this that she would bring it up again. She stated that the Town Employees were already required to follow the *Employee Handbook*, which was last revised and approved by the Town Council on April 26, 2023; noting that she was sure that the Board of Education had their own Policies and Handbook. She explained that the Employee Handbook included the following Sections and Appendices:

- ✓ Conflict of Interest
- ✓ Nepotism Policy
- ✓ Outside Employment

Ms. Dias stated that she was very concerned with the Section 7; Subsection 8 " *Penalties and Violations of the Code of Ethics"*. She explained that the Town had seven Collective

Bargaining Agreements, and the Board of Education had six Collective Bargaining Agreements. She stated the following penalties as listed in the proposed Ordinance may conflict with their Collective Bargaining Agreements:

- ✓ Pay a civil penalty of up to the maximum amount permitted by State law.
- ✓ Censure.
- ✓ Suspension without pay.
- ✓ Demotion.
- ✓ Termination of employment.

Ms. Dias stated while the Town Attorney reviewed the prior draft Ordinance, that his review was as it related to Connecticut General Statutes; not how it related to these 14 Collective Bargaining Agreements and the Employee Handbook, noting that the Town's Labor Attorney had not reviewed the proposal. She stated the town already had ways to handle employees, so maybe the proposed Ordinance needed to be just be for the Town's Elected Officials and Volunteers.

Mrs. Pamela Ball, 674 Shewville Road, Ledyard, noted that she had more than three-minutes of material, therefore, she asked if there was time at the end of the Public Hearing that she hoped the Town Council would allow her time to finish her comments. Mrs. Ball proceed with her comments noting that she has submitted four letters in opposition to the proposed Ordinance. She stated that they would not be discussing this proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* if people were not disappointed in what was going to happen with the Sweet Hill Farm Property. She stated that she thought if people were happy with the proposal for the property that they might not be discussing this proposed Ordinance. She stated that she thought having a Code of Ethics laid out in an Ordinance was fine; however, she stated that she thought having an Ethics Commission was a terrible idea. She stated just because 30 of Connecticut's 169 towns have an Ethics Commission was not a reason for Ledyard to have one. She stated only 30 of Connecticut towns had a Mayor-Town Council form of government, noting that the other 139 towns had a form of governance that was not or different from a Mayor-Town Council structure.

Mrs. Ball continued by addressing the following:

- ***Volunteers*** – Mrs. Ball stated Volunteers should be excluded from the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*. She stated that the town's volunteers donate hundreds and hundreds of hours of time to this town. She stated as an example, that all it would take to turn someone's whole life upside down was for somebody to say, "*Oh, I saw somebody take money out of the donation jar at the Farmer's Market".*

- ***Ethics Commission*** *Members* – Mrs. Ball stated the volunteers serving on the Ethics Commission were not a jury of peers, noting that a jury and a judge were trained people. She stated that juries were vetted for every single instance when they were needed. She stated that she would use the Farmers Market again as an example, questioning: *What if somebody complains to the Farmer's Market; and what if there were people on the Ethics Commission that know people on the Farmer's Market, or they were familiar with the situation. Would those volunteer Ethics Commission Members be removed, and would new people be vetted to serve on the Ethics Commission?*

- ***Complaint Form*** – Mrs. Ball stated that the Complaint Form and proposed Ordinance should state which issues would be excluded. She state the proposed Ordinance should not be voted on without the Complaint Form, because it was an integral part of the process.

- ***Financial*** Matters – Mrs. Ball stated that she understands that it was implied that only financial things would be addressed under the Code of Ethics and Ethics Commission. However, she stated that the Compliant Form and Ordinance should list the types of things that were not applicable.

- ***Conflict of Interest***- Ms. Ball suggested outlining all the details of what constituted a "*Conflict of Interest*" in Chapter IX; Section 6, of the Town Charter to include the text in the proposed Ordinance. She stated that the town should fix the Town Charter; so they would not have neighbors sitting in judgment of neighbors.

- ***Town Charter*** – Mrs. Ball stated that she believed that all this could be addressed by a Charter Revision. She stated if they had the time and energy to form an Ethics Commission and to educate the town, then she thought that they had time to revise the Town Charter, and educate the people about the amendments to the Town Charter.

- ***Impartiality*** – Mrs. Ball addressed a comment about the Town Council struggling to be impartial, noting that as the Town's Elected Officials that the Town Council had a duty to be impartial. She stated that she did not think that if the Town Council was struggling with impartiality, they could see an impartial Ethics Commission. She stated that there was no guarantee that an Ethics Commission would be impartial, because so many people know so many other people in their small town.

- ***Legal Costs*** - Mrs. Ball stated that all it would take was one lawsuit from somebody who was accused of something to have their life ruined. She stated although the accuser could file the *Form Under Penalty of False Statement*, and they could truly believe their accusation was true; that the accusation still might not be right. She stated that it does not have to be a deliberate lie to be untrue.

- ***Frequently Asked Questions and Answers –*** Mrs. Ball noted the *Frequently Asked Questions and Answers* included the following Questions: "*Why do we need this*?" She stated that she did not think the town needed the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Comission*". She stated that she believed that they needed to make the Town Charter more clear. She stated that she thought it was awful for people in town to be judging other people in town or judging town volunteers, or judging town employees; and then making recommendations about their employment.

- ***Commission Member Terms*** – Mrs. Ball stated the Section 7; Paragraph 2 in the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" stated that members would be removed if they missed three consecutive meetings. She stated what Ethics Commission members bullied people; or; or harassed people on Social Media. She stated that none of those reasons were listed as reasons to be removed from the Commission; noting the only one reason listed was for missing three consecutive meetings. She stated if they were going to have an Ethics Commission that passes judgment on people in their community that they need to have better guidance as to what it would take to get them kicked off the Commission.

  Mrs. Deborah Edwards, 30 Bluff Road West, Gales Ferry, stated that she would try to be brief as she has spoken on the topic of an Ethics Commission previously. She stated that this has been a long process and not the first time their Town has been requested to create a Code of Ethics and Ethics Commission, noting that the systems that were in place have failed to address any issue of misconduct, and she thought that it was important to note. She stated that there were many people who have come forward to roll up their sleeves and put in the work to help get this established, so that their Town has very clear guidance on their values of both ethical conduct and transparency. She stated that she was in full support of getting this across the finish line and moving forward with confidence in town operations. With that said, that she did not believe the draft "*Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* presented tonight accomplished that goal. She stated that she did not think it was far off, and with a few thoughtful modifications that it could be achieved. She noted that an example was a review that was submitted by Mr. Schroeder that illuminated some of the potential loopholes that exist in the current draft, and he also offered suggestions on how to close those gaps. She stated the town needed a strong and clear Code, as well as an impartial Commission that could support it. She stated that she did not believe leaving Ethics issues to be addressed by the Town Council was in the town's best interest or in the best interest of their Council members. She stated the Town Council does a wonderful job and at your personal expense of time, but the Town Council was a political body and showed itself in discussions on serious matters. Further, she stated that Town Councilors interact with employees and other committee members frequently as part of their duties. She stated that she thought it was unfair to put them in the difficult position of handling sensitive ethics issues regarding "co-workers" and that she was not sure the results would satisfy the impartiality required to instill confidence in the outcome. She stated for that reason, she was here today to urge the Town Council to forgo a vote tonight, to take in all the information presented, make modifications where suggested, and then present and

vote upon a document that closer achieved the stated goal of forming guidance that was explicit in its intentions to help prevent questionable actions, as well as to receive, investigate and advise on questions of ethics when they arise. She concluded her comments by stating that she was in full support of a clear Code of Ethics and the creation of a strong Ethics Commission, when they have a proposal before them. She noted that Councilor Buhle stated; "*She does not want to see "**perfect**" getting in the way* of "***good***". However, Mrs. Edwards stated that they can do better. Thank you.

Mr. Bruce Edwards, 30 Bluff Road West, Gales Ferry, stated that he wanted to be clear; that there was a standing need for an Ethics Commission, commenting that they were about 40-50-years late. However, he stated that he was grateful for the efforts that were being put into drafting the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission".* He stated to keep this simple, the Town needed a kind of a bumper system to protect it from wrongdoing. He stated that his comments were not to suggest that there was wrongdoing, but that if something arises the Ethics Commission was a way for the public to question things. He stated that tonight was a good example, noting not that there was anything wrong, but that he cannot come before the Tow Council and ask questions; such as "*How do I handle an ethics question?"* He questioned whether he should pick one Town Councilor and pull them off to the side, noting that he did not know. Therefore, he stated that they just need an avenue for the public to ask questions.

Mr. Edwards continued by stating that he has been a resident and or landowner in this town since 1965, noting that he was 73 years old, which was a long time. He stated that there have been ethics violations in this town; some of them serious, noting that he knows that was an absolute fact. He stated at one time his family was subject to an ethics violation, and that he was not going to get into the details this evening, but that it does happen. He stated for anybody to sit around here and paint a pretty picture like it does not happen in Ledyard that he would tell them that they were naive. He stated that he was sorry to say that, but it was the truth, it was naive. He stated that there were motivations in this world that we conceive all around us and they were not right; and the public had a right to question it. He stated the public has a right for an impartial Ethics Commission to look at ethics issues. Thank you

Mr. Brandon Sabbag, 16 Nutmeg Drive, Gales Ferry, stated that he was definitely opposed to the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* for the following reasons:

- ***Small Town – Small Government*** – Mr. Sabbag stated that Ledyard was a small town, and therefore, he believed they we should have small government. He stated adding more things that were already covered by the Town Charter, which many have said this evening, would just adding more money and more time, which were two valuable things to all of them.

- ***Taxes -*** Mr. Sabbag stated that Ledyard just saw the highest tax increase in 20 years. He stated the townspeople voted on the Budget two times, and the Town Council completely negated the votes of the townspeople.

- ***Staff Concerns*** - Mr. Sabbag stated today they have heard comments from the Mayor, the Mayor's Executive Assistant, the Town Clerk, the Director of Human Resources and the Director of Parks, Recreation & Senior Citizens. He stated their comments and concerns were very clear that they were against the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission".* He stated that these were people that work full-time every day for their town and that he thought their concerns were something they should strongly consider.

- ***Local Election*** – Mr. Sabbag stated that Ledyard was literally one month away from an election. Therefore, he stated if anything else, that maybe they should wait to let the townspeople speak and see the results of the November 4, 2025 Election before they move forward with the proposed Ordinance, noting that there might be some new appointments to see what that Town Council would say.

Mr. Sabbag stated in closing that he if possible, he would like to yield the rest of his time to the gentleman from the Parks & Recreation Department to complete his comments.

Chairman St. Vil stated that he would allow Mr. Sabbag to yield the remainder of his time which was 1minute and 42 seconds to the Director of Parks, Recreation & Senior Citizens Scott Johnson, Jr.

Mr. Scott Johnson, Jr. Director of Parks, Recreation & Senior Citizens thanked Mr. Sabbag and Chairman St. Vil for the opportunity to finish his comments that he started earlier this evening (see above) noting that this was the most important part of what he had to say. He stated the provisions in the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*, would be a direct violation of the Americans with Disabilities Act (ADA) and Connecticut General Statutes 46a-64. He stated enacting an Ordinance that restricted the town from hiring the individuals that were the most qualified to teach inclusive programs was not an allowable situation because it would eliminate inclusive programing.

Mr. Johnson stated everything he explained tonight was not only ethical but the Industry Standard in the Parks & Recreation field. He stated that he would use himself as an example, noting that when he was working for the City of New London that he was on payroll as the Recreation Supervisor, while he was also being paid as a contractor to instruct their Kids Marathon Program, Youth Triathlon Team, Kindergarten Fitness Enrichment Classes, and an Adaptive Sports Class for Children on the Autism Spectrum. He stated in accordance with the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*, to do this would be an ethics violation.

Mr. Johnson stated that he wanted to reiterate that passing this proposed Ordinance in its current form would have a detrimental effect on the Parks, Recreation & Senior Citizens Department and the residents of Ledyard, because it would result in a loss of Programs, Registrations Fees, and Revenue, while increasing Camp Fees, requiring moneyto be added back into the general fund, and creating staffing challenges across their entire operation. He stated that it was important for the Town Council to have the full picture.

Mr. M. Dave Schroeder, Jr., stated he was present this evening to speak in support of suggested amendments titled "*Citizens Concerns to the proposed "An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* because they thought the draft dated September 10, 2025 was insufficient.. Mr. Schroeder stated that he provided written communication that included suggested Amendments that were put together by Concerned Citizens and they also provided Justifications that provided the arguments to support their suggested amendments. He explained his name was attached to the documents because he was presenting the *Concern Citizens Suggested Amendments*, noting that they were not solely his suggestions. He stated the residents wanted to attend tonight's Public Hearing essentially to review their a Point-by-Point Arguments, and the reasons as to why they thought the current draft Ordinance dated September 10, 2025 was insufficient. However, he stated because Chairman St. Vil has stated that the Town Council has received a copy of the *Concerned Citizens Suggested Amendments and Justifications* and that they would read them, that instead of him reading what the Concerned Citizens submitted that he would like to point out a couple of things as follows:

- ***Monitor the adequacy of the Ordinance*** – Mr. Schroeder suggested the proposed *"An Ordinance Establishing a Code of Ethics and Ethics Commission*" include a Section for the Ethics Commission to monitor the adequacy of the Ordinance and to report back and advise to the Town Council when they think amendments needed to be made. He stated they were going to come up with a 100% amazing thing right from the get-go. He stated as others have already mentioned the people that would serve on the Commission were going to be fully invested in this, and would be able to advise the Town Council.

- ***Advisory Role*** – Mr. Schroeder noted that it was his understanding that the Ethics Commission was going to essentially be an Advisory Role. He stated the Ethics Commission was not going to be the Judge, Jury, and Executioner. He stated that the Commission's role would be to investigate complaints; and to come up with a decision, and then they would advise the proper authority, whether that was the Town

Council or the Mayor, or the Superintendent of Schools, as proposed in the Ordinance. He stated it was important to point out that they were not setting up some kind of an inquisition or something like that. He stated the Ethics Commission would be advisory, and ultimately the Town Council would retain all the power as the authority to change anything they want in the ordinance. However, he stated the current September 10, 2025 draft Ordinance does not yet achieve that. He stated that he was hoping by reading the suggestions, that they would be included as part of the town's records, that they would convince and show the Town Council a way to remedy that. He stated Ledyard citizens deserve a Code of Ethics and an Ethics Commission that was fair and workable.

- ***Transparency and Accountably*** – Mr. Schroeder addressed the need for Transparency and Accountability, noting there was no reason and no need to accept anything less.

Mr. Schroeder concluded his comments by stating that he broadly supported everything that Mrs. Deborah Edwards said this evening. He asked that the Town Councilwork on the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" to consider the suggested amendments and give Ledyard the best Code of Ethics and Ethics Commission they can.

Mr. Carlo Porazzi, 30 Chapman Lane, Gales Ferry, stated although he did not have any prepared comments, that in listening to other residents comments that he has been making some notes. He stated pointed out the following:

- ***Town Charter-Chapter IX; Section 6 "Conflict of Interest"*** – Mr. Porazzi stated that it was not sufficient.

- ***Advisory Role*** – Mr. Porazzi noted as Mr. Schroeder mentioned the Ethics Commission would be Advisory; and that he believed that it would only be used for Grievous Reporting and Grievous Conduct.

- ***Impact on Programs*** – Mr. Porazzi stated that he personally cannot see how having an Ethics Commission would impact Programs. He stated if he was not well educated on that, that he would like to be.

- ***Fees*** – Mr. Porazzi stated if there was a fee for something like this, that he thought that it would be small, and irrelevant in the big picture of the town budget.

- ***Government Transparency*** – Mr. Porazzi stated that he thought having an Ethics Commission would go a long way for governmental transparency. He stated that he felt strongly that there needed to be an impartial panel to vet suspected violations; or else the public would be left with possible partisan local Town Councils; and any existing biases. He stated that this would mean that someone could complain all day and it was only going to go so far depending on the channels available.

Mr. Porazzi stated that Mr. Schroder mentioned that the Town Council has received all the written submissions; and that Chairman St. Vil mentioned the Town Council has received the written communications that were submitted for tonight's Public Hearing and that they would be included as part of the record; therefore, he stated let's not go other those again. Mr. Porazzi stated as he alluded to earlier, and to be quite honest, that he did not believe the current channels for Ethics, where there were Conflicts of Interest, were working; and that he would leave it at that, noting that Mrs. Deborah Edwards also alluded to that as well.

Mr. Porazzi concluded his comments by stating, that if the proposed "*An Ordinance Establishing a Code of Ethics and Ethics Commission"* does not go any further that he believed that it would go to vote, so the people of the town will have the final say. Thank you.

Mr. Samuel Roudebush, 63 Hurlbutt Drive, Gales Ferry, began by stating that Mr. Edwin Murray, 26 Devonshire Drive, Gales Ferry, provided written comments and although he would not read them this evening, that he would submit them for the record on Mr. Murray's behalf.

"Ledyard Town Council: 09/24/2025
Public Hearing on Adopting a Code of Ethics

Good evening Councilors,
A Code of Ethics provides clear expectations for how our town officials, employees, and volunteers should conduct themselves. By formally stating these values, we make it clear that public service in Ledyard requires honesty, accountability, and integrity.

It is surprising that our town—despite its educated and engaged leadership—has not yet adopted a Code of Ethics when roughly 87% of Connecticut municipalities already have one. Corporations, nonprofits, and governments at every level rely on such codes. They are not window dressing; they are public commitments to ethical behavior.

The draft before you is a worthy start, but it falls short of its purpose. Residents have identified specific weaknesses and offered constructive options for improvement. These deserve serious consideration before moving forward.

I'm also concerned about the process. Eighteen months of limited public input is not enough, and the public hearing tonight is scheduled for only two hours—hardly sufficient for a decision of this importance. Likewise. if the Council approves a ballot question, the proposed 40-day window is too short to educate thousands of voters and allow meaningful discussion.
For these reasons, I urge the Council to revise the ballot question. Instead of asking residents to vote yes or no on this draft, ask whether they support forming an ad hoc committee to develop a stronger Code of Ethics and bring that final document back for public approval.

A code of ethics is not something to fear. It is simply a pledge to accountability—something every resident has the right to expect. If there is confusion or opposition, let's take the time to resolve it and get this right.

Ledyard deserves a clear, thoughtful, and truly effective Code of Ethics. Please give our community the time and process it needs to achieve that goal.
Thank you.
Edwin Murray
26 Devonshire Drive, Gales Ferry, Connecticut"

Mr. Samuel Roudebush, 63 Hurlbutt Drive, Gales Ferry, continued by stating the comments he prepared for tonight were no longer relevant. However, he stated what he has heard this evening was that there was not much disagreement with the concept of having an Ethics Commission, but that there was a sort of a reaction to the process. He noted as an example Director of Parks, Recreation & Senior Citizens Director Scott Johnson, Jr., brought up some excellent points about the way the Parks & Recreation Programs were run that leverage other capabilities already within the town. He stated that these opportunities would be considered in conflict with the current language of the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* as presented in the draft dated September 10, 2025. However, Mr. Roudebush stated that it was an easy fix so the Parks, Recreation & Senior Citizens Department would not have to lose $30,000 in the revenue for the 12 or 16 Programs. He stated that they could create exemptions that they could work into the proposed Ordinance, where appropriate. He stated the same would go for the Town Clerk, noting that he thought those procedures may take some discussion and negotiation, but that they could be worked out and that it would be worth it. He stated the pushback they were getting on the proposed Ordinance reminded him of when the Federal Inspector General Act was passed post-President Nixon. He stated at that time there was a lot of pushback saying that Departments that could manage their own discipline. However, he stated that during the last 40 years, 50 years, that he believed that it has been proven that the Inspector General Program at the Federal Level had merit and has worked well.

Mr. Roudebush went on to state that having an independent commission that was politically independent was critical for the integrity of the process. He stated if the proposed Ordinance moves in that direction that he was in support of having a Code of Ethics and Ethics Commission. He noted that others already mentioned that Ethics was already addressed in several places within the Town Charter, within the Employee Handbook, and so forth. He stated that those Policies were important and should not be in overlooked or in the way of what the Ethics Commission does. He stated the proposed *"An Ordinance Establishing a Town of Ledyard a Code of Ethics and Ethics Commission*" would create a process that would allow those policies to be implemented properly, fairly, and without undue interference from the existing structure.

Mr. Roudebush continued by noting a comment made earlier this evening regarding the process for adjudicating complaints and that it would violate the current Human Resources processes in terms of Union Labor Contract Agreements. He stated that the proposed Ordinance could also address this. He stated as one speaker mentioned this evening that the proposed Ordinance provided an Independent Investigation, Recommendations, and then then Actual Actions that would be taken by those who have the Authority.

