



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, CT 06339
<http://www.ledyardct.org>

Administration Committee

~ AGENDA ~

Chairman S. Naomi
Rodriguez

Regular Meeting

Wednesday, April 9, 2025

5:30 PM

Town Hall Annex- Hybrid Format

In -Person: Council Chambers, Town Hall Annex Building

Remote Participation: Information Noted Below:

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

<https://us06web.zoom.us/j/85142151920?pwd=ctxQcHQ2dRLWiYR7XoC4cYyWZ6xtbM.1>

Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 851 4215 1920; Passcode: 541423

- I. CALL TO ORDER
- II. ROLL CALL
- III. RESIDENTS & PROPERTY OWNERS COMMENTS
- IV. PRESENTATIONS / INFORMATIONAL ITEMS
- V. APPROVAL OF MINUTES

MOTION to approve the Regular Meeting Minutes of March 12, 2025.

Attachments: [ADMIN-2025-03-12](#)

- VI. OLD BUSINESS
 1. Discussion and possible action to create an Ethics Commission for the Town of Ledyard.

Attachments: [DRAFT_AN ORDINANCE ESTABLISHING A TOWN OF LEDYARD CODE OF ETHICS AND ETHICS COMMISSION 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 email-2024-09-13](#)
[Ethics Commission- Lyons-email-2024-09-13](#)
[Ethics Commission- Wilkinson-email-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](#)

2. Discussion and possible action to draft an Ordinance regarding the raising of Unofficial-Third-Party Flags on Town Property.

Attachments: [Third Party Flags Ledyard Ordinance- DRAFT](#)
[OLR Report unofficial flags 5-7-24](#)
[Attorney Memo--Memo Re Flag Flying-2024-09-09](#)
[Third Party Flags-Healty ltr-2024-09-11](#)
[Thrid Party Flags-Ethan Harris email-2024-01-02](#)
[Babcock-Third Party Flags-ltr-2025-01-06](#)
[Third Party Flags-Ball email-2025-01-24](#)
[Harris-Third Party Flags-email-2025-01-08](#)
[Third Party Flags-Johnson-email-2025-02-07](#)
[Third Party Flags-S-Pealer- email-2025-01-24](#)
[Casavant email-Thrid Party Flags-2025-02-10](#)
[D Pealer email-Thrid Party Flags-2025-02-10](#)
[Dykes email-Thrid Party Flags-2025-02-10](#)
[J Allyn email-Thrid Party Flags-2025-02-10](#)
[Kil email-Thrid Party Flags-2025-02-10](#)
[Krupansky email-Thrid Party Flags-2025-02-10](#)
[Mago email-Thrid Party Flags-2025-02-10](#)
[Maloney email-Thrid Party Flags-2025-02-10](#)
[Riegert email-Thrid Party Flags-2025-02-10](#)
[Saums email-Thrid Party Flags-2025-02-10](#)
[Thorne email-Thrid Party Flags-2025-02-10](#)
[Treaster email-Thrid Party Flags-2025-02-10](#)
[Wilder email-Thrid Party Flags-2025-02-10](#)
[Chiangi-Third Party Flags- -email-2025-02-12](#)
[Farris-Third Party Flags-ltr-2025-02-12](#)
[Irwin-Third Party Flags-ltr-2025-02-11](#)
[J-Allyn-Third Party Flags-ltr 2025-02-12](#)
[Janacek-Third Party Flags-email- 2025-02-12](#)
[Lamb Third Party Flags-Ethics Commission--email- 2025-02-12](#)
[Merando-Third Party Flgs-emal-2025-02-28](#)
[Johnson-Third Party Flags-email-2025-02-12](#)

3. Discussion and possible action to draft a resolution establishing a Sustainable CT Ad-hoc Committee.

Attachments: [RES- SUSTAINABLE CT-2020-03-11](#)
[East Haddam-Sustainable CT Resolution \(1-16-19\)](#)

4. Any other Old Business proper to come before the Committee

VII. NEW BUSINESS

1. MOTION to appoint Ms. Vanessa Sotelo (D) 8 Cedar Ridge Road, Ledyard, and an Alternate Member of the Parks, Recreation, & Senior Citizens Commission to complete a three (3) year term ending June 28, 2028, filling a vacancy left by Ms. Hawes.

Attachments: [Appoint Application Soledao-P& R -2025-03-05](#)
[DTC Appoint Application Parks-Recreation-Senior Citizens Commission-2025-03-19](#)
[PARKS-REC-SENIOR CITIZENS-2025-03-27](#)

2. MOTION to appoint Mr. Christian Allyn (U) 1010 Shewville Road, Ledyard, to the Cemetery Committee as a Regular Member, of for a three (3) year term ending April 26, 2028, filling a vacancy left by Ms. Staley.

Attachments: [Appoint Application - Allyn-Christian-Cemetery Committee-2025-03-19](#)
[Christian Allyn resume cemetery committee](#)
[Cemetery Cmt Appointment Endorsmetn-C-Allyn- Cemetery Committee-email-2025-03-24](#)
[CEMETERY CMT 2025-03-27](#)

3. Any other New Business proper to come before the Committee.

VIII. ADJOURNMENT

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



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1229

Agenda Date: 4/9/2025

Agenda #:

MINUTES

Minutes:

MOTION to approve the Regular Meeting Minutes of Marach 12, 2025.



TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL

HYBRID FORMAT

741 Colonel Ledyard Highway
Ledyard, CT 06339
860 464-3203
<http://www.ledyardct.org>
Roxanne M. Maher
Administrative Assistant

Chairman S. Naomi Rodriguez

MINUTES
ADMINISTRATION COMMITTEE
REGULAR MEETING

Wednesday, March 12, 2025

5:30 PM

Town Hall Annex Building

DRAFT

- I. CALL TO ORDER – The Meeting was called to order by Councilor Buhle at 5:30 p.m. at the Council Chambers Town Hall Annex Building.

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

II. ROLL CALL-

Attendee Name	Title	Status	Location	Arrived	Departed
Jessica Buhle	Committee Chairman	Present	In-Person	5:30 pm	6:32 pm
April Brunelle	Town Councilor	Excused	In-Person	5:30 pm	6:32 pm
Kevin Dombrowski	Town Councilor	Excused			
S. Naomi Rodriguez	Town Council Chairman	Present	In-Person	5:30 pm	6:32 pm
Carmen Garcia-Irizarry	Town Councilor	Present	In-Person	5:30 pm	6:32 pm
Fred Allyn, III	Mayor	Present	In-Person	5:32 pm	6:32 pm
Sharon Pealer	Resident	Present	In-Person	5:30 pm	6:32 pm
Dan Pealer	Resident	Present	In-Person	5:30 pm	6:32 pm
Edwin Murray	Resident	Present	In-Person	5:30 pm	6:32 pm
Eleanor Murray	Resident	Present	In-Person	5:30 pm	6:32 pm
Cory Watford	Resident	Present	In-Person	5:30 pm	6:32 pm
Steve Munger	Resident	Present	In-Person	5:30 pm	6:32 pm
Larry Erhart	Resident	Present	In-Person	5:30 pm	6:32 pm
Mike Cherry	Resident	Present	In-Person	5:30 pm	6:32 pm
Paul Whitescarver	Resident	Present	In-Person	5:30 pm	6:32 pm
John Rodolico	Resident	Present	In-Person	5:30 pm	6:32 pm
Eric Treaster	Resident	Present	Remote	5:30 pm	6:32 pm
Bill Thorne	Resident	Present	Remote	5:30 pm	6:32 pm
Jacob Hurt	Resident	Present	Remote		6:32 pm
Roxanne Maher	Administrative Assistant	Present	In-Person	5:30 pm	6:32 pm

III. CITIZENS COMMENTS

Mr. Steve Munger, 12 Nutmeg Drive, Gales Ferry, stated after all the Town Council Meetings that he has attended, he could not believe that the Administration Committee was still bringing up this ridiculous Ordinance to Fly Third Party Flags on Town Owned

Property. However, he stated if they were going to adopt such an Ordinance that they add the following language:

“That if, when we get sued, that the Town Council that approved the Ordinance will be the ones that are responsible for the legal costs.”

Mr. Munger continued by providing the following points regarding the proposed Third-Party Flag Ordinance:

- How can the proposed Ordinance state that *“The flagpoles are not intended to serve as a forum for public free expression”*? Mr. Munger stated that was exactly why we flag fly the US American Flag and the State of Connecticut Flag.
- The proposed Ordinance stated that *“The flagpoles are designated as non-public forums”*. Mr. Munger stated that the flagpoles were town property, and were our public forums.
- The proposed Ordinance stated that *“The flags are to be authorized by the Town Council, representing the official sentiments of the Town Council”*. Mr. Munger stated that the flagpoles are not there for the Town Council to express their sentiments.

Mr. Munger questioned whether a nonresident could make a request to the Town Council to fly a Flag, because the proposed Ordinance does not state anything about that. He also noted that based on his reading and understanding of the proposed Ordinance that *“The duration a Third-Party Flag could be flown was at the whim of the Town Council”*. He questioned what that was supposed to mean. He stated as long as there was a war somewhere on earth, the Town Council could fly the flag of whichever faction they chose for the next however many years, or months, or whatever. He stated according to the proposed Ordinance that the Third-Party Flags could be flown for a cause, nation, or group. Therefore, he stated that would mean that Hamas, Palestinians, LGBTQ+; etc., could all fly flags on Town Property.

Mr. Munger went on to state that the bottom line was that the proposed Ordinance was headed for legal trouble. He stated Ledyard Residents paid a decent increase in taxes last year; and it looked the upcoming year was going to be worse. Therefore, he questioned why would the Town even think of risking a lawsuit; whether they thought that there would be a lawsuit or not. He stated by adopting the proposed Third-Party Flag Ordinance, that the Town was risking something they do not have to risk. He stated the only flag in this country that unites everybody in this Town was the one that was flying out there right now.