Mr. Roudebush concluded his comments by stating that there has been a tremendous amount of work done on this document. He stated that he supported the concept and the majority of the language that was in the current draft Ordinance. However, he stated that he did think they could do better, noting that the decision whether to go forward was up to the Administration Committee and the Town Council. He suggested that it may be better to move forward with the proposed Ordinance and fix it later, than not to enact it because it may be dropped or forgotten, or left untouched. Thak you,

Ms. Angela Cassidy, 62 Hurlbutt Road, Gales Ferry, stated that she read some posts on Social Media today in which a few stated that having an Ethics Commission would be a witch hunt. She noted that she was hearing so many injectors tonight that were just not true; however, she stated that it makes her raise an eyebrow and ask, "*Why would anybody even think that".* She stated if they were having those thoughts, then maybe there was a problem, and they need an Ethics Commission, and a Code of Ethics even more. She questioned why anybody would fight against having a Code of Ethics, noting that she thought the draft "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" that Councilor Buhle and many others worked so diligently on was almost there. She stated that they should all be questioning "*Why Ledyard would not want that"*. She stated that over 80% or about 150 of Connecticut's 169 towns already have a Code of Ethics, noting that this information was on the Connecticut State website, if anyone was questioning her numbers. She stated that both Republicans and Democrats have been strongly calling for an Ethics Commission for more than 18-months, noting that it was not partisan, it was about Accountability, Trust, and Protecting their community. She stated the proposed draft "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* has been reviewed by experts, including their Town Attorney, noting that several experts have already examined the draft Ordinance to make sure it was fair; and that some of those people were here tonight. She stated that she would ask any concerned citizens to please read the proposed Code of Ethics before making judgments. She stated that she did not think the response she was hearing from the public was what this Code of Ethics was about; and that she doubted that many have read the Code of Ethics. She stated that if she was running a personal business and she wanted to volunteer as a commissioner, that she just needed to disclose her properties, and possibly anything that she was receiving a large amount of over 10% from an investment. She stated that it seemed to be fair game for anybody who was playing honest. She stated that there was no reason they should not want this from their politicians and from people working for their community. She stated the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" only required town officials, town employees, and town volunteers to disclosure their potential *Conflicts of Interest* and recuse themselves if necessary. Therefore, she stated if people think there might be a *Conflict of Interest*, that as long as it was disclosed, and people decided that it was okay, they could still do that, noting that it was not necessarily stopping the person. She went on to state that as far as the money situation goes, she

thought that the town would be paying attorney's fees anyway; whether there was a Code of Ethics or not. She stated that unfortunately she thought that they would need some training for the Ethics Commission members; as well as annual trainings. She stated that a Code of Ethics was not just a formality, noting that it was a promise to their citizens where decisions would be made with honesty, openness, and fairness. She stated that it would protect their town and would strengthen their public trust. She stated that she thought the general message that has been online and everywhere else was not what they were making it out to be. She stated the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* was fair and it was simple. . She noted as Mr. Roudebush stated the Ethics Commission would provide an opinion and recommendations to the Town Council and/or Mayor; and then the Town Council and/or Mayor would make the decision.

Mr. Jacob Hurt, 6 Nugget Hill Drive, Gales Ferry, stated that he was speaking for himself tonight. He stated that he strongly support the adoption of "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*; noting that the Ordinance was not just an unfunded mandate from the State. He stated the last budget cycle showed that their town needed to urgently and responsibly grow their Grand List and reduce the tax burden on their property owners; so they could stop having to cut everything. He stated that there were people who might exploit the town's need to benefit for themselves. In other words, he stated some people may use public office to benefit privately. Therefore, he stated that an Ordinance like this meets the state requirements and was an important way to deter; and if necessary, hold accountable, anyone who used their position of public trust to benefit themselves. He stated that Ledyard simply had too much history of elected officials failing to hold each other accountable, no matter how strong the case for doing so. He stated the proposed Ordinance was necessary to provide a way to confidentially raise a question, and not have to hope that the right people won the last election in order for the right thing to be done. However, he stated more than that, they have plenty of examples of government officials obstructing investigations, blocking efforts of transparency, and interfering with the process to benefit themselves.

Mr. Hurt went on to state that he wanted to register his disappointment with the Mayor tonight. He noted the Mayor's letter that was read into record and he stead that they just saw him use his Office, and the knowledge it gives him, to obstruct and play *gotcha* with the creation of this Ordinance and the Commission; instead of collaborating with the Town Council and to ensure stakeholders got involved to get the best outcome for the town. He stated the Mayor's letter was a shining example of why they need this Ordinance and why they needed this process. He stated that people who have to win popularity contests cannot be trusted to tell on themselves, noting that they now have another great example as to why.

Mr. Hurt stated that he has talked a lot about the number of towns that have Ethics Ordinances in place, and have functioning Ethics Commissions, noting that it was large number. He stated that the Ethics Commission in the many other towns do not appear to be detrimental or deterring anyone from entering public service. He stated that there was also no apparent evidence that these Ethics Commissions were being weaponized against individuals. He stated in fact the proposed Ordinance was one way to deal with those potential issues instead of allowing mis-information and gossip to fill an information void; and then it becomes a question. He stated instead of letting gossip go around, that the issue would either meet the threshold to fille a Complaint Form, or not. He stated in summary, that he did not find any argument against adopting a Code of Ethics to be sound. He stated although he did support some of these proposed changes, that he did not see any of them as showstoppers, just improvements. He noted as Mr. Schroeder mentioned earlier this evening that he was also very curious to see what feedback the first Commissioners provide, and hope they would have a way to hear and address those ideas as well. Thank you.

Mr. Steve Munger, 12 Nutmeg Drive, Gales Ferry, began by stating as he always says when he addressed the Town Council that he appreciated all of their time that they were putting into the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*". He stated whether they agree or disagreed on the outcome, that he would still appreciate the people that contributed their talents for the electorate.

Mr. Munger went on to state that it was his understanding that there were a few issues that occurred in town some time ago and they were taken care of. He stated if he was wrong about this information than he would admit that for some who were on the other side of the aisle.

Mr. Munger noted that the problem was that a lot of people complained about the increase of their taxes, noting that he was one of them, but they had a low voter turnout. He noted the number of residents present this evening because of their concerns about the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*", stating that he has not seen some of these residents before. Therefore, he stated if all of these people were really concerned about the things that happen in a town then they need to get involved.

Mr. Munger continued by stating that he wanted to address the following:

- ***If it's not broke don't fix it*** – Mr. Munger stated that he uses common sense, noting that he does not look at numbers or statistics. He stated "*If it's not broke don't fix it.* He stated that he has done this his whole life, and it has been pretty successful.

- ***A Committee that doesn't lean one way or the other*** - Mr. Munger stated that they need to look at the climate in the country right now, noting that it was pretty much split. Therefore, he stated that he would find it really hard to believe they could find 3 people who say, "O*h, I won't, I won't, I won't."* He stated if the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*" does get passed that he would like to make sure that those people would be very strongly looked at before being appointed to the Commission, and that he would follow what they decide after each incident.

- ***80% of Connecticut Towns have an Ethics Commission*** - Mr. Munger stated that he did not care about what other towns were doing. He stated this was Ledyard and that they should be concerned about what happens in Ledyard. He questioned because 80% of Connecticut Towns have an Ethics Commission would that also mean if 100 people stand at a cliff and 80 people jump over; should the rest of them jump over the cliff too; commenting "*No we do not have to jump over the cliff*" . He stated he was not saying the 80% towns were right or wrong. However, he stated he did not see any reason why they keep bringing those other people into a Ledyard issue. He stated this was something they have to discuss, argue, and fight about; and the decide amongst themselves in Ledyard and do what was best for their town.

- ***Just pass the Ordinance, we will fix it later*** – Mr. Munger noted comments made this evening that they should pass the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* and fix it later. He stated although he did not like to bring federal politics into this, that the best analogy he has was when House Representative Nancy Pelosi said: " *Oh let's just pass this, we'll read it later".* Mr. Munger stated what they got was terrible. Therefore, he stated if they were going to move forward with an Ethics Commission, noting that he would support whatever way it goes; that they do not rush it and they should make sure it was right before they adopt the Ordinance, so they do not run into problems later. He stated let's not have a cavalier attitude, like, "O*h, let's just pass it, and we'll worry about it later.* He stated that was not the way they should operate. He stated that they need to make sure they have it right the first time, and then pursue it, noting that he personally did not want to see the town form an Ethics Commission.

Mr. Mike Cherry, 5 Whippoorwill Drive, Gales Ferry, provided for the record:

- Connecticut General Statutes -Chapter 124 – Zoning
  - Section 8-11 "*Disqualification of Members of Zoning Authorities*"

- Connecticut General Statutes - Chapter 128 – Municipal Planning Commission
  - Section 8-21- "*Disqualification of Planning Commission Members"*

- Connecticut General Statutes - Chapter 440 – Wetlands and Watercourses
  - Section 22a-42(c)

- Connecticut General Statutes - Chapter 98- Municipal Powers
  - 7-148t- *Conflict of Interest for Members of Land Use and Purchasing Commissions*

- Connecticut General Statutes - Chapter 113 – Municipal Employees
  - Section 7-479 "*Conflicts of Interest*"

- Ledyard Town Charter
  - Chapter III; Section 9 "*Investigation*"
  - Chapter IV; Section 9 "*Appointments and Removals"*
  - Chapter IX; Section 6 "Conflicts of Interest"

Mr. Cherry continued by noting in February, 2025 he stated that he was ambivalent about an Ethics Commission; however, he stated that now he was in support of the town having an Ethics Commission. However, he stated that tonight he wanted to talk about the deficiencies in the proposed draft "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* in terms of fixes noting the following:

- ***Code of Ethics*** – Mr. Cherry stated although he saw the words *Code of Ethics* that he did not see a *Code of Ethics* in the draft Ordinance dated September 10, 2025, noting that what he saw was a *Conflict of Interest List.* He explained that a Code of Ethics was something they could hang on the wall listing the positive things that they want to live by. He noted that the a good example of a *Code of Ethics* was provided in the Board of Education's Handbook as Attachment A "*Policy Notes*" and on the next page, it provided *Conflict of Interest Rules*. He stated the proposed draft "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* dated September 10, 2025 was missing this type of information. He stated during his lifetime he has been part of Government Organizations which included the Engineers Nuclear Society, noting that event the Military has a Code that they live by.

- ***Does the proposed "An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission" apply to the Board of Education*** – Mr. Cherry stated the Board of Education has their own *Code of Ethics and Conflict of Interest List*; therefore, he questioned whether the proposed Ordinance would conflict with what the Board of Education has published and had in place for a while.

- ***Section 5 "Conflict of Interest Provisions"***- Mr. Cherry stated Connecticut General Statute Section 7-479 says that the town can establish an ordinance saying what a *Conflict of Interest* is; noting that it was covered by state statute.

- ***Section 7 "Establishment of an Ethics Commission" Paragraph 1 (b)*** **-** Mr. Cherry stated he was not sure what they were talking about noting that it looked like there was a difference between what the Town Attorney said, in what they published. He suggested this section be looked at.

  Mr. Cherry noted the language "*serve as a member of any other town agency, board, commission, council, or committee*". He questioned whether they were being redundant, or whether he missed something in the definitions.

  Mr. Cherry stated that Mr. Schroeder suggested some good words that solved problems with the proposed draft Ordinance, noting that Mr. Schroeder added words to give the Commission some duties and responsibilities other than calling a lawyer. He noted the language was in the original draft Ordinance; however, it came out with the Town Attorney's red line lawyers markup, and the Administration Committee did not vote to put the language back in. Therefore, the language in Section 7; Paragraph (3) "*Authority/Duties*" was for the Ethics Commission to contact one of two lawyers.

- ✓ ***Section 7; Paragraph 6 "Hearings"*** Mr. Cherry stated these sections and others in the proposed "*An Ordinance Establishing a Code of Ethics and Ethics Ordinance*" mentions public hearings or executive sessions and he questioned whether they were talking about labor things, or individuals. He stated for privacy that he was not sure that a public hearing was the right answer. He suggested the Town Council talk with the Director of Human Resources.

- ✓ ***Section 7; Paragraph 7 Final Decisions*** – Mr. Cherry stated that Mr. Schroeder did a good job with the wording that would require the Ethics Commission to write a report, and make recommendations to provide to the people with the authority to implement the recommended actions. He noted that Mr. Schroeder indicated that the words needed to be workable and clear and to improve existing draft Ordinance.

- ***Sunset Clause*** – Mr. Cherry suggested they think about including a Sunset Clause to force the Town Council in 2 or 3-years to review the Ordinance.

- ***Training*** – Mr. Cherry stated that he agreed with the comment to require training for the Ethics Commission. He suggested that they also require training for all those who were covered by the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* including all the employees, all the volunteers, all the board members. He stated if they're covered by the Ordinance, they ought to be trained in what the Ordinance says.

  Mr. Cherry concluded his comments by stating that although the proposed "*An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Ordinance"* was not ready for a vote tonight, because it does not give the Ethics Commission a job, other than tell them to contact the Attorney. He stated with the suggested words that were provided tonight that he thought the Ordinance was getting close to being done. Thank you.

Mr. Dan Pealer, 48 Highland Drive, Ledyard, stated that he comes before the Town Council this evening having recently submitted comments by email. However, he stated that he would not focus on the written communication he already submitted. He proceeded by urging the Town Council not to factor the cost fallacy into their decision regarding the adoption of a "*Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*. He noted the hours that have been spent drafting, debating, and refining the proposed Ordinance does not make it a good policy. He stated the time invested was not a reason to proceed. He stated, "*The amount of effort poured into making a mud pie does not make it anything other than a mud pie"*. He stated labor does not transform substance; and sentiment does not substitute for scrutiny. He stated the Town Council's job tonight was not to defend the process; and not to factor in the process that was used to get here, noting that it was to evaluate the product of that process. He stated the Town Council must weigh the proposed Ordinance on its actual merits and its demerits, not on how much work has already gone into it, or how hard it would be to change. He stated that good intentions are not actions; and they do not shield anybody; and they do not correct any flaws that were present in the proposed Ordinance, noting that only clear-eyed governance could do that. He stated that he was pleading with the Town Council not to be the stewards of the effort, but to please use their sound judgment to choose what was right; and not to mistake momentum for wisdom. Thank you.

Chairman St. Vil thanked all those who spoke this evening. He explained that unfortunately, as it stands at this moment, the Town Council does not have a quorum this evening for their 7:00 p.m. Regular Meeting, and therefore, they were going to have to cancel the meeting. He stated the Town Council would revisit the topic of the proposed *"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"* at their October 8, 2025 meeting.

VII. ADJOURNMENT

Chairman St. Vil stated hearing no further public comment, that the Public Hearing was adjourned at 6:27 p.m.

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

I, Gary St. Vil, Chairman of the Ledyard Town Council,
hereby certify that the above and foregoing is a true and correct
copy of the minutes of the Public Hearing held on September 24, 2025

Attest:_____
Gary St. Vil, Chairman

DRAFT: 7/14/2025

Ordinance # _____

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.

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 and Town employees 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 personal gain; and that the public has confidence in the integrity of its government.

Section 3. Applicability

The Code of Ethics shall apply to all Town officials, including members of the Board of Education, and all Town and Board of Education employees.

Section 4. Definitions

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

1. *"Complainant"* means any person who signs a complaint under penalties of false statement alleging a violation of this Code.

2. *"Confidential Information"* means information acquired by a Town official or Town employee 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.

3. *"Financial Interest"* means any interest that has a monetary value of more than one hundred dollars ($100.00) in any calendar year and is not common to the other citizens of the Town.

4. *"Gift"* means anything of economic value in excess of one hundred dollars ($100.00), including but not limited to entertainment, food, beverage, travel and lodging.

   A gift does not include:

   a. A political contribution that is otherwise reported in accordance with the law.

   b. Services provided by persons volunteering their time.

   c. A commercially reasonable loan that is made on terms not more favorable than loans made in the ordinary course of business.

   d. A gift received from a member of a person's immediate family.

   e. Goods or services which are provided to the municipality and facilitate government actions or functions.

   f. A certificate, plaque or other ceremonial award.

   g. 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.

   h. An honorary degree.

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

   j. Any gift provided to a Town Official or Town Employee or to an immediate 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.

5. *"Immediate family"* means spouse, fiancé, child, parent, grandchild, brother, sister, grandparent, niece, nephew, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, and brother-in-law.

6. *"Respondent"* means any person accused of violating this Code.

7. "*Town Official"* means any person holding elective or appointive office in the government of the Town, including members of the Board of Education.

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

Section 5. Conflict of Interest Provisions

1. A Town official or any member of his or her immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by the board, agency or commission of which that person is an elected or appointed member.

2. A Town employee or any member of his or her immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment or contractual services that is within the purview of such Town employee.

3. The Mayor of the Town of Ledyard and members of the Town Council of the Town of Ledyard and any members of their immediate family shall not have a financial interest in any contract or purchase order for any supplies, materials, equipment, or contractual services furnished to or used by the Town of Ledyard.

4. No Town official or Town employee shall solicit or accept a gift from any person or business entity which is interested directly or indirectly in any business transaction or pending matter that is within the purview of such Town official or Town employee.

5. Town officials and Town employees shall not use Town owned vehicles, equipment, facilities, materials or property for personal convenience or profit.

6. No Town official or Town employee shall disclose or use confidential information acquired in the course of and by reason of his or her official duties for financial gain or for the financial gain of a member of his or her immediate family.

7. No Town official or Town employee may directly hire or supervise a member of his or her immediate family.

8. No former Town official shall represent anyone for compensation before any Town agency, board, commission, council or committee in which he or she was formerly an elected or appointed member for a period of one (1) year following the end of such former member's service on such agency, board, commission, council or committee.

9. No former Town employee shall represent anyone for compensation before any Town agency or department for which he or she was formerly employed for a period of one (1) year following the end of such former employee's employment with the Town.

Section 6. Ethics Commission

1. Membership

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.

A. The five (5) Regular Members of the Commission shall include at least one attorney or paralegal (current or retired) and at least one member with a financial background.

B. No more than two (2) Regular Members may be affiliated with any one political party. Both Alternate Members may not be affiliated with the same political party. At least one Regular Member and one Alternate Member shall be registered as an unaffiliated.

C. No Regular member or Alternate member of the Ethics Commission shall:

A. Be a Town official or Town employee of the Town of Ledyard or be a member of the immediate family of any Town official;

B. Have held any elected Town or State office for a period of one (1)-year prior to being appointed to the Ethics Commission.

C. Be a member of a town committee.

D. Serve as a member of another Town agency, board, commission, council or committee.

E. Have been employed by the Town for a period of one (1) prior to being appointed to the Ethics Commission.

F. Have any financial interest in matters before the Town or the Board of Education.

G. Have been found in violation of any federal, state, municipal or professional code of ethics.

2. Terms of Appointment

A. Members shall be appointed by the Town Council for a term of three (3) years and shall serve until their successor has qualified or is removed by the Town Council.

B. 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 alternate member to serve for two (2) years. Thereafter, vacancies shall be filled for a three (3) year term.

C. Inaugural members shall be eligible to serve two (2) additional three (3) year term beyond his/her initial appointment.

D. Any vacancy on the Ethics Commission, other than by expiration of term, shall be filled for the unexpired portion of the term by the Town Council.

E. 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.

F. 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.

3. Authority/Duties

The Town of Ledyard Ethics Commission shall be authorized to perform the following:

A. To consult with the Town Attorney or another attorney hired by the Ethics Commission if so authorized by the Town Council.

B. To request that the Town Attorney provide advisory opinions. Advisory opinions rendered by the Town Attorney, until amended or revoked by the Ethics Commission, shall be binding and shall be deemed to be final decisions.

4. Procedures

A. Filing of Complaints

A complaint alleging any violation of the Code of Ethics shall be made on a form prescribed by the Ethics Commission and signed under penalty of false statement. The form shall be delivered to the Town Clerk who shall transmit a copy of the complaint to the Chairperson of the Ethics Commission 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.

B. 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 respondent and began a formal investigation process.

C. 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.

D. 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 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 and 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 or her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

E. Penalties for Violations of the Code of Ethics.

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

1. Order to cease and desist the violation.
2. Pay a civil penalty of up to the maximum amount permitted by State law.
3. Censure.
4. Suspension without pay.
5. Demotion.
6. Termination of employment.
7. Restitution of any pecuniary benefits received because of the violation committed.

Section 7. Severability

If any part of this Code 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:_____

_____
S. Naomi Rodriguez, Chairman

Approve/Disapprove on:_____

_____
Fred B. Allyn, III, Mayor

DRAFT

Frequently Asked Questions
"An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"

Q&A as written by Jessica Buhle

These are my responses and opinions on this ordinance, and I do not speak for the Council or Administration Committee as a whole. I have received and heard these questions several times and wanted to take the time to address them one by one in a format that is conversational and easy to understand.

Q: Doesn't the Town Charter cover us in these situations? Why do we need an Ordinance and a Commission?
A: The Town Charter has provisions which cover Investigation and Conflicts of Interest. The Charter does not outline specifically what constitutes a Conflict of Interest, and also requires the Town Council to vote to perform an Investigation. I personally feel that the Council would struggle to remain impartial against other councilors or Town officials there may be speculation against. Creating a Code of Ethics outlines what constitutes a Conflict of Interest in participation in the town, and creates a nonpartisan Commission which can respond to any filed complaints.

Per Chapter 9, Section 6 of the Town Charter, "The Town Council may by ordinance specify what is, or what is not, a conflict of interest for officials and employees of the Town." This ordinance falls in line with that language.

Q: Will this result in political weaponization to attack people anyone disagrees with politically?
A: I believe this Code of Ethics is specific enough to outline what does and does not constitute a breach of the Code of Ethics, and Complaints are filed under penalty of false statement, so I do not believe frivolous complaints will be filed to weaponize the Commission against anyone politically.

In fact, as mentioned in the above question, I believe the current system has more potential to be politically weaponized, as current investigation requirements require a majority of the Council, a partisan group.

Q: The Town Attorney recommended a different version. Why are you supporting this version?
A: Where possible, we adopted all the Town Attorney's recommendations. The Town Attorney had removed provisions that we had considered important to the submitted draft Ordinance (specifically section 6, which he had verbally advised me was legally admissible). There are limited other sections which were modified or re-added after verifying they were following Connecticut General Statutes. This proposed draft incorporates most of the Town Attorney's recommendations while maintaining the provisions we felt would best protect the town.

Q: Will this cost us any money?
A: While legal and other fees may be incurred through investigations and legal advisory, all commissioners are unpaid volunteers, and this Ordinance has the potential to protect the towns' reputation and integrity. Many Ethics Commissions across the state meet very rarely and very rarely have complaints; I expect us to follow a similar pattern.

Q: Who does this Ordinance apply to?
A: As it is written, this Ordinance applies to all Town officials, elected or appointed, including all members of committees, commissions, and boards, and all Town employees, including Board of Education members and employees.

Some provisions, such as the disclosure statement in Section 6, only apply to Town Councilors, Board of Education members, and the Mayor.

Q: I am a volunteer or employee for the town. Should I be worried about someone filing a false complaint against me?
A: The Ordinance as it is written only pertains to ethical misconduct relating to financial benefit of the Respondent. As mentioned, complaints are filed under penalty of false statement. The Ordinance cannot be used to file a complaint against someone if they are unhappy with a decision or unhappy with the service they have received at a town office or event. After a complaint is received, the process to determine Probable Cause is entirely confidential, and any complaints that are unwarranted and have no Probable Cause will be dismissed and remain confidential.

Q: We don't need this. Why waste any time creating a commission?
A: We have low crime rates in Ledyard, but we have an excellent police department to respond when we need them. I've never had a fire in my home (and fingers crossed I don't in the future), but I want Ledyard to have a great fire department. Most in this town believe we have an ethical town government, but I want to make sure we have an ordinance in place to protect us from future unscrupulous behavior and to set the standard for what our town considers financial benefit and conflict of interest.

Also, the last I knew, Ledyard was one of twenty-four towns in Connecticut without an Ethics ordinance or Code of Ethics. I do not see harm in establishing a Code of Ethics to protect our town as many of our neighboring towns have done.

Roxanne Maher

From: Ritter, Matthew D. <MRitter@goodwin.com>
Sent: Tuesday, June 24, 2025 1:05 PM
To: Kristen Chapman; Jessica Buhle
Cc: Fred Allyn, III; Roxanne Maher
Subject: RE: Request Town Attorney Review - Ledyard Draft Ethics Ordinance

Chair Buhle – would you have time this week to discuss the draft ordinance?

Thanks, Matt

SHIPMAN

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
www.shipmangoodwin.com

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From: Roxanne Maher <council@ledyardct.org>
Sent: Monday, June 23, 2025 5:58 PM
To: Kristen Chapman <mayoral.asst@ledyardct.org>
Cc: Roxanne Maher <council@ledyardct.org>; Jessica Buhle <Jbuh@ledyardct.org>; Fred Allyn, III <mayor@ledyardct.org>
Subject: Request Town Attorney Review - Ledyard Draft Ethics Ordinance

Good Afternoon Kristen:

Could you please forward the email below and attached draft Ordinance to Attorney Ritter.

Should you have any questions, please do not hesitate to contact me.

Thank you,
Roxanne

****

Hello Attorney Ritter:

The Ledyard Town Council's Administration Committee has drafted the attached " *An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission"*
dated 6/11/2025; and respectfully requests your legal review and recommendations/suggestions prior to them setting a Public Hearing date.

Should you have any questions or need additional information regarding the Committee's draft Ordinance, please contact Administration Committee Chairman
Jessica Buhle at: Telephone (708) 307-6572; or email: Email: jbuh@ledyardct.org; or me.

The Administration Committee looks forward to your comments and recommendations.

Thank you,
Roxanne

Roxanne M. Maher
Administrative Assistant to
The Ledyard Town Council
(860) 464-3203
council@ledyardct.org

Town Hall Hours:
Monday – Thursday 7:45 a.m. – 4:45 p.m.
Closed on Friday

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Proposed Amendments to 24-0481 - DRAFT CODE OF ETHICS AND ETHICS COMMISSION -JESSICA-2025-09-08

Section 3. Applicability

The Code of Ethics shall apply to all Town officials, including members of the Board of Education[,] ~~and~~ all Town and Board of Education employees[,] ~~and to those conducting business with the Town of Ledyard~~ and to all contractors retained by the Town, including attorneys.

Section 4. Definitions

9. **Contractor**. Any business, proprietorship, firm, partnership, person in a representative or fiduciary capacity, association, venture, trust or corporation, whether paid or unpaid, including members of any board, committee or commission thereof.[1]

Section 5. Conflict of Interest Provisions

(All provisions need to be reviewed to include “Contractor”, where applicable)

Section 7.1. Membership

Note: EITHER

The Ethics Commission shall be comprised of five (5) regular members and two (~~2~~ 3) alternate members. All members of the Ethics Commission shall be electors of the Town.

a. No more than two (~~2~~ 1) Regular Members may be affiliated with any one political party. ~~Both~~ Alternate Members may not be affiliated with the same political party. At least ~~one~~ three Regular Member(s) shall be registered as an unaffiliated.

OR

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.

[1] Norwich Code of Ethics - Ord. No. 909, Section 2-52 b

~~a. No more than two (2) Regular Members may be affiliated with any one political party. Both Alternate Members may not be affiliated with the same political party. At least one Regular Member shall be registered as an unaffiliated.~~ [2]

Section 7.3 Authority /Duties

The Town of Ledyard Ethics Commission shall be authorized to perform the following:

a. To **receive, review, investigate, and adjudicate complaints** alleging violations of the Town Code of Ethics, in accordance with the procedures set forth in this Ordinance.

b. To conduct hearings, issue findings, and impose penalties as provided herein.

~~a~~ c. To consult with the Town Attorney or another attorney hired by the Ethics Commission if so authorized by the Town Council.

~~b~~ d. To request that the Town Attorney provide advisory opinions.

e. To provide formal advisory opinions, upon request, to Town officials, Town employees, or other parties subject to this Code of Ethics, for the purpose of clarifying the application of the Code to specific situations.

Section 7.4 Filing of Complaints

In the application of this Code of Ethics, care will be given to distinguish between concerns of management of Town employees and violations of the public trust. The daily management of employee performance is the responsibility of the Mayor or School Superintendent in the case of the employees of Ledyard Public Schools. Personnel policies should be the first guide in those areas where applicable. Similarly, the routine activities of the Commission should be governed by its rules and regulations. This in no way compromises the Commission's mandate to investigate complaints on such matters.

Section 7.5 Evaluation and Acknowledgement

b. If the Ethics Commission makes a finding of probable cause which shall require ~~four~~ three (~~4~~ 3) affirmative votes, it shall so advise both the complainant and the respondent within ten (10) business days of its finding and begin a formal investigation process.[3]

[2] Norwich Code of Ethics - Ord. No. 909, Section 2-55 (a) 1
[3] Norwich Code of Ethics - Ord. No. 909, Section 2-55 (c) 3

Section 7.7 Final Decisions

d. 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~~ *Report of Recommendations* within ten (10) days after its decision. It will also advise the respondent of his or her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.

e. **Report of recommendations**. When there has been a finding of a violation the commission shall report the finding and a recommendation for action to the town council. The commission shall also report to such other officer or board of the City with the power granted by the charter or state statute to remove the officer, official or employee found to have committed the violation, when such power of removal exists. [4]

f. When the power of removal exists, the officer or board of the City with the power to remove the violator shall within sixty (60) days of receiving a report of violation, report back to the Ethics Commission the disposition of the matter. In all other cases, a report of disposition may be made by the council at their discretion.[5]

Section 7.9 Advisory Opinions

a. **ADVISORY OPINIONS**. Any officer, official or employee may seek from the commission, upon written request, an advisory opinion as to the application of any provision of this article to a particular situation or as to an interpretation of any such provision. The commission shall act on a written request within sixty (60) days of receipt. Such action may be an affirmative vote to decline ruling on the matter. In the event the commission fails to achieve a majority vote for any proposal, such failure shall be construed as an affirmative vote to decline ruling on the matter. The city clerk shall maintain a file of advisory opinions.[6]

Dear Commissioners,
Please consider the above revisions to the current Code of Ethics draft:
24-0481 - DRAFT CODE OF ETHICS AND ETHICS COMMISSION-JESSICA-2025-09-08

Sincerely,
David Schroeder Jr.
290 Whalehead Rd.

[4] Norwich Code of Ethics - Ord. No. 909, Section 2-55 (c) 7
[5] Norwich Code of Ethics - Ord. No. 909, Section 2-55 (c) 8
[6] Norwich Code of Ethics - Ord. No. 909, Section 2-56

Roxanne Maher

From: Roxanne Maher
Sent: Thursday, August 21, 2025 7:06 PM
To: Town Council Group; Adrienne Parad
Subject: Fwd: Ethics Committee Letter #2

Begin forwarded message:

From: Pamela Ball <pcball@earthlink.net>
Date: August 21, 2025 at 4:50:28 PM EDT
To: Roxanne Maher <council@ledyardct.org>
Subject: Ethics Committee Letter #2

Dear Council,

I write again in opposition of the proposed "Ethics Committee". In addition to my comments in my first letter (reproduced below), I would like to add the following:

I do not believe that Council has made a good case for needing this Committee. The town charter provides for instances where it is necessary to investigate suspect activities committed by elected, paid or volunteer town personnel. There is no instance in which the guidelines in place can be imagined to fail to resolve an issue and do so without public humiliation. You may say that if you have nothing to hide, then it shouldn't be a problem but that is a horrible way to look at a situation in which someone has to defend themselves even when they are blameless.

Why does Council choose not to do this part of their job? It is not burdensome as the town has only used the processes in place a few times. Is it not their job as elected officials to represent the town when conflict arises? Dealing with matters of conflict in a confidential manner resides with Council and not with any townsfolk who think they should be able to judge people. This is passing the buck and shirking their duties.

Lastly, as a volunteer and current manager of the farmers market, I have many interactions with townspeople. Some interactions are pleasant while others are confrontational, unpleasant, and uncomfortable. With this committee in place, I could now have to defend any decision I make should the person not liking the decision go to the committee. I, and my team, as VOLUNTEERS should not be put in a position where an unpopular decision could cause personal turmoil. As I mentioned in my first letter, a friend of mine in charge of her town famers market was run out of town for making a decision that followed market rules. It wasn't fair to her and it would not be fair to ANY volunteer who freely helps to support this town.

Here is a recent example: At one market, we were very short handed and the market table was unattended for some time. A person rang the market bell very loudly so I went over to see what they wanted. I ended up getting berated for not having a food truck from Ledyard on the premises and informed that we should have their truck at the market because they were from Ledyard. No matter what explanation I offered (out of space, no trucks from Ledyard applied, etc.) I was met with an argument. It was apparently my fault that they did not know about the application time frame for the market and when I told them how we distributed information I was met with "I'm not on FB" or "I don't read the Events magazine". Then I was chastised for using taxpayer money to run the market to which I explained that the market runs on vendor fees. Then this person argued again that it was their taxpayer dollars that allowed us to use the space

free of charge and he deserved and had the right to have his food truck at the market because he was a taxpayer. I would rather the market pay for the space than have to deal with this kind of criticism. I won't even go into the harassment the team and I had to endure running the market during Covid where we had to require people to follow masking, distancing, and glove guidelines.

I do not want a person with this attitude making a complaint about me, a VOLUNTEER, for making any decision for the market. This person was not nice to interact with and is just the kind of person I could imagine would lodge a complaint and want to be judge and jury against other townspeople. I do not need or want this kind of potential threat in my life nor in the lives of any other team member.

Also as I mentioned in my first letter, what makes one person qualified to judge another? In this political climate, I believe that it would be impossible for some people to be impartial in judging a person or situation. Juries are vetted for each particular trial and I do not recall a provision for this in the proposed resolution. This is proverbial witch hunt waiting to happen.

If this committee does go through, I would more than likely no longer volunteer my services to the town. It's not a threat; I simply do not need this kind of cloud in the background of my life. It is sad to think that Council is willing to allow their elected, paid and volunteer personnel be publicly dragged over the coals for when all issues should be handled by Council, privately and with attorney-client privilege.

At the least, volunteers should be exempt from complaints made to an "ethics committee"; complaints about volunteers should go directly to Council to be handled discretely and under privilege.

Thank you,

Pam Ball

Dear Council,

Having read the proposed ordinance and letters from town residents in support of the ordinance to create an Ethics Committee (EC), several issues and questions come to mind.

Being subjected to an "ethics" investigation, especially without an attorney, can have serious lifelong negative effects. I know of a situation in another town where a resident volunteering on a town committee made a decision that was correct, proper and in keeping with the duties of the committee but was not popular with the townsfolk. At a town meeting, I witnessed first hand how the town select person simply refused to listen to and consider any comments in support of her and the decision she made. Several of us gave statements that were rudely ignored. There was unflattering newspaper coverage and she was treated poorly by town residents and town authorities. She was subjected to such harsh treatment that she felt forced to - and did - move out of town to escape the hostility. This person was an acquaintance of mine and I know first hand how horrible this was for her.

Once an accusation is made to the EC, since there are no attorneys involved and thus no attorney-client privilege, is it not discoverable? Cannot all of the "confidential" information that is part of any EC investigation, from the filing of the complaint to the final decision, be discovered by a FOIA request? Would an accused have to turn over their personal

email, texts or other documents to five members of the EC and could that information be discovered by anyone else via a FOIA request? Would all of their social media posts be subject to scrutiny? All it would take is one person in town with an issue with the accused to use that information to start rumors, post negative things on social media, post content of personal emails, etc. because without attorney-client privilege, isn't the information is accessible through a FOIA request? Potential employers could find out if a person was called before the EC and, without attorney-client privilege, wouldn't the town have to reveal that information if the employer filed a FOIA? Even if a person subjected to an accusation is found to be "innocent" there is no way to repair their reputation, their standing in the community, to gain back the hours of time spent in defense, or to be repaid expenses incurred to defend themselves. Once negative comments are out there, they are out there forever.

Will there be any requirements to be an EC committee member other than to be a registered voter in town? How will you determine if a committee member is qualified to sit in judgement of other townspeople? Will they receive any training such as intrinsic bias training? Will Council read the social media posts of potential EC members to see if they have made political, insulting or other disparaging comments against other residents? Who will determine what information should or should not be redacted from subpoenaed personal communications of the accused? Who will do the research to make sure that any documentation that an accuser submits is valid? Who will and how can an EC make sure that any proceedings are free from personal or political bias? If an attorney is not involved, could anyone make a FOIA request of the members of the EC to reveal information from their discussions and any communications on the topic?

Going before the EC has been compared to being judged by a jury of peers but that activity is carried out in a courtroom with a judge, attorneys (*i.e.*, trained professionals) and a jury selected to hear the case at hand; that is not the situation proposed here. Here you would have five untrained individuals who would sit in judgement on a fellow townsperson. What if a person on the EC knows the accused or is familiar with the situation? In a jury selection process, that person would be removed; is Council going to vet and seat a new member each time this occurs? If the EC determines that a complaint is not valid, what plans will there be to stop the accuser from making their accusations public in other ways? The accused has no protection or privacy until an attorney is involved so the simple act of filing a complaint puts the accused in a position of needing one. What if they don't have the money to hire a lawyer? You may argue that a FOIA could be requested for any proceedings under the current policies, but under the current policies situations are handled by professionals, not neighbors, and attorney-client privilege would likely be in place.

What kind of complaints have ECs in other towns received and what kinds of actions have they taken? Did they need an EC to address the issues or would the policies in place have worked just as well? I believe that it would be a good idea to reach out to other towns to see how their EC was used and to talk to the accusers and accused to see how they were affected, especially those who went through the process and were found innocent. I do not know if a formal EC in was in place for the situation I described above. Regardless, it devolved into a situation of neighbor attacking neighbor with awful consequences.

Have there been any "ethical violations" that have been identified that have not been or could not be adequately addressed by policies already in place? I understand that there have been some unpopular goings on in town (proposed blasting, proposed apartment complex) but just because a decision is unpopular does not mean it is a violation of ethics.

Some arguments for the committee included noting that Ledyard was one of the few towns in the state that didn't have an EC. Since we have policies in place, we don't need a committee. Other comments were directed to preparedness; there are policies in place so the town is prepared. And the last argument was that if you haven't done anything wrong, you don't have anything to worry about. All it will take is for someone in town to suspect you of doing wrong, filing a complaint and your life could be changed. Knowing that you haven't done anything wrong isn't going to protect you from an investigation. It's like arguing that you don't care about privacy because you have nothing to hide; do you really want people poking around in your life even if you haven't done anything wrong?

It seems to me that what is really needed is to make everyone aware of the policies already in place to handle complaints in a professional manner with trained personnel rather than asking five townspeople to make a judgement on another. Maybe the existing policies could be updated to include information from the ordinance about the "ethical

violations" that would be subject to an investigation and outline the steps to file a complaint under the current system. Such an amendment would address those who say that the current guidelines are too vague.

Is Council going to make a town wide announcement should this committee be established? If so, why not make a town wide announcement to educate folks as to the (updated) policies in place?

If this committee is put in place, all present and future volunteers should be made aware that anyone in town can file an ethics complaint against them. My friend was simply volunteering to make a good thing happen for the town. If the situation had been handled professionally, perhaps she wouldn't have been harassed so badly as to have to move away. Who would want to be a volunteer in Ledyard knowing that anyone could make a complaint against them? Volunteering should be rewarding, not a risk.

Thank you for reading,

Pam Ball

Ledyard Town Council
Administration Committee

8/6/2025

Good Evening Councellors,

Before I begin, I would like to be very clear: my comments are not intended as a personal critique of Attorney Avena. I sincerely appreciate the time and expertise he has contributed in editing the draft document. His insights are clearly thoughtful, grounded in legal reasoning, and I recognize that I'm speaking without the benefit of having heard his full explanation for the revisions that have been made.

That said, in the interest of keeping this discussion focused on the content rather than individuals, I'll refer to the proposed revisions simply as "the attorney edits" or "the edits."

As someone who is not legally trained, I understand that some of these edits may be intended to streamline the language—removing redundant definitions or simplifying structure. Where that's the case, I fully support those changes. Clarity and simplicity serve everyone.

However, there are other edits that I find more difficult to understand—and, in some cases, entire sections of the draft have been eliminated. I worry that these edits may substantially alter the intent or effectiveness of the ethics code itself.

Did the state not provide model templates or example language to help municipalities establish effective codes of ethics and ethics commissions? After more than a year of effort, it's worth asking: have we simply recreated what already existed, or have we truly improved upon it? Was it really this challenging to arrive at a workable ethics code with clear enforcement mechanisms, and have we even managed to do that?

It would be helpful to understand how this edited draft compares to those already adopted by neighboring towns—many of which have relied on more standardized, broadly accepted language.

Given the time and energy invested in this process, one would hope this Committee has produced a document that not only reflects best practices, but sets a high standard. Otherwise, we risk ending up with a code that appears substantial but ultimately lacks the scope, authority, and enforceability needed to be truly effective. And if it's not effective, the town would have been better served with the model template(s) and generic language.

Thank You,
Dave Schroeder Jr.
290 Whatlehead Rd

Comment on Section 1

For example, in Section 1, the phrase "...there is hereby established a Town of Ledyard Code of Ethics" originally included the additional words "and Ethics Commission," which have been struck in the edits. Yet, in the revised Section 6—titled "Ethics Commission"—a commission is clearly established, with defined membership, terms of appointment, duties, and procedures. This raises a question: if the Ethics Commission is no longer explicitly established in Section 1, does that omission undermine or potentially nullify the authority outlined later in Section 6?

Comment on Section 4 Definitions

I assume the defined terms that were struck from the draft are legally unnecessary? Does this mean that they're defined already in some other statute or that their definition is not relevant to this ordinance?

Comment on Section 5 – Conflict of Interest Provisions:

Thank you for the clarification between officials and employees—that's a helpful improvement.

However, I'm concerned about the removal of the original language in **Subsection 5.1** that prohibited any interest—direct or indirect—that could compromise a person's independent judgment. This language addressed a broad spectrum of ethical concerns, including non-financial conflicts of interest, and provided a vital safeguard for maintaining public trust.

By narrowing the focus only to financial interests in contracts or purchases, the revised language may unintentionally weaken the scope of the ethics code. Ethical conflicts don't always come down to money—they can involve personal relationships, affiliations, or outside obligations that impair objectivity.

I would recommend reinstating or adapting the original "independent judgment" clause to preserve its broader intent, while still benefiting from the added clarity and structure introduced in the new draft.

Subsection 5.3 "Personal beneficial interest" and "directly or indirectly" have been removed. These terms were important for covering non-obvious or indirect benefits (like a benefit to a friend, business associate, or shell company), not just direct financial gain. Their removal could narrow the definition of a conflict.

Removal of draft Subsection(s) 5.3 A-N, replacing them with new Subsection(s) 5.4-5.9
While the edits for subsections 5.4-5.9 are well written, important and acceptable, I'm concerned that most of the original provisions that were deleted—covering things like disclosure of conflicts, recusals, misuse of position, and protection against even the appearance of impropriety—have been removed.

It is important that together these clauses should form a broad framework of ethical protections. Without addressing them all, we risk leaving the Town vulnerable to real or perceived ethical violations. I'd urge the Council to carefully consider the new clauses, and reinstating or restoring any of the protections that seem to be missing in this section.

Comment of Section 6

Section 6.1.B I recommend that no more than one (1) Regular Member be affiliated with any single political party. Additionally, at least three (3) Regular Members and one Alternate Member should be registered as unaffiliated. This structure helps prevent the two major parties from colluding to block ethical complaints when it serves their interests.
Section 6.4.A I suggest that the identity of the person filing a complaint not be made public. While the complainant should not remain anonymous, their name should be kept confidential to protect them from potential retaliation by individuals in positions of authority. At the same time, it is important to ensure that the complaint process is not exploited through frivolous filings, which should neither be tolerated nor encouraged.

I was only able to review about half of the revised draft document. I apologize for not having more feedback to offer at this time, as there are still numerous edits and deletions I was unable to address.

Thank you for your dedication and effort in helping to create the best ethical code possible for the town.

TOWN OF LEDYARD
FRAUD POLICY

1. Purpose:

This fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against the Town of Ledyard. It is the intent of the Town of Ledyard to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

2. Scope of Policy:

This policy applies to any irregularity, or suspected irregularity, involving employees as well as volunteers, vendors, consultants, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with the Town of Ledyard. Any required investigative activity will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the Town of Ledyard.

3. Policy:

Management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. Any irregularity that is detected or suspected must be reported immediately to the Mayor, who coordinates all investigations with the Town's legal counsel, and other affected areas, both internal and external.

4. Actions That Constitute Fraud

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act
- Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Profiteering as a result of insider knowledge of Town activities
- Disclosing confidential information to outside parties
- Accepting or seeking anything of material value from contractors, vendors, consultants, or person providing services/materials to the Town of Ledyard. Exception: Gifts less than $25 in value.
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related irregularity

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LEDYARD TOWN CLERK

5. Other Irregularities:

Irregularities concerning an employee's moral, ethical, or behavioral conduct should be resolved by departmental management and the Mayor. If there is any question as to whether an action constitutes fraud, contact the Mayor for guidance.

6. Investigation Responsibilities:

The Mayor has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Mayor will issue reports to appropriate designated personnel and to the Town Council. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

7. Confidentiality

The Mayor treats all information received confidentially. Any employee who suspects dishonest or fraudulent activity will contact their supervisor immediately, and *should not attempt to personally conduct investigations or interviews/interrogations* related to any suspected fraudulent act (see Reporting Procedure section below). Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Town of Ledyard from potential civil liability.

8. Authorization for Suspected Fraud:

The Mayor will have:

- Free and unrestricted access to all Town records and premises, whether owned or rented; and
- The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of his/her investigation.

9. Reporting Procedures:

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will contact the Mayor immediately. The employee or other complainant may remain anonymous. All inquiries concerning the

activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Mayor. No information concerning the status of an investigation will be given out. The proper response to any inquiries is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference. The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution.
- Do not discuss the case, facts, suspicions, or allegations with *anyone* unless specifically asked to do so by legal counsel.

10. Termination:

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by legal counsel before any such action is taken.

11. Administration:

The Mayor is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised as needed.

Adopted by the Ledyard Town Council on May 28, 2014

Linda C Davis

Linda C. Davis, Chairman

Roxanne Maher

From: Keva Fothergill <kevafothergill@sbcglobal.net>
Sent: Friday, September 13, 2024 7:28 AM
To: Town Council Group
Subject: Ethics committee

Town Council:
I support the formation of an Ethics Committee
In Ledyard and would gladly sit on said committee, if members are needed. I do not currently participate in any other boards/committees.

Contact information:
Keva Fothergill
16 Osprey drive
Gales Ferry
8608573565

Sent from AT&T Yahoo Mail for iPhone

Roxanne Maher

From: Joe Franzone <joefranzone@gmail.com>
Sent: Thursday, September 12, 2024 10:26 PM
To: Town Council Group
Subject: Ethics Committee

We should have one!
Thanks, Joe Franzone
66 Hurlbutt Rd.

--
'Every day's a Holiday!'

Roxanne Maher

From: Alicia <amlyons77@aol.com>
Sent: Thursday, September 12, 2024 9:08 PM
To: Town Council Group
Subject: I support an Ethics Committee

Good evening,

I am a Ledyard resident of 17 years now. As I am reading about the proposed apartment complex in Gales Ferry, a blasting company and other projects being done its past time for Ledyard to have an Ethics Committee to protect our residents, wildlife and businesses.

I fully support our town organizing an ethics committee and hope it happens before these big projects are approved.

Please reply with any questions or concerns.

Thank you,
Alicia Lyons

Roxanne Maher

From: Lynn Wilkinson <lynnwilkinson57@comcast.net>
Sent: Thursday, September 12, 2024 6:04 PM
To: Town Council Group
Subject: Ethics committee

Dear Town Council members

I am would like to respectfully request that an Ethics commission be formed for our town. It seems odd to me that Ledyard is one of very few towns that doesn't have one, and I believe this should be rectified.

Lynn Wilkinson
57 Terry Road
Gales Ferry, CT 06335
Sent from my iPhone

Roxanne Maher

From: Markos Samos <markwsamos@gmail.com>
Sent: Saturday, September 14, 2024 8:28 AM
To: Town Council Group
Subject: Ethics Committe

I wish to request that the Town Council create an ethics committee. I am concerned that without such a committee this town runs the risk of self interested parties making decisions on their behalf and not that of the town's people.

I have been a resident of Gales Gales for 44 years and love this town. I am concerned that given the current political climate some decisions may not be in the best interest of the town.

--
Thank You
Markos Samos
33 Robin Hood Drive
Gales Ferry

Roxanne Maher

From: LYNN WILKINSON <lynnwilkinson57@comcast.net>
Sent: Monday, November 18, 2024 9:19 AM
To: Town Council Group; Fred Allyn, III
Subject: Town Council meeting 11/13/2024 Ethics Commission

11/18/2024
Lynn Wilkinson
57 Terry Road
Gales Ferry, CT 06335

Ledyard Town Council
Mayor Fred Allyn

Dear Town Council and Mr. Allyn,
I have just finished watching the video from the last council meeting, and I have several comments and concerns.

Of the 169 towns in Connecticut, we are in the minority with no ethic commission, or code of ethics for elected officials. I fail to see how correcting this lack is "a solution looking for a problem ". The example given of successfully addressing embezzlement is all well and good, but many ethical issues are not nearly so clear cut. Financial gain is not the only measure of ethics violation, and I am disappointed to see an elected official ignore that in his statements.
Furthermore, although I understand a commission to investigate wrongdoing can be called, an *independent* commission would do more for the public trust. This is the very reason so many asked for independent studies to supplement application to P&Z recently. Essentially asking a body to investigate itself (should the need ever arise) would do little to assuage resident's concerns about potential improprieties.

Ledyard is in a period of rapid change, and there are many impactful projects on the table, with presumably more to come. There is a lot of fear and uncertainty, which is not unusual in these circumstances. Adopting a code of ethics and an Ethics Commission, which seems to be fairly standard practice in Connecticut towns, is hardly following your friends off the proverbial bridge; it would improve voter confidence in our elected official's decisions, and lay many concerns about transparency to rest.
I hope that going forward, the council will be open to considering the taxpayer's requests, rather than relying on the old standard of " this is how we've always done it".
Respectfully,
Lynn Wilkinson

Roxanne Maher

From: Deborah K <whistldyxc@gmail.com>
Sent: Saturday, December 7, 2024 11:25 AM
To: Carmen Garcia Irizarry
Cc: Town Council Group
Subject: Ethics progress

Dear Chair and Administration Committee members,
I had meant to get this to you weeks ago, but life here in Gales Ferry has had much going on recently.
I have watched the Administrative Committee in action regarding formation of a Code of Ethics and an Ethics Committee. After reviewing again the meetings of Sept. 11th and Nov. 12th, I want to thank those who are putting in the work to get this important task accomplished. I feel Chairperson Garcia-Irizarry and Councilors Brunelle and Buhle expressed a very good understanding of how an Ethics Committee can be helpful on many levels. Unfortunately, I was extremely disappointed to observe that the full Administrative Committee is not on board with having an informative discussion on the topic and, in fact, Councilor Dombrowski stated at the outset (several times - Sept.) he would vote against it, if pursued. He confirmed the same at the subsequent Nov. meeting. As a resident, I would like to see all of our elected officials participate in the process, regardless of personal feelings.
I commend and encourage those willing to work, to push forward, and I look forward to reading the final draft proposal. This is something that has been requested several times over previous years and is an important step in guidance and transparency for both residents and those who serve our Town in any capacity.

Thank you for your efforts,

Deborah Edwards
30 Bluff Road West
Gales Ferry, CT

Roxanne Maher

From: Carlo M Porazzi <porazzicm@gmail.com>
Sent: Wednesday, December 11, 2024 12:58 PM
To: Town Council Group
Subject: Ethics Commision

Ledyard Town Council,

As a current resident and taxpayer I am writing to voice my support for the formation of a Ledyard Ethics Commission.
I find it very concerning that Ledyard is one of the few towns that does not have this oversight committee. The objection over forming this committee by at least one standing member of the town council is also concerning. Simply having a code of ethics established with no board to administer is much like the example given of having laws but no police force. In my opinion there have been and are instances of poor judgement by town leaders in local matters and I believe the establishment of this commission will allow for complaints to be lodged, with pertinent facts supporting. I also agree this will go far in increasing trust between residents and Ledyard local government, something I believe is waning currently.
To that matter, while the draft I read is a very good start I would offer some changes if I may:

- Sec 2 - the follow sentence leaves some ambiguity as to what this could allow: "Specific portions of this Ordinance shall not be applicable if they conflict in whole or in part with any labor agreement, employment contract or state statute." It would be beneficial if some high -level examples could be provided
- Sec 4, subsection J & M - I would suggest any former member of town government be prohibited from representing any party seeking business with or in the town, or seeking employment

with that party for a term of three (3) years from their vacancy of their town position

- Any reference or suggestion, explicit or implied, to the mayor in office at the time having any control or oversight in the dealings of the Ethics Committee except for receiving reports of current status and/or findings

Thank you for your consideration,
Carlo Porazzi
30 Chapman Ln
Gales Ferry

To:
Ledyard Town Council
Working Group on Creation of an Ethics Committee
Ledyard, CT

12/11/2024

Dear Members of the Town Council,

As a current resident of the town of Ledyard, I would like to voice my support for the creation of a Code of Ethics and a Ledyard Ethics Committee, as your own investigations have indicated we are one of the very few towns in Connecticut that do not currently have sufficient vehicles to apply such oversight.

I found the discussion so far in the town minutes very enlightening, though it disturbs me to learn that there would be *any* dissenting voice on our town council against establishing a vehicle for oversight, as ethical behavior in government is a cornerstone of maintaining the trust the electorate has in our town officials, both elected, hired and appointed.

I have read the Draft Ordinance for Establishing a Code of Ethics and an Ethics Commission. I must say I largely approve of the language, but call you attention to the following points that perhaps merit discussion:

1. **Section 5.5.a** stipulates "No complaint may be made under the code unless it is filed with the Commission within three (3) years after the violation alleged in the complaint has been committed."
   - *I pose the question whether 3 years is too short a period, since that does not even equal the 4-year term of office for many positions outlined in the Chapter II of the Town Charter. Perhaps a 4 or even 5 years limitation for making a complaint would be better in a spirit of just accountability?*
2. **Section 5.3 Terms of Appointment** stipulates Members shall be appointed by the Town Council for a period of 3 years. **Section 5.5.c** requires 3-out-of-5 concurring votes to establish *probable cause* during an ethics investigation. Subsequently **Section 5.5.e** further requires a unanimous 5-out-of-5 concurring members to be able to take action upon any violations found.
   - *Unlike a jury in a criminal trial who are chosen at random from the general public, the Ethics Committee is appointed by the Town Council, which potentially introduces (political or other) influence/bias into its composition. Thus is 5-out-of-5 concurring members too high a bar to expect any findings to ever result in disciplinary action? I am wondering what is the norm for taking disciplinary action in other such ethics bodies (either in government or in business), or if there is perhaps another model to use?*

Thank you for your Consideration,
Milton Schroeder Jr.
290 Whalehead Road

Roxanne Maher

From: Chris Jelden <chrisjelden@gmail.com>
Sent: Monday, December 16, 2024 4:10 PM
To: Town Council Group
Cc: April Brunelle; Jessica Buhle; Carmen Garcia Irizarry; Kevin J. Dombrowski; Gary Paul; Tony Saccone; Gary St. Vil; Naomi Rodriguez; Timothy Ryan
Subject: Support for Establishing a Code of Ethics and Ethics Commission

Dear Members of the Ledyard Town Council,

I am writing to express my strong support for the proposed ordinance to establish a Code of Ethics and an Ethics Commission for the Town of Ledyard.

Until very recently I simply assumed Ledyard already had a Code of Ethics in place—it seemed like the kind of fundamental safeguard that any reasonable person would expect. In fact, when I asked around to fellow Ledyard residents, most people either believed we had one or felt we definitely should. Our current situation puts us in a small group of Connecticut towns without this framework, and that's not a distinction we should want to maintain.

Having a Code of Ethics isn't about suggesting that unethical behavior is rampant. It's about being prepared when gray areas arise. Clear guidelines offer those working within the town a reference point for iffy situations, ensuring decisions are made with integrity and transparency. An Ethics Commission would then serve as a resource for officials and employees—someone they can turn to for guidance, rather than having to navigate challenging situations alone.

I understand there may be concerns about the costs associated with implementing these measures. However, the cost of not having a proper ethical framework would be the breakdown of public trust and the difficulty of reacting after a problem emerges. A Code of Ethics and an Ethics Commission help us proactively safeguard our community's interests and maintain the trust of our residents.

Ultimately, no one needs a Code of Ethics until they do. By adopting this ordinance, Ledyard steps confidently toward good governance. It reassures the community that we value honesty, accountability, and responsible leadership.

Thank you for your time and consideration.

Sincerely,
Chris Jelden

Roxanne Maher

From: Ed Murray <murrayed92021@outlook.com>
Sent: Wednesday, January 8, 2025 1:19 PM
To: Roxanne Maher
Subject: Ethics

To: Chair and members of Ledyard Town Council:

I believe it is essential for Ledyard to have a Code of Ethics and an Ethics Commission as a demonstration of our commission to good government. Not having one makes us different but not better.

As to the makeup of the commission, i believe it should be representative of the electorate and should have 2 regular and 1 alternative member who are not affiliated with any party.

Ed Murray
26 Devonshire Dr
Gales Ferry, CT 06335

Roxanne Maher

From: Pamela Ball <pcball@earthlink.net>
Sent: Sunday, February 2, 2025 10:05 PM
To: Roxanne Maher
Subject: Ethics committee ordinance

Dear Council,

Having read the proposed ordinance and letters from town residents in support of the ordinance to create an Ethics Committee (EC), several issues and questions come to mind.

Being subjected to an "ethics" investigation, especially without an attorney, can have serious lifelong negative effects. I know of a situation in another town where a resident volunteering on a town committee made a decision that was correct, proper and in keeping with the duties of the committee but was not popular with the townsfolk. At a town meeting, I witnessed first hand how the town select person simply refused to listen to and consider any comments in support of her and the decision she made. Several of us gave statements that were rudely ignored. There was unflattering newspaper coverage and she was treated poorly by town residents and town authorities. She was subjected to such harsh treatment that she felt forced to - and did - move out of town to escape the hostility. This person was an acquaintance of mine and I know first hand how horrible this was for her.

Once an accusation is made to the EC, since there are no attorneys involved and thus no attorney-client privilege, is it not discoverable? Cannot all of the "confidential" information that is part of any EC investigation, from the filing of the complaint to the final decision, be discovered by a FOIA request? Would an accused have to turn over their personal email, texts or other documents to five members of the EC and could that information be discovered by anyone else via a FOIA request? Would all of their social media posts be subject to scrutiny? All it would take is one person in town with an issue with the accused to use that information to start rumors, post negative things on social media, post content of personal emails, etc. because without attorney-client privilege, isn't the information is accessible through a FOIA request? Potential employers could find out if a person was called before the EC and, without attorney-client privilege, wouldn't the town have to reveal that information if the employer filed a FOIA? Even if a person subjected to an accusation is found to be "innocent" there is no way to repair their reputation, their standing in the community, to gain back the hours of time spent in defense, or to be repaid expenses incurred to defend themselves. Once negative comments are out there, they are out there forever.

Will there be any requirements to be an EC committee member other than to be a registered voter in town? How will you determine if a committee member is qualified to sit in judgement of other townspeople? Will they receive any training such as intrinsic bias training? Will Council read the social media posts of potential EC members to see if they have made political, insulting or other disparaging comments against other residents? Who will determine what information should or should not be redacted from subpoenaed personal communications of the accused? Who will do the research to make sure that any documentation that an accuser submits is valid? Who will and how can an EC make sure that any proceedings are free from personal or political bias? If an attorney is not involved, could anyone make a FOIA request of the members of the EC to reveal information from their discussions and any communications on the topic?

Going before the EC has been compared to being judged by a jury of peers but that activity is carried out in a courtroom with a judge, attorneys (*i.e.*, trained professionals) and a jury selected to hear the case at hand; that is not the situation proposed here. Here you would have five untrained individuals who would sit in judgement on a fellow townsperson. What if a person on the EC knows the accused or is familiar with the situation? In a jury selection process, that person would be removed; is Council going to vet and seat a new member each time this occurs? If the EC determines that a complaint is not valid, what plans will there be to stop the accuser from making their accusations public in other ways? The accused has no protection or privacy until an attorney is involved so the simple act of filing a complaint puts the accused in a position of needing one. What if they don't have the money to hire a lawyer? You may

argue that a FOIA could be requested for any proceedings under the current policies, but under the current policies situations are handled by professionals, not neighbors, and attorney-client privilege would likely be in place.

What kind of complaints have ECs in other towns received and what kinds of actions have they taken? Did they need an EC to address the issues or would the policies in place have worked just as well? I believe that it would be a good idea to reach out to other towns to see how their EC was used and to talk to the accusers and accused to see how they were affected, especially those who went through the process and were found innocent. I do not know if a formal EC in was in place for the situation I described above. Regardless, it devolved into a situation of neighbor attacking neighbor with awful consequences.

Have there been any “ethical violations" that have been identified that have not been or could not be adequately addressed by policies already in place? I understand that there have been some unpopular goings on in town (proposed blasting, proposed apartment complex) but just because a decision is unpopular does not mean it is a violation of ethics.

Some arguments for the committee included noting that Ledyard was one of the few towns in the state that didn’t have an EC. Since we have policies in place, we don’t need a committee. Other comments were directed to preparedness; there are policies in place so the town is prepared. And the last argument was that if you haven’t done anything wrong, you don’t have anything to worry about. All it will take is for someone in town to suspect you of doing wrong, filing a complaint and your life could be changed. Knowing that you haven’t done anything wrong isn’t going to protect you from an investigation. It’s like arguing that you don’t care about privacy because you have nothing to hide; do you really want people poking around in your life even if you haven’t done anything wrong?

It seems to me that what is really needed is to make everyone aware of the policies already in place to handle complaints in a professional manner with trained personnel rather than asking five townspeople to make a judgement on another. Maybe the existing policies could be updated to include information from the ordinance about the “ethical violations” that would be subject to an investigation and outline the steps to file a complaint under the current system. Such an amendment would address those who say that the current guidelines are too vague.

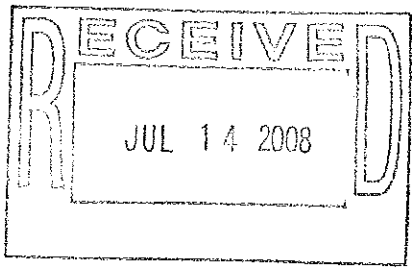
Is Council going to make a town wide announcement should this committee be established? If so, why not make a town wide announcement to educate folks as to the (updated) policies in place?

If this committee is put in place, all present and future volunteers should be made aware that anyone in town can file an ethics complaint against them. My friend was simply volunteering to make a good thing happen for the town. If the situation had been handled professionally, perhaps she wouldn’t have been harassed so badly as to have to move away. Who would want to be a volunteer in Ledyard knowing that anyone could make a complaint against them? Volunteering should be rewarding, not a risk.

Thank you for reading,

Pam Ball

0807-023



State of Connecticut

HOUSE OF REPRESENTATIVES

STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE TOM REYNOLDS
FORTY-SECOND ASSEMBLY DISTRICT

47 BITTERSWEET DRIVE
GALES FERRY, CONNECTICUT 06335
HOME: (860) 464-0441
CAPITOL: (860) 240-8585
TOLL FREE: 1-800-842-8267
FAX: (860) 240-0206
E-MAIL: Tom.Reynolds@cga.ct.gov

VICE CHAIRMAN
PUBLIC SAFETY AND SECURITY COMMITTEE

MEMBER
APPROPRIATIONS COMMITTEE
EDUCATION COMMITTEE

MEMORANDUM

DATE: July 9, 2008

TO: Mayor Fred Allyn, Jr.

FROM: Representative Tom Reynolds

RE: New Ethics Law

You asked me about the new ethics law adopted by the legislature and signed by the Governor this year. Specifically, you were interested in the pension revocation provision. Attached is a summary of the new law.

The law generally permits state courts to revoke or reduce any retirement or other benefit due to state or municipal public officials or employees who commit certain crimes related to their employment. The law requires the Attorney General to apply to the Superior Court for an order to revoke or reduce the benefits of a public official or employee who, on and after the bill's passage, is convicted of or pleads guilty or nolo contendere (no contest) in federal or state court to various crimes.

The effective date of the law is October 1, 2008. Therefore, pension revocation is not an option for towns seeking to apply this new law to pensioners who were convicted of certain crimes before that date.

A retroactive pension revocation provision was in the original bill, but we could not get the votes to pass the bill if the retroactivity language was left in. I regret this, but it's the best we could do this year.

I hope this information is responsive to your inquiry. If you have any questions, please let me know.

Copy: Ledyard Town Council
Attachment

OLR Bill Analysis

HB 6502

Emergency Certification

AN ACT CONCERNING COMPREHENSIVE ETHICS REFORMS.

SUMMARY:

This bill:

1. generally permits state courts to revoke or reduce any retirement or other benefit due to state or municipal officials or employees who commit certain crimes related to their employment;

2. makes it a class A misdemeanor for public servants to fail to report a bribe;

3. expands illegal campaign finance practices to cover certain solicitations by chiefs of staff;

4. makes several changes to state codes of ethics such as limiting gift exceptions, prohibiting state contractors from hiring certain former public officials and state employees, restricting the Office of State Ethics' (OSE) authority to issue subpoenas, prohibiting *ex parte* communications during OSE hearings on ethics complaints, limiting Citizens' Advisory Board members who can act on ethics complaints, and subjecting the governor's spouse to the code;

5. requires OSE to provide mandatory training to legislators on the Code of Ethics for Public Officials; and

6. requires public agencies to post, on available web sites, meeting dates, times, and minutes required by law to be publicly disclosed.

EFFECTIVE DATE: October 1, 2008

§§ 1-5 — CORRUPT OFFICIALS AND EMPLOYEES

The bill generally permits state courts to revoke or reduce any retirement or other benefit due to state or municipal public officials or employees or quasi-public agency members and directors who commit certain crimes related to their employment.

The bill requires the court to order payment of any benefit or payment that is not revoked or reduced.

Exceptions to Reduction or Revocation

Under the bill:

1. no revocation or reduction may prohibit or limit benefits that are the subject of a qualified domestic relations order (e. g. , child support);

2. no pension may be reduced or revoked if the IRS determines that the action will negatively affect or invalidate the status of the state's or a municipality's government retirement plans under Section 401 (a) of the Internal Revenue Code of 1986; and

3. the pension benefits of a public official or employee who cooperated with the state as a whistleblower before learning of the criminal investigation may not be revoked or reduced if the court determines or the attorney general certifies that the official or employee voluntarily provided information to the attorney general, state auditors, or a law enforcement agency against a person more blameworthy than the official or employee.

Additionally, no pension may be revoked if the court determines that to do so would constitute a unilateral breach of a collective bargaining agreement. Instead the court may issue an order to reduce the pension by an amount necessary to (1) satisfy any fine, restitution, or other monetary order issued by the criminal court and (2) pay the cost of the official's or employee's incarceration.

Crimes Related to Office or Employment

The bill requires the attorney general to apply to the Superior Court for an order to revoke or reduce the benefits of a public official or employee who, on and after the bill's passage, is convicted of or pleads guilty or *nolo contendere* (no contest) in federal or state court to:

1. committing or aiding or abetting the embezzlement of public funds from the state, a municipality, or a quasi-public agency;

2. committing or aiding or abetting any felonious theft from the state, a municipality, or a quasi-public agency;

3. bribery connected to his or her role as a public official or employee; or

4. felonies committed willfully and with intent to defraud to obtain or attempt to obtain an advantage for himself or herself or others through the use or attempted use of his or her office.

The attorney general must notify the prosecutor in these criminal cases of the pension revocation statute and that the pension may be used to pay any fine, restitution, or other monetary order the court issues.

"Public officials" are (1) statewide elected officers, (2) legislators and legislators-elect, (3) judges, (4) gubernatorial appointees, (5) municipal elected and appointed officials, (6) public

members and union representatives on the Investment Advisory Council, (7) quasi-public agency members and directors, and (8) people appointed or elected by the General Assembly or either chamber. The term does not include advisory board members or members of Congress.

"State employees" includes employees of quasi-public agencies.

Sentencing Considerations

When determining whether to revoke or reduce a public official's or employee's benefits or payments, the bill requires the court to consider:

1. the severity of the crime;

2. the amount of money the state, municipality, quasi-public agency, or anyone else lost as a result of the crime;

3. the degree of public trust reposed in the person by virtue of his or her position;

4. if the crime was part of a fraudulent scheme against the state or a municipality, the defendant's role in it; and

5. any other factors the court determines that justice requires.

After determining to reduce pension benefits, the court must consider the needs of an innocent spouse or beneficiary and may order that all or part of the benefits be paid to the spouse or beneficiary.

Pension Contributions

If an official's or employee's pension is revoked, the bill entitles the person to the return of any contributions he or she made to it, without interest. But, the repayment cannot be made until the court determines that the official or employee has fully satisfied any judgment or court-ordered restitution related to the crime against the office. If the court determines that he or she has not, it may deduct the unpaid amount from the individual's pension contributions.

Collective Bargaining Agreements

Beginning October 1, 2008, the bill prohibits collective bargaining agreements from containing any provision that bars the revocation or reduction of a corrupt state or municipal employee's pension.

§§ 6 & 7 — BRIBERY

The bill makes it a class A misdemeanor for public servants to fail to report a bribe (see BACKGROUND). Public servants commit this crime when they do not report to a law

enforcement agency as soon as reasonably practicable that (1) another person has attempted to bribe them by promising, offering, transferring, or agreeing to transfer to them any benefit as consideration for their decision, opinion, recommendation, or vote or (2) they knowingly witnessed someone attempting to bribe another public servant or another public servant committing bribe receiving. By law, a person is guilty of bribe receiving if he or she solicits, accepts, or agrees to accept any benefit for, because of, or inconsideration for his or her decision, opinion, recommendation, or vote.

The bill expands the definition of "public servant" that applies to existing bribery and bribe receiving crimes, as well as this new crime. The bill expands the public servants covered by these crimes to include quasi-public agency officers and employees. Elected and appointed government officers and employees and people performing a government function, including advisors and consultants, are already covered.

§ 12 — CAMPAIGN FINANCE

The bill makes it an illegal campaign practice for chiefs of staff to solicit contributions from certain people on behalf of, or for the benefit of, any state, district, or municipal office candidate. Under the bill, the chief of staff (1) for a legislative caucus cannot solicit an employee of the caucus, (2) for a statewide elected official cannot solicit a member of the official's office, and (3) for the governor or lieutenant governor cannot solicit from any member of the official's office or from any state commissioner or deputy commissioner.

By law, it is an illegal campaign finance practice for, among other things, state department heads and their deputies to solicit political contributions at any time, and for anyone to knowingly and willfully violate a campaign finance law. Campaign finance violators are subject to criminal penalties of up to five years in prison, a $ 5,000 fine, or both for knowing and willful violations. They are also subject to civil penalties of up to $ 2,000 per offense.

STATE ETHICS CODE

§§ 16 &17 — Ethics Complaint Enforcement

By law, when an ethics complaint is filed with OSE, the office conducts probable cause investigations, including hearings. If probable cause is found, OSE's Citizens' Advisory Board initiates a hearing to determine whether there has been a violation. A judge trial referee conducts the hearing. Both OSE and its advisory board can subpoena witnesses and records during their respective proceedings.

Subpoenas. The bill restricts OSE's authority to issue subpoenas by requiring it to get (1) approval from a majority of the advisory board members or (2) the chairperson of the board to sign the subpoena. It authorizes the vice chair to sign the subpoena if the chair is unavailable.

Ex Parte Communications. During the hearing on whether a violation has occurred, the bill prohibits ex parte communications about the complaint or respondent between the board or any of its members and the judge trial referee conducting the hearing or a member of OSE's

staff.

Voting on Existence of Violation. By law, the Citizens' Advisory Board, at the conclusion of the hearing, determines whether a violation occurred and, if so, imposes penalties. The bill restricts the board members who can vote on whether a violation occurred to those who were physically present during the entire violation hearing.

The bill makes a technical change by specifying the number of board members, rather than the fraction of the board, necessary to find a violation of the State Code for Lobbyists. The bill requires six members, rather than two-thirds of the board, to find a violation. By law, there are nine board members.

§§ 13 & 14 — Gifts

With several exceptions, the law prohibits public officials, candidates for public office, and state employees from accepting gifts (generally anything of value over $ 10) from lobbyists. It also prohibits public officials and state employees from accepting gifts from people doing, or seeking to do, business with their agency; people engaged in activities regulated by their agency; or prequalified state contractors. The law also prohibits these people from giving gifts to public officials and employees.

The bill caps at $ 1,000 the exception for gifts provided at celebrations of major life events by people unrelated to the recipient. Major life events include a ceremony commemorating an individual's induction into religious adulthood such as a confirmation or bar or bat mitzvah, a wedding, a funeral, and the birth or adoption of a child. It does not include any event that occurs on an annual basis such as an anniversary (Conn. State Agency Regulations § 1-92-53).

§ 15 — Employment Restrictions

The bill prohibits a party to a state contract or agreement from employing a former public official or state employee who substantially helped negotiate or award a contract valued at $ 50,000 or more or an agreement for the approval of a payroll deduction. The prohibition applies to employees or officials who resign within one year after the contract or agreement is signed and ends one year after the resignation. The law already prohibits former officials and employees from accepting the job. The penalty for violations is a fine of up to $ 10,000. First-time intentional violations are punishable by up to one year in prison, a $ 2,000, or both. Subsequent intentional violations are punishable by up to five years in prison, a $ 5,000 fine, or both.

§§ 9 & 10 — Governor's Spouse

The bill makes the governor's spouse subject to the State Ethics Code by extending the definition of "public official" to include him or her. Currently, "public officials" are statewide elected officers, legislators and legislators-elect, gubernatorial appointees, public members and union representatives on the Investment Advisory Council, quasi-public agency members and directors, and people appointed or elected by the General Assembly or any house thereof. The

term does not include judges, advisory board members, or members of Congress.

§ 8 — TRAINING

By December 31, 2010, the bill requires OSE to establish and administer a program for providing mandatory training to legislators on the Code of Ethics for Public Officials. The program must provide for mandatory training of (1) newly elected legislators and (2) all legislators every four years beginning in 2011. However, the Legislative Management Committee must request OSE to train all legislators before the next regularly scheduled training if it determines that there has been a significant revision to the Code of Ethics for Public Officials.

BACKGROUND

Penalties for Class A Misdemeanors

A class A misdemeanor is punishable by up to one year in prison, a $ 2,000 fine, or both.

Roxanne Maher

From: Rep. France, Mike <Mike.France@cga.ct.gov>
Sent: Monday, March 04, 2019 9:31 PM
To: Fred Allyn, III; Linda C. Davis; Robert Congdon (Preston First Selectman); Mayor Ron McDaniel; Tom McNally (Montville TC)
Cc: Michael Sinko (Preston BoS); Lynwood Crary (Preston BoS); Roxanne Maher; zRepresentative Mike France
Subject: FW: Municipal Ethics Legislative Proposal
Attachments: ACC Municipal Ethics - Minimum Provisions (2019).docx

Municipal Leaders,

Attached is a recommendation approved by the Citizen's Ethics Advisory Board, which was received today from the Office of State Ethics for consideration before the GAE Committee. It provides a requirement for each municipality to adopt a code of ethics by October 1, 2020 that complies with the minimum provisions described therein. As stated below, the GAE Committee raised a placeholder concept bill on February 15, 2019 that could be updated with the attached proposed language. Please provide any feedback on this proposal.

Regards,
Mike France
State Representative, 42nd Assembly District
Ledyard, Preston, Montville
District: (860) 464-9229
Capitol: (860) 842-1423
Web: www.RepFrance.com

From: Gagnon, Hailey
Sent: Monday, March 04, 2019 4:25 PM
To: Rep. France, Mike
Subject: FW: Municipal Ethics Legislative Proposal

From: Lewandowski, Peter [mailto:Peter.Lewandowski@ct.gov]
Sent: Monday, March 04, 2019 4:20 PM
To: Sen. Flexer, Mae; Rep. Fox, Dan; Sen. Sampson, Rob; zRepresentative Mike France
Cc: Rogers, Nick; Carson, Carol; Nicolescu, Nancy
Subject: Municipal Ethics Legislative Proposal

Dear Co-Chairs and Ranking Members:

Attached is a legislative proposal from the Office of State Ethics concerning municipal ethics. On February 15, 2019, the GAE Committee voted to raise a concept with respect to municipal ethics (Agenda item, V.27). The attached proposed language was approved by the Citizen's Ethics Advisory Board at its February 28, 2019 meeting.

The proposal requires that all municipalities adopt a municipal code of ethics that has, at a minimum, basic ethics provisions that would apply to municipal officials and employees. Municipalities have an

option to draft their own minimum provisions, as described in the proposal, or adopt model minimum provisions included in the proposal.

During 2018, the Citizen's Ethics Advisory Board Subcommittee on Municipal Ethics ("Subcommittee") held numerous meetings during which it discussed with various stakeholders their views concerning municipal ethics. In addition, the Subcommittee conducted a survey of all Connecticut municipalities regarding their treatment of municipal ethics matters. Based on the these discussions and the results of the survey, the Subcommittee determined that, at this time, the best approach concerning municipal ethics is to require all municipalities in Connecticut to have a Code of Ethics that, at a minimum, has certain basic ethics provisions.

The proposed minimum provisions are commonly used in any governmental ethics code. In fact, the results of the municipal ethics survey indicate that a large number of municipalities in Connecticut, both cities and towns, already have these basic provisions in their existing ethics codes. However, there is still a considerable segment of Connecticut municipalities that do not have an ethics code in place.

The Office of State Ethics hopes that members of the GAE Committee will support this proposal. A copy of the proposal was forwarded to Shannon McCarthy at the Legislative Commissioners' Office.

Please let me know if you have any questions or concerns.

Sincerely,

Peter J. Lewandowski
Associate General Counsel
Office of State Ethics

18-20 Trinity Street | Hartford, CT 06106-1660
Tel: 860.263.2392 | Fax: 860.263.2402 | E-mail: peter.lewandowski@ct.gov

Roxanne Maher

From: Roxanne Maher
Sent: Monday, February 3, 2025 6:24 AM
To: Town Council Group
Cc: Roxanne Maher
Subject: FW: Ethics committee ordinance

Tracking:

Recipient	Read
Town Council Group	
Roxanne Maher	
Timothy Ryan	Read: 2/3/2025 9:46 AM
Jessica Buhle	Read: 2/3/2025 10:30 AM
William Barnes	Read: 2/3/2025 10:37 AM
Naomi Rodriguez	Read: 2/3/2025 10:38 AM
Carmen Garcia Irizarry	Read: 2/3/2025 11:00 AM
April Brunelle	Read: 2/3/2025 11:49 AM

From: Pamela Ball <pcball@earthlink.net>
Sent: Sunday, February 2, 2025 10:05 PM
To: Roxanne Maher <council@ledyardct.org>
Subject: Ethics committee ordinance

Dear Council,

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Being subjected to an “ethics” investigation, especially without an attorney, can have serious lifelong negative effects. I know of a situation in another town where a resident volunteering on a town committee made a decision that was correct, proper and in keeping with the duties of the committee but was not popular with the townsfolk. At a town meeting, I witnessed first hand how the town select person simply refused to listen to and consider any comments in support of her and the decision she made. Several of us gave statements that were rudely ignored. There was unflattering newspaper coverage and she was treated poorly by town residents and town authorities. She was subjected to such harsh treatment that she felt forced to - and did - move out of town to escape the hostility. This person was an acquaintance of mine and I know first hand how horrible this was for her.

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an accusation is found to be “innocent” there is no way to repair their reputation, their standing in the community, to gain back the hours of time spent in defense, or to be repaid expenses incurred to defend themselves. Once negative comments are out there, they are out there forever.

Will there be any requirements to be an EC committee member other than to be a registered voter in town? How will you determine if a committee member is qualified to sit in judgement of other townspeople? Will they receive any training such as intrinsic bias training? Will Council read the social media posts of potential EC members to see if they have made political, insulting or other disparaging comments against other residents? Who will determine what information should or should not be redacted from subpoenaed personal communications of the accused? Who will do the research to make sure that any documentation that an accuser submits is valid? Who will and how can an EC make sure that any proceedings are free from personal or political bias? If an attorney is not involved, could anyone make a FOIA request of the members of the EC to reveal information from their discussions and any communications on the topic?

Going before the EC has been compared to being judged by a jury of peers but that activity is carried out in a courtroom with a judge, attorneys (*i.e.*, trained professionals) and a jury selected to hear the case at hand; that is not the situation proposed here. Here you would have five untrained individuals who would sit in judgement on a fellow townsperson. What if a person on the EC knows the accused or is familiar with the situation? In a jury selection process, that person would be removed; is Council going to vet and seat a new member each time this occurs? If the EC determines that a complaint is not valid, what plans will there be to stop the accuser from making their accusations public in other ways? The accused has no protection or privacy until an attorney is involved so the simple act of filing a complaint puts the accused in a position of needing one. What if they don't have the money to hire a lawyer? You may argue that a FOIA could be requested for any proceedings under the current policies, but under the current policies situations are handled by professionals, not neighbors, and attorney-client privilege would likely be in place.

What kind of complaints have ECs in other towns received and what kinds of actions have they taken? Did they need an EC to address the issues or would the policies in place have worked just as well? I believe that it would be a good idea to reach out to other towns to see how their EC was used and to talk to the accusers and accused to see how they were affected, especially those who went through the process and were found innocent. I do not know if a formal EC in was in place for the situation I described above. Regardless, it devolved into a situation of neighbor attacking neighbor with awful consequences.

Have there been any “ethical violations" that have been identified that have not been or could not be adequately addressed by policies already in place? I understand that there have been some unpopular goings on in town (proposed blasting, proposed apartment complex) but just because a decision is unpopular does not mean it is a violation of ethics.

Some arguments for the committee included noting that Ledyard was one of the few towns in the state that didn’t have an EC. Since we have policies in place, we don’t need a committee. Other comments were directed to preparedness; there are policies in place so the town is prepared. And the last argument was that if you haven’t done anything wrong, you don’t have anything to worry about. All it will take is for someone in town to suspect you of doing wrong, filing a complaint and your life could be changed. Knowing that you haven’t done anything wrong isn’t going to protect you from an investigation. It’s like arguing that you don’t care about privacy because you have nothing to hide; do you really want people poking around in your life even if you haven’t done anything wrong?

It seems to me that what is really needed is to make everyone aware of the policies already in place to handle complaints in a professional manner with trained personnel rather than asking five townspeople to make a judgement on another. Maybe the existing policies could be updated to include information from the ordinance about the “ethical violations” that would be subject to an investigation and outline the steps to file a complaint under the current system. Such an amendment would address those who say that the current guidelines are too vague.

Is Council going to make a town wide announcement should this committee be established? If so, why not make a town wide announcement to educate folks as to the (updated) policies in place?

If this committee is put in place, all present and future volunteers should be made aware that anyone in town can file an ethics complaint against them. My friend was simply volunteering to make a good thing happen for the town. If the situation had been handled professionally, perhaps she wouldn't have been harassed so badly as to have to move away. Who would want to be a volunteer in Ledyard knowing that anyone could make a complaint against them? Volunteering should be rewarding, not a risk.

Thank you for reading,

Pam Ball

Roxanne Maher

From: barbarakil@sbcglobal.net
Sent: Monday, February 10, 2025 9:44 PM
To: Roxanne Maher
Subject: Ethics Committee

As a resident of Ledyard (50 Seabury Avenue) I would like to express my strong disapproval of the proposed Ethics Commission, as written.
I am also a member of the Ledyard Republican Town Committee, at our Monthly Meeting tonight we voted unanimously against the Proposed Ethics Commission as written.
These issues should not be voted on by a handful of people when the majority of the residents of Ledyard have no idea what is being proposed
Barbara Kil

Roxanne Maher

From: Sharon Pealer <pealerl@att.net>
Sent: Monday, February 10, 2025 10:18 PM
To: Roxanne Maher
Subject: Code of Ethics

The Ledyard Republican Town Committee opposes the code of ethics ordinance as written.

Sharon Pealer; Chair Ledyard RTC

Virus-free.www.avg.com

Roxanne Maher

From: Sharon Pealer <pealerl@att.net>
Sent: Monday, February 10, 2025 11:08 PM
To: Roxanne Maher
Subject: Ethics ordinance

I am writing to express my opposition to the proposed Ethics ordinance being presented to the administration committee of the Ledyard Town Council on Wednesday February 12 in the year 2025. I have read through the entire proposed ordinance and as written it does not serve the town or her residents well. This ordinance as proposed allows for persons with an axe to grind to use the commission to attack someone and the only chance for relief is at the extreme end of the proposed procedures where a full vote of the five commission members is required to find someone guilty. In the meantime the accused must suffer through a several months long process, the expenses and stresses all of it. In the punitive discussion portion of this ordinance it looks to be a political tool which is not something that is in the better interests of any residents of the town. This town has had to deal with uncomfortable issues in the past and has managed to resolve these issues without making political attacks. I should think that mature adults would be able to resolve issues by talking and actively listening to the parties involved, and I would hope that this would include those elected representatives now serving the towns residents.

Sharon Pealer

Roxanne Maher

From: William D. Saums <bsaums@centechsolutions.com>
Sent: Monday, February 10, 2025 5:40 PM
To: Roxanne Maher
Subject: Ethics commission

Dear Councilors:

As you know, I served on the Town Council for many years, and I've learned that the Admin Commission is once again considering forming an ethics commission.

Speaking as a citizen with experience, I do not support the formation of an ethics commission. Such a commission will waste commissioners' and Town employees' time, it could result in unnecessary legal fees for the Town, and it would duplicate controls already in place: laws, ordinances, regulations, and the Town employee code of conduct.

If Town employees break the law, they should be prosecuted. If the existing laws don't work, fix them; but don't introduce an uncontrollable element like this into our system of government.

Here is an excerpt from just one study on the effectiveness ethics commissions:

> "Even so, the raw correlations and point estimates that we present indicate that state ethics commissions have only very weak, and possibly perverse, effects on public corruption. Consequently, while we cannot rule out some small beneficial impact of state ethics commissions, our results do imply that this outcome is no more likely than a harmful effect of similar or larger magnitude. As such, it is reasonable to conclude that there is no support for claims that state ethics commissions, including bipartisan and nonpartisan commissions, serve to reduce political corruption."
> Source:
> https://capi.law.columbia.edu/sites/default/files/content/practitioner_toolkits/do_state_ethics_commissions_reduce_political_corruption_an_exploratory_investiga.pdf

In the event this proposal makes it onto the Town Council agenda, please read this statement into the minutes of the Town Council meeting.

Thank you.

Sincerely,

-Bill Saums
(O) 1-860-572-7181
(M) 1-401-225-5362

Roxanne Maher

From: Mike Cherry <mj_cherry@hotmail.com>
Sent: Wednesday, February 12, 2025 10:25 AM
To: Roxanne Maher
Subject: Comments on Code of Ethics and Ethics Commission Draft of 09/09/2024

I am ambivalent as to creating an ethics commission in Ledyard.
That being said I do have a few comments on the proposed draft:

- Section 4 Paragraph 2.A. third paragraph refers to subsection 3(a) – I don't see a paragraph 3(a) in the document
- Section 4.2.I seems to contradict CGS 8-11 with regards to Land Use Commissions dealing with Zoning. There are similar CGS sections dealing with planning and wetlands

Paragraph 4.1 seems limited to interests and transactions that would limit independent judgement in performance of Official Duties and seems too vague to be effective.
Reading other comments for this proposal leads me to believe many of those supporting creation of a commission do not realize the scope in paragraph 4.2 seems limited to financial misuse and gain.

Mike Cherry
5 Whippoorwill Dr
Gales Ferry, CT 06335
(860) 460-3546
mj.cherry@comcast.net

Roxanne Maher

From: Roxanne Maher
Sent: Wednesday, February 12, 2025 8:48 AM
To: Town Council Group
Subject: FW: Regarding the Proposed Code of Ethics

From: Daniel Pealer <danieljpealer@gmail.com>
Sent: Tuesday, February 11, 2025 9:40 PM
To: Roxanne Maher <council@ledyardct.org>
Subject: Regarding the Proposed Code of Ethics

Dear Members of the Town Council,

I am writing to express my concerns regarding the proposal to establish a code of ethics and committee and to urge the council not to adopt this measure. While the intention behind promoting ethical standards and accountability is commendable, I believe that creating such a committee could lead to significant legal and practical challenges for the town as I detail below.

Legal Implications: The introduction of a code of ethics could lead to increased litigation if breaches of the code result in legal challenges or disputes. This could place a financial and administrative burden on the town, diverting resources from other important areas.

Focusing on potential legal issues, it is important to consider the potential for conflicts of interest and bias within an ethics committee. Members of such a committee are often personally selected from within the community, which can lead to partiality and favoritism. In the Supreme Court case, *Caperton v. A.T. Massey Coal Co.* (2009), the Court ruled that due process requires recusal when there is a serious risk of actual bias or conflicts of interest. Establishing an ethics committee could create a similar risk, where personal relationships and affiliations influence the decision-making process, undermining the committee's credibility and impartiality. Any committee established to enforce a code of ethics must not just actually be fair and impartial it must also appear to be fair and impartial.

Further the proposed code of ethics focuses on the lack of a clause prohibiting retroactive application. Without such a clause prohibiting the application of this code to conduct that occurred prior to the adoption of such a code there is the risk of a person facing punishment Ex Post Facto. The punishment can be any of the following: “an order to cease and desist the violation, to pay a civil penalty of up to the maximum allowed per state law per violation, censure, reprimand, suspension without pay, termination of employment and/or removal from appointed office. Additionally, the commission may refer violators to the proper authorities for further civil or criminal“ (Page 10 of the draft ordinance)

Article I, Section 10, Clause 1 of the U.S. Constitution, One of the two Ex Post Facto Clauses, prohibits states (and by extension, municipalities) from enacting laws that apply retroactively, thus criminalizing conduct that was legal when originally performed. This clause ensures that individuals have fair notice of the laws and consequences that govern their actions. If a town were to create a code of ethics and apply

it retroactively, it would violate this constitutional prohibition by potentially punishing individuals for actions that were not considered unethical at the time they were committed. By preventing such retroactive application, the clause safeguards individuals against unjust legal changes that could undermine the principles of fairness and due process in the legal system.

Of critical note, while there are some exceptions to the Ex Post Facto Clauses they apply those apply when the law is non-punitive, which the proposed ordinance is not. (see Smith v. Doe (2003), Stogner v. California (2003), Lynce v. Mathis (1997) and Miller v. Florida (1987))

In conclusion, while I am sure that supporters of this proposal believe that it is going to produce a brighter future, the gleam of those intentions can blind us to the perils of the dark path they may lead us on. Therefore, it is crucial to thoroughly evaluate the possible drawbacks and challenges that come with adopting a new code of ethics. I strongly encourage the town council to consider alternative strategies that already exist to deal with these concerns.

Thank you for your attention to this matter. I look forward to the council's thoughtful deliberation on this important issue.

Sincerely,
Daniel Pealer

Roxanne Maher

From: Wendy Hellekson <whelleks@icloud.com>
Sent: Wednesday, February 12, 2025 7:14 AM
To: Town Council Group
Subject: Ethics Commission

Dear Councilors,

I am writing in support of an ethics commission for the Town of Ledyard. A strong and balanced government requires that there be oversight to the members of that government. I mean that from all sides, and all parties. This is not a partisan issue. Government should work for the people and not for personal gains, financial or otherwise .

I realize that this is coming from the Chair of the DTC, but I personally feel an ethics commission is important and would be advocating for it if I was not DTC Chair.

Wendy Hellekson
DTC Chair and Citizen of Ledyard

Roxanne Maher

From: Edmund Lamb <edmundlamb@sbcglobal.net>
Sent: Wednesday, February 12, 2025 11:42 AM
To: Roxanne Maher
Subject: Two Proposed Town Ordinances: Fly Additional Flags @ Town Hall & Form Ethics Committee

I am very OPPOSED to both proposed ordinances which are totally unnecessary and will certainly lead to issues later on.
The flags, signs, banners etc. that already exist on RT 117 near & adjacent to the town hall, are very distractive to drivers.
As you well know, there is a great deal of foot traffic across RT117,much of it NOT in the crosswalks..
I for one, don't feel safe driving if distracted by more roadside clutter.
The "ethics committee" is clearly a duplication of existing policies, is not necessary, and surely will lead to more legal & government turmoil and also added costs.
Sincerely; Ed Lamb
47 Lambtown Rd

Roxanne Maher

From: Angela Cassidy <acassidy1122@yahoo.com>
Sent: Tuesday, February 11, 2025 9:19 PM
To: Roxanne Maher; Town Council Group
Subject: Ledyard Ethics Committee/Code of Ethics

February 11, 2025

Administrative Commission Chair

cc: Ledyard Town Council

Ledyard, Ct

Subject: Urgent Need for an Ethics Commission and a Code of Ethics

Dear Commissioners,

I am writing to urge action on the establishment of an Ethics Commission and a comprehensive Code of Ethics for Ledyard. Despite many previous letters and discussions on this matter over the past several months, there has been little progress, and the absence of clear ethical guidelines and accountability measures remains a serious issue.

The lack of consequences for unethical behavior allows misconduct to go unchecked. Without an enforceable Code of Ethics and a dedicated Ethics Commission, there is no formal mechanism to address conflicts of interest, abuses of power, or breaches of public trust. This gap undermines transparency, weakens public confidence,

The delay in addressing this issue is concerning. Ethical governance should be welcomed and a fundamental requirement. Other municipalities and organizations have long recognized the need for such a commission and code.

Sincerely,

Angela Cassidy

62 Hurlbutt Rd

Gales Ferry, Ct 06335

860-271-1749

Roxanne Maher

From: Daniel Pealer <danieljpealer@gmail.com>
Sent: Tuesday, February 11, 2025 9:40 PM
To: Roxanne Maher
Subject: Regarding the Proposed Code of Ethics

Dear Members of the Town Council,

I am writing to express my concerns regarding the proposal to establish a code of ethics and committee and to urge the council not to adopt this measure. While the intention behind promoting ethical standards and accountability is commendable, I believe that creating such a committee could lead to significant legal and practical challenges for the town as I detail below.

Legal Implications: The introduction of a code of ethics could lead to increased litigation if breaches of the code result in legal challenges or disputes. This could place a financial and administrative burden on the town, diverting resources from other important areas.

Focusing on potential legal issues, it is important to consider the potential for conflicts of interest and bias within an ethics committee. Members of such a committee are often personally selected from within the community, which can lead to partiality and favoritism. In the Supreme Court case, *Caperton v. A.T. Massey Coal Co.* (2009), the Court ruled that due process requires recusal when there is a serious risk of actual bias or conflicts of interest. Establishing an ethics committee could create a similar risk, where personal relationships and affiliations influence the decision-making process, undermining the committee's credibility and impartiality. Any committee established to enforce a code of ethics must not just actually be fair and impartial it must also appear to be fair and impartial.

Further the proposed code of ethics focuses on the lack of a clause prohibiting retroactive application. Without such a clause prohibiting the application of this code to conduct that occurred prior to the adoption of such a code there is the risk of a person facing punishment Ex Post Facto. The punishment can be any of the following: “an order to cease and desist the violation, to pay a civil penalty of up to the maximum allowed per state law per violation, censure, reprimand, suspension without pay, termination of employment and/or removal from appointed office. Additionally, the commission may refer violators to the proper authorities for further civil or criminal“ (Page 10 of the draft ordinance)

Article I, Section 10, Clause 1 of the U.S. Constitution, One of the two Ex Post Facto Clauses, prohibits states (and by extension, municipalities) from enacting laws that apply retroactively, thus criminalizing conduct that was legal when originally performed. This clause ensures that individuals have fair notice of the laws and consequences that govern their actions. If a town were to create a code of ethics and apply it retroactively, it would violate this constitutional prohibition by potentially punishing individuals for actions that were not considered unethical at the time they were committed. By preventing such retroactive application, the clause safeguards individuals against unjust legal changes that could undermine the principles of fairness and due process in the legal system.

Of critical note, while there are some exceptions to the Ex Post Facto Clauses they apply those apply when the law is non-punitive, which the proposed ordinance is not. (see Smith v. Doe (2003), Stogner v. California (2003), Lynce v. Mathis (1997) and Miller v. Florida (1987))

In conclusion, while I am sure that supporters of this proposal believe that it is going to produce a brighter future, the gleam of those intentions can blind us to the perils of the dark path they may lead us on. Therefore, it is crucial to thoroughly evaluate the possible drawbacks and challenges that come with adopting a new code of ethics. I strongly encourage the town council to consider alternative strategies that already exist to deal with these concerns.

Thank you for your attention to this matter. I look forward to the council's thoughtful deliberation on this important issue.

Sincerely,
Daniel Pealer

Roxanne Maher

From: Jacob Hurt <jacob.d.hurt2@gmail.com>
Sent: Tuesday, February 11, 2025 6:23 PM
To: Town Council Group
Subject: Ethics Commission - I Support!

Councilors,
I spoke with a couple of you recently about the idea of an Ethics Commission. I strongly support it, and look forward to its formation. I would like to try and be a member!

Ethics Commissions are functioning well in several towns throughout the state, providing a clear path for concerned citizens to report and substantiate potential conflicts of interest. Government officials should not be using public office to privately benefit themselves, nor should unsubstantiated gossip and rumors about such conduct go unchecked. Such conduct, or even the appearance of that conduct, undermines public trust and could open the town and taxpayers to unintended liabilities.

Ethics Commissions provide a standard for elevating and investigating claims. With one in place, there is a way to investigate worthy claims, dismiss unsubstantiated ones, and uphold the public's trust that public servants are not misusing their office or its resources.

Thank you for your consideration.

Jacob Hurt
6 Nugget Hill Drive

Roxanne Maher

From: Alyssa Siegel-Miles <alyssajsiegel@gmail.com>
Sent: Tuesday, February 11, 2025 9:55 PM
To: Town Council Group; Roxanne Maher
Subject: Support for Ledyard Ethics Commission

Dear Ledyard Town Council,

Thank you for all the hard work you have been doing for our town. I am grateful for your work on crafting a responsible budget, plus your great work on the Finance and Admin Committees, and the Community Relations Committee for Diversity, Equity, and Inclusion, among many other things.

I am writing to support the development of a Ledyard Ethics Commission. Ledyard needs a commission that is empowered to investigate allegations of unethical conduct, corrupting influence, illegal activities, or other behavior that would reflect adversely on our town. Citizens must have a mechanism to be aware of who is trying to influence officials and to address real or perceived conflicts of interest.

I expect that people who work or are elected to serve in Ledyard are accountable for their actions. An ethics commission would be a critical step forward for enabling our town to shed light on financial and other conflicts of interest among public officials or town employees. A strong, independent ethics agency is essential to maintaining a government that is representative, responsive, and accountable.

An ethics commission must be built on the principles of independence, accountability, and transparency. A well-designed ethics commission will help the public trust that our government officials have integrity, as well as enable accountability for violations of the public trust.

Quite a few other CT towns and cities have Ethics Commissions. We need one in Ledyard as well.

Thank you for your time and attention.

Sincerely,
Alyssa Siegel-Miles
712 Colonel Ledyard Hwy.

Roxanne Maher

From: Alexa Shelton <alexa.shelton@gmail.com>
Sent: Tuesday, March 11, 2025 7:23 AM
To: Roxanne Maher; Town Council Group
Subject: Support for an Ethics Commission and Appreciation for Black History Month Initiatives

Dear Members of the Ledyard Town Council,

I am writing to express my strong support for the establishment of an Ethics Commission in Ledyard and to extend my appreciation for the town's efforts in recognizing Black History Month through events and the essay contest. As a longtime resident of Gales Ferry, a mother, and an active member of our community, I believe that both initiatives reflect our town's commitment to integrity, inclusivity, and progress.

The creation of an Ethics Commission is a necessary step to ensure transparency, accountability, and fairness in our local government. Trust in our town's leadership is foundational to a thriving community, and having an independent body to oversee ethical concerns will only strengthen that trust. Establishing clear ethical guidelines and providing a system for addressing concerns in a fair, impartial manner benefits all residents, regardless of political affiliation. Our town's decisions impact our children, our neighborhoods, and our collective future—ensuring those decisions are made with integrity should be a priority for us all.

Additionally, I want to commend the Council and those involved in organizing Black History Month events and the essay contest. As a mother, I believe it is vital that my children, and all children in Ledyard, grow up in a community that values diversity, acknowledges history, and fosters a spirit of learning and understanding. These programs not only honor the contributions of Black Americans but

also encourage meaningful discussions and personal reflection that help bridge divides and create a more unified community.

I urge the Council to continue supporting initiatives that promote ethical governance and inclusivity. Ledyard is a wonderful place to live, and by committing to these values, we can ensure it remains a welcoming, fair, and forward-thinking community for all.

Thank you for your time and for your dedication to making Ledyard the best it can be.

Sincerely,

Alexa Shelton
Gales Ferry resident

Roxanne Maher

From: Anne Roberts-Pierson <ar-pierson@att.net>
Sent: Tuesday, April 1, 2025 3:07 PM
To: Town Council Group
Subject: Creation of Ethics Commission

Dear Chairman and Administration Committee members,
As a current Ledyard resident and taxpayer, I would like to voice my support for creation of an Ethics Commission for Ledyard. Ethical behavior is the cornerstone of maintaining trust and transparency between the electorate and town officials.

I realize that within the past decade efforts began but went nowhere in this endeavor. More recently, I brought up, in person, the request for the creation of an Ethics Commission in May 2024. Others did the same and I was glad to see a Draft proposal come forth in September 2024. Thank You for this.

Alas, informative discussions on this topic of an Ethics Commission for Ledyard seem to have come to a halt of late. This is disappointing to be sure as I see that within the growing pile of correspondence you are receiving on this topic, there are even two (2) individuals who are anxious to serve on the Ethics Commission !

In trying to educate myself on this topic, I believe the CT State Office of Ethics even provides training for municipal ethics commissions.

Perhaps a way to move this process along might be to collaborate with other nearby towns who have taken the leap already and created an Ethics Commission. Their guidance could prove helpful and useful. Maybe you might think about an outreach to them. Holding a public forum on this topic could also prove useful and informative.

The devil is always in the details (draft proposals always require fine-tuning) but achieving critical mass with strong momentum in the first place will surely help move the process forward.

Thanks for listening. Thank you for your service.

Yours sincerely,
Anne Roberts-Pierson
4 Anderson Drive
Gales Ferry, CT 06335

Roxanne Maher

From: Lou Consolini <louconsolini@gmail.com>
Sent: Monday, April 7, 2025 10:15 AM
To: Roxanne Maher
Subject: Ethics board or committee

Sent from my iPhone I'm writing to say that I'm in favor of forming an ethics committee in our town.
Louis Consolini 168R Iron St.

From: Mary B. Larson
Sent: April 8 2025
To: Members of the Administration Committee and the Town Council
Subject: Ethics Commission

First of all, thank you for your dedication, your talents and your time devoted to our town. It cannot be easy! We are a small town, with growing pains and challenging issues that our forebears could not have imagined. I am writing to voice my opinion that it is time that we join the majority of towns and cities in the state who have formally addressed the difficult questions of ethics in today's world.

I have been a resident of town since 1969, raised a family here, and ministered 20 years in two different churches in town. I have always been an unaffiliated voter, because I vote by character and not by party. Obviously, though, ethics are a primary concern in my life. My concern is that I am seeing the town I love being torn apart by contentious issues and proposals, and that trust in public officials is being eroded by rumors and ethical concerns.

I know there is a proposal which you are considering to create a code of ethics, along with an ethics commission to oversee it, whose time, I believe, has come. We need an independent, neutral body of residents who would have the responsibility to advise public officials with ethical questions, evaluate questions and concerns, and render decisions. They must be trained for this responsibility, not be employees of the town or members of any commission or board in the town, and not motivated by political agendas.

The town, as any organization, must have clear standards of ethical conduct. Public trust depends upon avoiding even appearances of impropriety. The State of Connecticut had a recommendation that municipalities adopt a code addressing several important issues: conflict of interest, disclosure and recusal, gifts, use of property and information, mis-use of office or position, nepotism, and contracting, including hiring and firing.

I have read concerns that adopting a code will created threats of retroactive complaints, or incur legal expenses for the town. The longer we wait, however, the greater the difficulty. The draft of the code needs some tweaks before being adopted, yes; but unaddressed issues could create even worse legal expenses in years to come. It never works to think problems will disappear if we ignore them!

Rev. Dr. Mary Brown Larson (Mobby)
53 Harvard Terrace, Gales Ferry

Roxanne Maher

From: miltnal@aol.com
Sent: Monday, April 7, 2025 9:19 AM
To: Roxanne Maher
Subject: Ethics committee

290 Whalehead Rd
Gales aFerry Ct 06335..

Attention to the Administration Committee for the formation of an Ethics Commitee.
To Whom It May Concern.
As citizens of Ledyard since 1972, we are very concerned with the apparent reluctance of some in our town to establish an Ethics Committee. Although this matter has been proposed and discussed for sometime, there has been no result. Ledyard is known as a community which works to provide and protect the needs and desires of its citizens. As issues become more complicated it is important that we safeguard our standards and goals. An ethics committee is vital in that regard.
Thank you for your time and effort serving Ledyard/Gales Ferry
Alice and Milton D Schroeder sr.

Gales Ferry District
18 Hurlbutt Road / P.O. Box 181
Gales Ferry, Ct.068335-1825
GalesFerryDistrict@gmail.com

April 9, 2025

Ledyard Town Council

Ledyard, CT

Cc: Administrative Committee, Economic Development, Mayor Allyn

Dear Councilors,

I am writing on behalf of the residents of Gales Ferry to express our concerns regarding representation and ethical governance in our town. Perhaps the most important issue pending, some would say languishing, before the Council is that relating to the establishment of a Code of Ethics that expands on Chapter IX, Section 6, *Conflicts of Interest*, of the Town Charter (revised November 2018, effective December 3, 2018). Not only does the Town Charter not address ethics, provide a code of ethics, or process for addressing potential ethical lapses by town officials, commissioners, and councilors, there is no separate ordinance that does. It is most important that this gap in our governance structure be remedied as soon as practicable.

Concerns have been raised by constituents of the Gales Ferry District that reinforce the need for a clear and enforceable ethical framework for our town. Some of these actions included the firing of a town official without any rationale provided. If this was the result of a potential ethics concern, having a written Code of Ethics would have allowed the violation to be made clear. Further, the existence of an Ethics Commission would have permitted an objective investigation ensuring the appropriate level of transparency and accountability in such a critical personnel action.

Other concerns have also been raised. For example, the appointment of persons who receive compensation from companies or organizations that would be perceived to have clear interests in the decisions before various town commissions to which they are appointed. Another is the perception that municipal infrastructure investments have been prioritized to benefit only a specific few individuals or families. Discussion of such issues require transparency, accountability, and authenticity. Otherwise, they create ethical dilemmas that happen all too often.

It has now been over ten months since the council was approached regarding the creation of a town ethics code and commission. In that time, many issues have surfaced. This topic has been on the Town Council and Administrative Committee agendas for months and there has been no shortage of discussion in the community. Below we share several strong examples of ethics codes and commission structures from other towns.

At this point, we respectfully ask: Where does this stand?

We urge the Administrative Committee to bring this matter back to the table for discussion, completion, and adoption. Ensuring fair representation is essential to maintaining trust and equity in how we govern.

Towns across Connecticut have already taken action to ensure transparency, accountability, and public trust in their governance. These include:

- Norwich, CT: Ethics Commission consists of five members and two alternates none of whom may *not* be officers, officials, or employees of the City. The Code of Ethics is in Chapter 2, Article IV of the Norwich Code of Ordinances.
- Burlington, CT: Ethics Commission investigates allegations of unethical conduct or illegal activity that reflects poorly on the town.
- East Hampton, CT: Ethics Commission acts as an independent body to hear and investigate complaints under a local Code of Ethics and Conduct.
- Glastonbury, CT: Ethics Commission interprets and enforces a local ethics code for officials, consultants, employees, and residents.
- Somers, CT: Ethics Commission reviews and investigates potential ethics violations from public officials and contractors.
- Windham, CT: Ethics Commission upholds the town's ethics code and promotes government accountability.

These towns provide clear, accessible guidance for public servants and the community alike. Ledyard should be no different.

Thank you for your time and attention to these pressing matters. We look forward to your response.

Lee Ann Berry,
President, Gales Ferry District

Roxanne Maher

From: Kathrine Kohrs <kathrine.kohrs@gmail.com>
Sent: Tuesday, April 8, 2025 3:01 PM
To: BOE@ledyard.net; boemembers@ledyard.net
Cc: Town Council Group; Jay Hartling; Roxanne Maher
Subject: Support DEI in our schools

Dear Board of Education Members,

Thank you for your continued dedication to our schools, our students, and the thoughtful work you do on behalf of the community—especially in navigating the complexities of the school budget.

I'm writing to express my deep concern regarding the recent directive from the current federal administration concerning Diversity, Equity, and Inclusion (DEI) in our schools.

While you await formal guidance from the Connecticut Department of Education, I urge the board to refrain from taking any premature action to remove DEI language or initiatives from school policies. These values are essential to creating a safe and supportive environment for all students. Please stand firm and do not act out of fear or pressure from federal agencies that are overreaching their authority.

New York's public schools have already indicated they will not comply with the directive. I sincerely hope that Connecticut will also demonstrate the same resolve and commitment to our students.

Now more than ever, we must be vocal and unwavering in our support for all students—especially those who are most vulnerable and currently being targeted by these harmful political efforts. Just as we do not tolerate bullying within our school communities, we should not tolerate bullying from the highest levels of government.

Thank you for your time and for standing up for what's right.

Sincerely,

Kate Kohrs

Gales Ferry

Roxanne Maher

From: Mike Christie-Fogg <fogg.mike@gmail.com>
Sent: Tuesday, April 8, 2025 1:01 PM
To: BOE@ledyard.net; boemembers@ledyard.net; jhartling@ledyard.net; Roxanne Maher; Town Council Group
Subject: Please protect all students

Hello,

Thank you again for all your hard work on the BOE budget and all the work you do for our schools and students.

I am writing because I am very concerned about the latest federal directive from the current administration regarding DEI in our schools.

While you await direction from the state Department of Education, I urge you not to take any action that would remove any "DEI" initiatives or wording from our school policies. Please hold out for as long as possible and do not take action prematurely out of fear. I encourage you to fight back against federal agency demands to censor anything it deems diversity, equity and inclusion, which they do not have authority to make.

NY public schools have told the federal administration that they won't comply with the DEI order. I hope that Connecticut stands strong and does the same.

We must loudly and publicly protect and support ALL students in our school, especially those that are currently being targeted by the malicious whims of the federal administration. We don't tolerate bullying in our schools and we shouldn't tolerate or give in to bullying from our president either!

--
Michael Fogg
Furniture~Sculpture~Faux Bois
351 Shewville Rd. Ledyard CT 06339
860.287.5087
www.foggfauxbois.com
Instagram

Roxanne Maher

From: Carlo M Porazzi <porazzicm@gmail.com>
Sent: Tuesday, April 8, 2025 2:00 PM
To: Town Council Group; Fred Allyn, III; Roxanne Maher; April Brunelle; Jessica Buhle; Kevin J. Dombrowski
Subject: Town Ethics Commission

Ledyard Town Council Administrative Team and others,

I write once again to request that the administrative committee push forward with a clear and transparent set of ethics guidelines and subsequently, a commission to apply those overarching guidelines to the code of conduct by the town government representatives. I understand the town has a working draft. As mentioned many times previous, Ledyard is one of a few towns in the state that still does not have an ethics commission. There have been discussions at the town council meetings about more reach and transparency to the residents and taxpayers in regards to the actions of our local government, yet this major step in that direction still seems elusive. It would be unfortunate for a few at the local government level to hamper the wishes of the community when the benefit would speak volumes about our town government respecting the will of the people. And being respected in return. I understand that our current charter empowers the Town Council to handle complaints of this type currently, but I know that any complaint deemed "too sensitive or controversial" by some will be summarily dismissed. Conversely, an Ethics Commission will have more autonomy, or should have. In regards to finding suitable local volunteers to sit on this panel, I dont think that will be an issue at all.
I submit the following for your review (thanks to AI):

In government, ethics refers to **the application of moral principles to the actions and decisions of public officials, ensuring fairness, transparency, and accountability, and prioritizing the public interest over personal gain**. [1, 2, 3, 4]

Here's a more detailed breakdown: [1, 3]

- Public Interest vs. Personal Gain: Government ethics emphasizes serving the public good and avoiding actions that could be seen as benefiting personal interests or those of a select few. [1, 3]
- Integrity and Honesty: Ethical behavior in government requires honesty, integrity, and adherence to high standards of conduct. [3, 5]
- Accountability: Public officials are accountable to the public for their decisions and actions, and ethical conduct ensures that they are held responsible for their actions. [3, 5]
- Fairness and Impartiality: Ethical government ensures that decisions are made fairly and impartially, without bias or discrimination. [1, 3, 5]
- Transparency: Ethical government promotes transparency in decision-making and operations, allowing the public to understand how decisions are being made and held accountable. [1, 2, 3]
- Conflict of Interest: Government ethics addresses conflicts of interest, where a public official's personal interests could potentially influence their official duties. [1, 6]
- Ethical Codes and Standards: Many governments have established codes of conduct and ethical standards for public officials, outlining expected behavior and potential consequences for violations. [4, 5]
- Importance of Ethics: Ethical behavior in government is crucial for maintaining public trust, ensuring effective governance, and upholding the principles of democracy. [1, 3, 4]
- Ethical Governance: Ethical governance means governance based on a certain value premise, which is also “good”. For example, probity, integrity, compassion, empathy, responsibility, social justice etc. without which ethical issues can't be upheld. [7]
- Political Ethics: Political ethics, also known as political morality or public ethics, refers to the practice of aligning political actions with moral and ethical principles to ensure fair governance. [8]

[1] https://www.scu.edu/government-ethics/resources/what-is-government-ethics/

[2] https://en.wikipedia.org/wiki/Public_sector_ethics
[3] https://www.govpilot.com/blog/guide-to-local-government-ethics-what-makes-an-ethical-government
[4] https://www.aspanet.org/ASPA/ASPA/Code-of-Ethics/Code-of-Ethics.aspx
[5] https://manifold.open.umn.edu/read/chapter-8-ethics-and-accountability-in-public-administration
[6] https://www.cityofdenton.com/DocumentCenter/View/884/Local-Government-Ethics-in-a-Nutshell-PDF
[7] https://www.drishtiias.com/daily-updates/daily-news-analysis/ethical-mode-of-governance-for-india
[8] https://www.vaia.com/en-us/explanations/anthropology/political-anthropology/political-ethics/
[-] https://www.vaia.com/en-us/explanations/anthropology/political-anthropology/political-ethics/
[-] https://www.scribd.com/document/657640415/Ethics-Vision-VAM-Merged
[-] https://www.drishtiias.com/daily-updates/daily-news-analysis/ethical-mode-of-governance-for-india

Finally, below is a copy of my previous email to the town council on this matter and the ethics draft at hand.

12/11/2024
Ledyard Town Council,

As a current resident and taxpayer I am writing to voice my support for the formation of a Ledyard Ethics Commission.
I find it very concerning that Ledyard is one of the few towns that does not have this oversight committee. The objection over forming this committee by at least one standing member of the town council is also concerning. Simply having a code of ethics established with no board to administer is much like the example given of having laws but no police force. In my opinion there have been and are instances of poor judgement by town leaders in local matters and I believe the establishment of this commission will allow for complaints to be lodged, with pertinent facts supporting. I also agree this will go far in increasing trust between residents and Ledyard local government, something I believe is waning currently.
To that matter, while the draft I read is a very good start I would offer some changes if I may:

- Sec 2 - the following sentence leaves some ambiguity as to what this could allow: "Specific portions of this Ordinance shall not be applicable if they conflict in whole or in part with any labor agreement, employment contract or state statute." It would be beneficial if some high -level examples could be provided
- Sec 4, subsection J & M - I would suggest any former member of town government be prohibited from representing any party seeking business with or in the town, or seeking employment with that party for a term of three (3) years from their vacancy of their town position
- Any reference or suggestion, explicit or implied, to the mayor in office at the time having any control or oversight in the dealings of the Ethics Committee except for receiving reports of current status and/or findings

Thank you for your consideration,
Carlo Porazzi
30 Chapman Ln
Gales Ferry

Roxanne Maher

From: Jennifer Zeronsa <jengetter@yahoo.com>
Sent: Tuesday, April 8, 2025 1:56 PM
To: Town Council Group; Roxanne Maher
Cc: Jennifer Zeronsa
Subject: Support for Ethics Commission

Dear Town Council,

Thank you for all you are doing to lead our town.

I am writing today in strong support of an Ethics Commission / Code of Ethics in the Town of Ledyard. My understanding is that we are one of the few towns in the state that does not have one. Accordingly, examples are readily available and should provide a strong framework for our own.

This issue has been sporadically included on Council agendas for almost a year now. It is time for the Council to decisively act.

Jennifer Zeronsa

18 Bluff Road West

Roxanne Maher

From: nelatwood@aol.com
Sent: Tuesday, April 8, 2025 1:33 PM
To: Town Council Group
Cc: Fred Allyn, III; Roxanne Maher; April Brunelle; Jessica Buhle; Kevin J. Dombrowski; Gales Ferry District
Subject: Ethics

Councilors:
I write in support of the recent letter submitted to you from Lee Ann Berry, President of the Gales Ferry District regarding an Ethics Code/Commission/Committee.

I urge you, for the protection of citizens and dedicated public servants of the Town of Ledyard, to address this matter as a priority and implement a Code of Ethics ASAP beginning with this week's meeting.

My question is: Why would anyone NOT want to have a Code of Ethics in place? It helps everyone to clearly define boundaries and ensure business is conducted fairly. Thank you for your consideration of this matter and for all your work.
Respectfully,
Ellen Atwood
8 Harvard Ter

Roxanne Maher

From: Joe Franzone <joefranzone@gmail.com>
Sent: Tuesday, April 8, 2025 6:11 PM
To: Town Council Group
Subject: Ethics

We should have an ethics committee.
It's common sense!
Please get on this and be suspicious of any who oppose it!

Thanks for all your time and efforts! Much appreciated!
Joe Franzone, 66 Hurlbutt Rd., 860-303-1387

--
'Every day's a Holiday!'

To: Gary St. Vil, Chairman of Town Council
Members of Town Council

A Code of Ethics provides us with a clear descriptions of what we, as residents, can expect from those who serve the town as employees and volunteers.

By formalizing these essential values it will make clear the expected behaviors of all those who take a responsible position in our town.

Included in the Code is the requirement to establish an Ethics Commission the purpose of which is to serves as administrator of the code.

It is surprising that our town, with its educated and informed leaders, has not adopted a Code of Ethics when 87% of the towns and municipalities throughout Connecticut have already done so.

Corporations, organizations, all levels of government live by the code they have adopted. They are essential to their way of functioning. They are the public announcement of their values.

Ledyard deserves a Code of Ethics. The draft currently under review is a valiant effort but does not fulfill the expected purpose. Interested and caring residents have identified weaknesses and have provided options to improve the areas of concern.

I hope these recommendations will be seriously considered by the Town Council.

This process has taken approximately 18 months to reach this point, and it as had limited input and the public has not received adequate notice for something this important.

I am also surprised that the Town Council allotted only two hours for a public hearing. Again, that is hardly any time at all for something this important to our town.

I was also under the impression that the approved version was to be presented to the electorate in a YES or NO ballot question. Why was that changed?

The council did approve this version to become the town code. Predictably, it was vetoed by the Mayor.

I believe the residents deserve better than this. I believe we need their collective wisdom to assist in creating this document.

To this end, I ask the Council to let the veto stand and change the motion to establish an Ad hoc committee to develop a Code of Ethics. This should be bipartisan.

Contrary to arguments otherwise, there is no downside to establishing a Code of Ethics, if it is done with sincerity, honesty and a commitment to fairness and confidentiality.

A code establishes values and behaviors for employees and volunteers to follow and be held accountable to the residents for whom they serve. To be accountable is the least our residents should expect.

Let’s take the time to create an Ethics Code that will serve Ledyard well.

Respectfully submitted,

Ed Murray
26 Devonshire

Roxanne Maher

From: Steve Holyfield
Sent: Tuesday, October 28, 2025 10:50 AM
To: Jessica Buhle; Roxanne Maher
Subject: Re: AES Comments on Ethics Ordinance

Jessica -

Thank you for the response. I hadn't applied 5.c to my comments on 5.a, as I found the wording on 5.c to be tough to understand absent a law degree.

When I say "conduct business with the town", we have some members of the fire departments that own things such as septic companies, lawn care businesses, fire training businesses, entertainment businesses. I'm not aware of any being awarded a "contract" with the Town, however Section 5.a as a standalone would preclude them from any business with the Town. As long as the intent is to follow existing purchasing policies and procedures, then my concerns are addressed. We already do have a review of expenditures and all of the fire department purchase orders are reviewed by myself and the finance office. I just wanted to ensure that "employees" (including volunteers that receive stipends) were able to continue their business ventures in accordance with existing Town policies. My greater concern was this Ordinance reducing the number of volunteer members by forcing them to choose between helping the community and running their businesses.

As for the vehicles, we do have an existing vehicle use policy in town. Perhaps a carve out that specifically addresses the fire department vehicles would be prudent. I'm happy to work on that through my office and town hall.

Thank you for the conversation and feedback!

Steve

Stephen C. Holyfield
Administrator of Emergency Services
Deputy Emergency Management Director
Public Safety Commission, Chair
Phone 860-449-3364
E-mail - admin.emergency@ledyardct.org
Office Location -741 Colonel Ledyard Highway, Basement (Room 8), Ledyard, CT 06339-1511
Mailing Address - 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511

From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Tuesday, October 28, 2025 10:24 AM
To: Roxanne Maher <council@ledyardct.org>
Cc: Steve Holyfield <admin.emergency@ledyardct.org>
Subject: Re: AES Comments on Ethics Ordinance

Good morning Steve,

Regarding Section 5.a., *"A Town official, employee, consultant has a conflict of interest when... the Town official, employee, or consultant has a financial or beneficial interest."* Section 5.b. clarifies that a financial or beneficial interest presents a conflict of 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."* This statement is further clarified by 5.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)."* Therefore, this Ordinance does not prohibit volunteer firefighters or Town employees from owning their own businesses.

When you say "conduct business with the Town," are you referring to firefighters who are engaging in contracts with the Town?

During my conversations with the attorney, we discussed Town employees who own businesses which provide services and goods to the Town, and potential conflicts with the Ordinance. I expressed the intent to continue past practice in allowing those opportunities to continue. I would personally interpret 5.c. to allow a business owned by a Town employee to engage in a contract with the Town as long as the contract was awarded without preference specific to that person, but toward the contract process set forth in An Ordinance for Purchasing, and conflict is disclosed per Section 9.a. I will forward your concerns to the Attorney to verify my interpretation.

To address your second concern regarding Town owned vehicles, I defer to the Attorney's recommendation in this regard. We certainly have no intention of creating a requirement that increases emergency response times in our community.

Best,

Jessica Buhle
Ledyard Town Council
Chair - Administration Committee
jessicab@ledyardct.org

On Oct 28, 2025, at 9:49 AM, Roxanne Maher <council@ledyardct.org> wrote:

From: Steve Holyfield <admin.emergency@ledyardct.org>
Sent: Tuesday, October 28, 2025 9:47 AM
To: Roxanne Maher <council@ledyardct.org>
Cc: Jon Mann <lfd.chief@ledyardct.org>; Jeff Erhart <Chief@gffc.org>
Subject: AES Comments on Ethics Ordinance

Good morning, Roxanne -

Attached is a document with some comments I have on the proposed Ethics Ordinance. Could you please share it with the council and the admin committee?

I have copied the fire chiefs on this email for their awareness since this directly effects their membership.

Thanks and have a good day!

Steve

Stephen C. Holyfield
Administrator of Emergency Services
Deputy Emergency Management Director
Public Safety Commission, Chair
Phone 860-449-3364
E-mail - admin.emergency@ledyardct.org
Office Location -741 Colonel Ledyard Highway, Basement (Room 8), Ledyard, CT 06339-1511
Mailing Address - 741 Colonel Ledyard Highway, Ledyard, CT 06339-1511

TOWN OF LEDYARD
CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, CT 06339-1551
(860) 464-3226
FAX (860) 464-1126

Date: October 28, 2025

To: Ledyard Town Council, Ledyard Town Council Administrative Committee

From: Stephen C Holyfield, Administrator of Emergency Services

Subject: *An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission*

Councilors,

I understand that the Ordinance has been a topic of debate at recent council meetings and is scheduled for additional debate and possible revision at your upcoming Administrative Committee meeting as well as a Special Meeting of the Council.

I wanted to offer some feedback regarding impacts that this draft will have on Emergency Services and to encourage you to consider these impacts as you craft your Ordinance language.

Section 3, Item 8 defines "*Employee is any person receiving salary, wages, or stipend from the Town of Board of Education for services rendered...* ".

The town currently issues a stipend to both Fire Chiefs and to active town volunteers for consideration of their involvement in the fire department. For the scope of workers compensation insurance, the volunteer firefighters are considered employees and receive comp coverage following a workplace injury. For purposes of tax code, the volunteers receive an IRS 1099 form at the end of the year and are considered independent subcontractors when completing their income taxes.

While this may seem to be splitting hairs, it does create issue when Section 5, Item a. ("*A town official, employee... has a financial or beneficial interest*"). We have several volunteer fire department members who are also small business owners and who do business with the Town. I have concerns that the business owners will be forced to make a choice of either continuing to be volunteer firefighters in Town or continue to conduct business with the Town, but will be precluded from doing both based upon the current language.

Additionally, Section 5, item e states "*Town officials and town employees shall not use Town owned vehicles... for personal convenience or profit*". It is important to note that

the Fire Chiefs have historically been issued Town vehicles for use as Chief. Furthermore, the Chiefs have always been allowed full off-duty use of those vehicles without restriction. The theory behind this allowance is that while the Chief may be conducting personal business in town, he or she is readily available to respond and take command and control of an incident. Passage of this wording in the Ordinance will limit the use of these vehicles. Limiting the use of these vehicles will lead to increased emergency response times and an adverse effect on our emergency services customers.

I hope that this feedback is beneficial to your committee and to the Council as a whole. I sincerely hope that you will consider these impending issues and their impacts as you revise the ordinance.

Regards,

Stephen Holyfield
Administrator of Emergency Services
Admin.emergency@ledyardct.org
(860) 449-3364

Roxanne Maher

From: Fred Allyn, III
Sent: Tuesday, October 28, 2025 2:12 PM
To: Jessica Buhle
Cc: Roxanne Maher
Subject: RE: Town Owned Vehicles Question

Good afternoon Councilor,

A good question for clarification. The Fire Chiefs have had town owned vehicles and sometimes not- as the case with Chief Erhart now who prefers to use his own vehicle, so currently only one Fire Chief vehicle in the fleet. They do have the ability to use these vehicles for some (not all) non-emergency use, generally back and forth to the fire companies, fire house meetings, parades, public engagement, etc. The Fire Marshal also has a "take home" vehicle assigned directly to him. This pickup truck is essentially his office on wheels. It contains his fire marshal needs like cameras, lights, batteries, and whatnot that he takes in the middle of the night when disaster strikes in the form of a fire.

The Police Chief and Captain both have take home cars as well. Those are written into their employment agreements. I am also told (though never authorized) that the LT also has a take home cruiser. I'm not a fan of "mission creep" as it pertains to fleet vehicles going back and forth on a daily basis-outside of those previously authorized.

I believe the BoE also permits Wayne Donaldson to drive his truck back and forth on a daily basis too. I am not privy to the terms of that agreement. You will need to reach out to Supt. Hartling on that one, as well as if there are any others on the BoE side.

Best,

Fred B. Allyn III

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

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

From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Tuesday, October 28, 2025 1:07 PM
To: Fred Allyn, III <mayor@ledyardct.org>

Cc: Roxanne Maher <council@ledyardct.org>
Subject: Town Owned Vehicles Question

Good afternoon Mayor

In reviewing feedback received from Administrator of Emergency Services Steve Holyfield regarding the proposed ethics ordinance, I have a question that I think you are best suited to answer.

Mr. Holyfield mentioned the town owned vehicles provision listed in the Conflict of Interest Provisions, and I referenced the town vehicle use poilcy available on the town website.

The usage described by Mr. Holyfield contradicts the policy available on the town website. The vehicle use policy states that it is applicable to Town Hall / Library / Senior Center - Parks and Recreation Employees, and Section 4.a. states "Municipal vehicles shall only be used for legitimate municipal business," which contradicts the statement of "It is important to note that the Fire Chiefs have historically been issued Town vehicles for use as Chief. Furthermore, the Chiefs have always been allowed full off-duty use of those vehicles without restriction."

I plan to modify the ordinance in order to protect our emergency responders, but are there any other town owned vehicles that are being used in a manner outside of the vehicle use policy that should be included in an exemption?

Is there an alternate vehicle use policy that applies to emergency vehicles or different departments?

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

Roxanne Maher

From: Jessica Buhle
Sent: Wednesday, October 29, 2025 11:52 AM
To: Roxanne Maher; John Rich
Subject: Re: An Ordinance Establising a Town of Ledyard Code of Ethics

Good morning,

Thank you for asking such a thoughtful and great question.

Section 7 states “No Town official, employee, or consultant… or group of employees 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, consultant, agency, employee organization, or group of employees.”

If a person is giving a gift for the sake of giving a gift or donation, I do not see a conflict with the ordinance.

If a person is giving a gift for preferential treatment or preferential consideration on any business transaction or matter (someone asking for increased patrols near their home in exchange for donating to the ACO, a donation to the department in exchange for looking the other way when someone speeds through town, etc…), that would be a violation of the ordinance.

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

On Oct 28, 2025, at 2:14 PM, Roxanne Maher <council@ledyardct.org> wrote:

From: John Rich <chief.rich@ledyardct.org>
Sent: Tuesday, October 28, 2025 2:10 PM
To: Roxanne Maher <council@ledyardct.org>
Subject: FW: An Ordinance Establising a Town of Ledyard Code of Ethics

Roxanne,

Please see below, I just had a question regarding the Ethics Ordinance and donations to town departments.

Thanks,

John

From: Kristen Chapman <mayoral.asst@ledyardct.org>
Sent: Tuesday, October 28, 2025 1:57 PM
To: John Rich <chief.rich@ledyardct.org>
Cc: Fred Allyn, III <mayor@ledyardct.org>
Subject: RE: An Ordinance Establising a Town of Ledyard Code of Ethics

Chief Rich,

I would suggest sending your concerns to Roxanne as the ordinance is currently with the Administration Committee.

Best,
Kristen

From: John Rich <chief.rich@ledyardct.org>
Sent: Tuesday, October 28, 2025 1:40 PM
To: Kristen Chapman <mayoral.asst@ledyardct.org>
Cc: Fred Allyn, III <mayor@ledyardct.org>
Subject: RE: An Ordinance Establising a Town of Ledyard Code of Ethics

Kristen,

At this point, I'm particularly interested in the question of whether the police department, dispatch, or animal control can accept a donation from a citizen or organization to benefit that department, of if such donations would meet the definition of a "gift", as they don't appear to be excluded under Section 7.

As you may know, ACO gets many community donations, dispatch receives an annual donation from America's Styrenics, and LPD receives donations for our employee wellness programs.

Who's the right person to ask?

Chief

From: Kristen Chapman <mayoral.asst@ledyardct.org>
Sent: Tuesday, October 28, 2025 8:38 AM
To: John Rich <chief.rich@ledyardct.org>; James Mann <fire.marshal@ledyardct.org>; Steve Holyfield <admin.emergency@ledyardct.org>; Elizabeth Burdick <planner@ledyardct.org>; Scott Johnson <Scott@ledyardrec.org>; Patricia A. Riley <town.clerk@ledyardct.org>; Matthew Bonin <finance.director@ledyardct.org>; Stephen Banks <wpca.supervisor@ledyardct.org>; Justin Dube <mis.director@ledyardct.org>; Christine Dias <hr.director@ledyardct.org>
Cc: Fred Allyn, III <mayor@ledyardct.org>
Subject: FW: An Ordinance Establising a Town of Ledyard Code of Ethics

Good morning,

Attached, please find an updated draft posted to the agenda this morning.

Best,
Kristen

From: Kristen Chapman
Sent: Monday, October 27, 2025 4:32 PM
To: John Rich <chief.rich@ledyardct.org>; James Mann <fire.marshal@ledyardct.org>; Steve Holyfield <admin.emergency@ledyardct.org>; Elizabeth Burdick <planner@ledyardct.org>; Scott Johnson <Scott@ledyardrec.org>; Patricia A. Riley <town.clerk@ledyardct.org>; Matthew Bonin <finance.director@ledyardct.org>; Stephen Banks <wpca.supervisor@ledyardct.org>; Justin Dube <mis.director@ledyardct.org>
Subject: An Ordinance Establising a Town of Ledyard Code of Ethics

Good afternoon,

Please be advised the attached draft "An Ordinance Establishing a Town of Ledyard Code of Ethics" dated 10/27/2025 is on the agenda for the 10/29 Administration Committee special meeting. This ordinance may have implications for your department.

Best,
Kristen

Kristen Chapman

Executive Assistant to the Mayor/
Social Services Coordinator
Town of Ledyard
741 Colonel Ledyard Highway
Ledyard, CT 06339
860-464-3222
mayoral.asst@ledyardct.org

Town Hall Hours:
Monday – Thursday 7:30 a.m. to 4:45 p.m.
CLOSED FRIDAYS

Roxanne Maher

From: Jessica Buhle
Sent: Wednesday, October 29, 2025 2:02 PM
To: Ritter, Matthew D.
Cc: Roxanne Maher
Subject: Re: Ethics Ordinance Clarifying Question - Administrator of Emergency Services

Matt,

Thank you again for your prompt reply. I will move forward with the language you have suggested and will send you a redline and clean copy tomorrow morning.

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

On Oct 29, 2025, at 1:47 PM, Ritter, Matthew D. <MRitter@goodwin.com> wrote:

Jessica – my suggestion would be to say:

1. 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.

-Does the Mayor get a car? Just curious. If so, I would include that position as well.

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

I am OK with this language.

3. Good luck this evening and please remember to send me a final clean and redline copy if you can so I can do one final review with all of these edits. Thanks, Matt

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
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.

From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Wednesday, October 29, 2025 12:07 PM
To: Ritter, Matthew D. <MRitter@goodwin.com>
Cc: Roxanne Maher <council@ledyardct.org>
Subject: Re: Ethics Ordinance Clarifying Question - Administrator of Emergency Services

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

Good afternoon,

I am sending you language for consideration to confirm legality and that it does not conflict with our ordinance.

In regards to the Town owned vehicles, I would like to add this language:

This does not apply to Town owned vehicles issued to emergency responders as "take home" vehicles, or vehicles issued to employees as part of an employment agreement or contract.

I have also received feedback to clarify who determines the penalty for an Ethics Violation. I would like to add the following language after the Penalties (Section 14.c.4.v.)

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

Again, thank you for your concise feedback and assistance in drafting this ordinance. I appreciate your time and effort.

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

> On Oct 28, 2025, at 1:32 PM, Ritter, Matthew D. <MRitter@goodwin.com> wrote:
>
> I would add one more thing… we can certainly be clearer to avoid these questions.
>
> "Notwithstanding anything contained in this ordinance to the contrary, 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."

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
www.shipmangoodwin.com

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From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Tuesday, October 28, 2025 1:23 PM
To: Ritter, Matthew D. <MRitter@goodwin.com>
Subject: Re: Ethics Ordinance Clarifying Question - Administrator of Emergency Services

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

Thank you. I will move forward with that language.

To confirm, this exemption in 5.a. would also cover town employees or Board of Education employees who are also entering into a contract as an instructor or camp counselor for Parks and Recreation, correct?

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

> On Oct 28, 2025, at 12:46 PM, Ritter, Matthew D. <MRitter@goodwin.com> wrote:
>
> Hi Jessica – with respect to 5a. -- see suggested revisions below:
>
> "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."

If you say "and" will that cover the tshirt example? Maybe they get a public quote? I would delete the part about disclosing the "conflict" because it is no longer a conflict if that makes sense….

For the vehicles, maybe confirm with the Mayor if there are other vehicles in a similar situation? Probably good to exempt them all?

Thanks.

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
www.shipmangoodwin.com

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From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Tuesday, October 28, 2025 11:39 AM
To: Ritter, Matthew D. <MRitter@goodwin.com>
Subject: Re: Ethics Ordinance Clarifying Question - Administrator of Emergency Services

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

Hi Matt,

I had interpreted b. and c. to be clarifying portions of a, as they read as such, defining what is and what is not a conflict.

However, in order to address the concerns you and I had discussed yesterday regarding the fire training and Parks and Recreation shirts and other services small business owned by town employees provide to our town, I am proposing the following addition:

Under section 5.a., add "A Town official, employee, or consultant may engage in a contract, transaction, decision, or rendering of service to the Town where the contract is publicly quoted or bid and the Town official, employee, or consultant is not involved in awarding the contract, and conflict is disclosed."

Under Section 5.e., add "This does not apply to vehicles assigned to Town vehicles issued to members of Ledyard Fire Department and Gales Ferry Fire Company."

Please let me know if either of these additions cause legal issues or invalidate portions of our ordinance.

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

On Oct 28, 2025, at 11:19 AM, Ritter, Matthew D. <MRitter@goodwin.com> wrote:

Hi Jessica - no need to apologize 😊

1. Under the revised Code as currently drafted, Section 5(a) may prohibit a firefighter from having a contract with the Town because it generally prohibits Town employees from having contracts with the Town. However, Section 5(b) would not be an issue (unless it was a contract with the volunteer fire department) because it specifically requires the employee to be involved in the awarding of the contract somehow.

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**.

Maybe you could look at amending Section 5(a) by exempting any contracts that are publicly bid and that the individual employee has no involvement in the contract award process? Or maybe you merge Sections (a) and (b)?

Here is a hypothetical – can a teacher who owns a cleaning company have a contract with the Town to provide cleaning services at Town Hall?

Under 5(a), maybe not…with the revisions discussed above, it probably is OK. However, I think a Town Council member could not because they are involved in the awarding of the contract.

2. With respect to the Town vehicles, this is a policy decision. However, if you want to continue to allow the Chief or any other Town official to use the vehicle for personal business you will need to amend the ordinance.

Thanks, Matt

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
www.shipmangoodwin.com

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From: Jessica Buhle <Jbuh@ledyardct.org>
Sent: Tuesday, October 28, 2025 10:29 AM
To: Ritter, Matthew D. <MRitter@goodwin.com>
Subject: Ethics Ordinance Clarifying Question - Administrator of Emergency Services

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

Good morning,

Sincerest apologies for monopolizing your time on this Ordinance recently, but working hard to address feedback.

I received a letter from the Administrator of Emergency Services.

His concerns regard Section 5.a-c, and 5.e. and his letter is attached. I have attached my feedback and interpretation, so I will look for your feedback to confirm or refute my interpretation, or any further comments you may have.

If his concerns are correct and are prohibited in the proposed ordinance, can you propose language to modify the ordinance to correct?

Best,

Jessica Buhle
Ledyard Town Council
jessicab@ledyardct.org

Begin forwarded message:

From: Jessica Buhle <jessicab@ledyardct.org>
Subject: Re: AES Comments on Ethics Ordinance
Date: October 28, 2025 at 10:24:45 AM EDT
To: Roxanne Maher <council@ledyardct.org>
Cc: Steve Holyfield <admin.emergency@ledyardct.org>

Good morning Steve,

Regarding Section 5.a., *" A Town official, employee, consultant has a conflict of interest when... the Town official, employee, or consultant has a financial or beneficial interest."* Section 5.b. clarifies that a financial or beneficial interest presents a conflict of 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." This statement is further clarified by 5.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)."* Therefore, this Ordinance does not prohibit volunteer firefighters or Town employees from owning their own businesses.

When you say "conduct business with the Town," are you referring to firefighters who are engaging in contracts with the Town?

During my conversations with the attorney, we discussed Town employees who own businesses which provide services and goods to the Town, and potential conflicts with the Ordinance. I expressed the intent to continue past practice in allowing those opportunities to continue. I would personally interpret 5.c. to allow a business owned by a Town employee to engage in a contract

with the Town as long as the contract was awarded without preference specific to that person, but toward the contract process set forth in An Ordinance for Purchasing, and conflict is disclosed per Section 9.a. I will forward your concerns to the Attorney to verify my interpretation.

To address your second concern regarding Town owned vehicles, I defer to the Attorney's recommendation in this regard. We certainly have no intention of creating a requirement that increases emergency response times in our community.

Best,

Jessica Buhle
Ledyard Town Council
Chair - Administration Committee
jessicab@ledyardct.org

On Oct 28, 2025, at 9:49 AM, Roxanne Maher <council@ledyardct.org> wrote:

From: Steve Holyfield <admin.emergency@ledyardct.org>
Sent: Tuesday, October 28, 2025 9:47 AM
To: Roxanne Maher <council@ledyardct.org>

Cc: Jon Mann <lfd.chief@ledyardct.org>; Jeff Erhart <Chief@gffc.org>
Subject: AES Comments on Ethics Ordinance

Good morning, Roxanne -

Attached is a document with some comments I have on the proposed Ethics Ordinance. Could you please share it with the council and the admin committee?

I have copied the fire chiefs on this email for their awareness since this directly effects their membership.

Thanks and have a good day!

Steve

Stephen C. Holyfield

Administrator of Emergency Services

Deputy Emergency Management Director

Public Safety Commission, Chair

Phone 860-449-3364

E-mail
- admin.emergency@ledyardct.org

Office Location -741
Colonel Ledyard Highway,
Basement (Room 8),
Ledyard, CT 06339-1511

Mailing Address - 741
Colonel Ledyard Highway,
Ledyard, CT 06339-1511

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TOWN OF LEDYARD
CONNECTICUT
OFFICE OF THE MAYOR

Fred B. Allyn III
Mayor

Kristen Chapman
Executive Assistant to the Mayor

741 Colonel Ledyard Highway
Ledyard, CT 06339-1551
(860) 464-3222
FAX (860) 464-8455

October 29, 2025

Ledyard Town Council
741 Colonel Ledyard Hwy.
Ledyard, CT 06339

Councilors,

I write today to include my comments regarding the newly proposed replacement "An Ordinance Establishing a Town of Ledyard Code of Ethics and Ethics Commission" dated 10/27/2025:

1) **Section 2, bullet 3:** I do not support including consultants in the proposed ordinance. It's often a challenge to get bids now- this new requirement may have a further chilling effect on bidders.
2) **Section 3, definition 5:** " a person or person" should likely read "a person or persons".
3) **Section 3, definition 7:** Again, this includes consultants. See item 1 above. It appears this will also include attorney utilized by the town.
4) **Section 3, definition 8:** Does "stipend" also include those providing programming for Parks and Recreation? Summer camp activities?
5) **Section 5, § c:** this paragraph, starting with "...that is incompatible with the proper discharge..." is not clear to the layperson- the very people that will be expected to follow this ordinance. Suggest language revisions.
6) **Section 5, § d:** This can occur in emergency situations, including winter storms, tropical storms, or labor shortages, primarily with Public Works and the Police Dept.
7) **Town of Ledyard Employee Handbook.** The handbook includes Nepotism (page 20), Conflict of Interest (page 20), Outside employment (page 21) and Vehicle Use Policy (appendix 8). Every Town employee receives a copy of the handbook and are required to sign and accept the obligations contained in said handbook.
8) **Section 6, § a:** Suggest removing all references to consultants for reasons stated above.
9) **Section 9, § c:** This section does not appear in the Glastonbury model ordinance. What is the intent of inclusion of this clause and how is this of benefit? I'd appreciate clarification as to why this clause is included.
10) **Section 9, § d, 2 and 4:** Reference is made to the conflict provision reporting with "Town employees and officials" the Mayor or Town Council, while Department Heads (Directors) are not afforded the same treatment. Please clarify why this is drafted this way.

11) **Section 12: Suggest removal in its entirety.** This section poses an added unreasonable, unnecessary burden on the Town Clerk and existing workload. With more than 520 employees and numerous consultants to track and report on, this poses substantial work with little to no benefit. Suggest deleting and instead require annual electronic distribution of the ordinance to all employees "during the first week of January of each year."
12) **Section 13, § b:** It is noted that the Glastonbury model ordinance included the following: "No member or alternate member shall...Have campaigned for any other person seeking a Town office." What is the rationale for omitting this particular line when all other "no member shall" items were included? If the Council is seeking unbiased, neutral parties to fill the commission, it would seem that someone that campaigns for another would not fall in the desired bucket.
13) **Section 13, § c:** to be bipartisan, suggest a minimum of seven (7) affirmative votes.
14) **Section 13, § e 1):** There is no budget line for this new commission. Attorney Ritter has suggested budgeting a minimum of $20,000 annually for legal fees, with some towns spending as much as $200,000, if the aggrieved party opts to appeal to Superior Court. Additionally, the Town is required to provide legal counsel for the respondent, with an insurance deductible between $1,000 and $10,000 per occurrence. Both the Town Attorney and Insurance lines will require amendment.
15) **Section 14 § b 2):** suggest changing last line from "must sign it" to "must sign the form".
16) **Section 14, §5 ii):** typo reads "...will meet in to review..." Determine proper language intent.
17) **Section 14 § 4 d):** Suggest deleting this paragraph in its entirety. The charge of the Ethics Committee is to offer advisory opinions, address inquiries and handle complaints of possible ethics violations. To that end, this committee is not a sounding board for other communications, particularly where it states "...communications from the public, even if they do not fall within the categories of an advisory opinion, inquiry or complaint". The other communications should be directed to the Town Council or the Mayor.

Thank you,

Fred B. Allyn III

Mayor