Mr. Munger continued by noting that the proposed Third-Party Flag Ordinance stated that Commemorative Flags were not permitted. Therefore, he questioned whether that meant that they could not fly a Special Commemorative Flag for the 4th of July.

Mr. Munger stated the biggest reason not to adopt the proposed Third-Party Flag Ordinance was because there was already a Supreme Court decision on this issue. He stated that he read the whole Supreme Court Case noting that the case was brought about because of the flying of a religious flag. However, he stated Ledyard's proposed Third-Party Flag Ordinance stated that religious flags would not be permitted. Therefore, he stated that the proposed Ordinance was already going against the Supreme Court decision. that's already been done. He stated that he knows some like to have a little power when they get in positions. However, he stated any flag the Town Council allowed to be flown, whether it was my flag or your flag that it was always going to be divisive for some people. He stated the Town Council was supposed to make the Town a nice, livable place. He stated by adopting the proposed Third-Party Flag Ordinance that they were making it a divisive place.

Mr. Munger concluded his comments by stating the Town Council has to look at the full picture, and the number one picture was One Flag, One Town, One Country.

Mr. Daniel Pealer, 48 Highland Drive, Gales Ferry, stated that he was present this evening to address the proposed ordinance governing the flying of flags on town flagpoles. He stated that he believed that the proposed Ordinance, as currently written, raises several significant legal and constitutional issues that warrant reconsideration. He noted as he noted in his March 11, 2025 in which he covered *Shurtleff v. City of Boston (2022)* and this proposed draft ordinance has been written in a manner to attempt to avoid the issues in that case, that he would focus his comments on the other problems that this proposal runs into.

Attribution and Public Perception

Mr. Pealer stated that government speech must be attributed to the government in a way that is clear to the public. If a private group proposes a flag and it is displayed on a town flagpole, there was a risk that observers might attribute the message of the flag to the private group rather than the government. He stated that this creates ambiguity about whether the speech represents the government's message or that of a private entity. He stated that courts have been cautious in cases where the line between government and private speech was blurred, as seen in *Matal v. Tam (582 U.S. 2017)*, where trademarks were held to be private, not government, speech due to the role of private parties in creating the message.

Mr. Pealer went on to not that it was important to recognize that the town cannot unilaterally declare a flag to be government speech simply by approving its display. He stated that Government speech, by its nature, must clearly convey a message attributable to the government itself. He stated the involvement of private groups in proposing flags, coupled with the temporary and rotational nature of flag displays, undermines the claim that these displays constitute government speech.

Temporary and Rotational Nature

Mr. Pealer stated that the nature of the expression matters. He stated that permanent monuments, like those discussed in *Pleasant Grove City v. Summum (555 U.S. 2009)*, were inherently government speech because of their enduring presence and the government's long-term commitment to their message. He noted flags, on the other hand, were temporary and rotational symbols that often reflected the sentiments or causes of the moment. He stated that this transient nature makes it less likely for flags to be perceived as embodying a consistent,

long-term government message. He stated the lack of permanence undermines the argument that these displays were purely government speech.

Mr. Pealer stated the proposed Ordinance in Ledyard differs significantly from the situation in *Summum*. He stated the ordinance seeks to govern the display of flags, which were inherently temporary and rotational in nature, unlike permanent monuments. Flags, being transient symbols, were often perceived as expressions of current sentiments, events, or causes. This transient nature differentiates flags from the permanent and enduring nature of monuments, which are meant to convey long-term messages and values.

Mr. Pealer stated the distinction between temporary flag displays and permanent monuments was crucial. He stated that while the government may exercise control over permanent monuments without violating the First Amendment, the temporary nature of flag displays requires a different legal consideration. He stated that the broad discretion granted to the Town Council to approve or deny flag displays based on their subjective determination of "official sentiments" raises the potential for viewpoint discrimination. He stated that this could result in arbitrary and inconsistent decisions, which were not permissible under the First Amendment's requirement for viewpoint neutrality.

Mr. Pealer stated that the flags flown on the flagpole are more akin to the long-winded speaker that Justice Alito described in *Summum*, rather than the permanent monument covered by the case. He noted as Justice Alito wrote, "*Speakers, no matter how long-winded, eventually come to the end of their remarks; persons distributing leaflets and carrying signs at some point tire and go home; monuments, however, endure. They monopolize the use of the land on which they stand and interfere permanently with other uses of public space.*" Mr. Pealer stated that flags, being temporary and rotational, do not monopolize space in the same way that permanent monuments do. Just as a public park can serve as a platform for many orators over time, flagpoles can accommodate a variety of flags, reflecting diverse sentiments without permanently claiming the space.

Insufficient Standards and Guidelines

Mr. Pealer went on to state for the proposed Ordinance to credibly establish flag displays as government speech, that it must include detailed, objective, and consistent criteria for approving flags. He noted the current proposed ordinance used language open to subjective interpretation such as "*flags that promote or may encourage*", specifically in Section 2, functionally giving the Town Council broad discretion to determine what flags to approve. He stated that this inherently subjective guidelines weakens the claim of government speech and opens the door to claims of viewpoint discrimination, as private speech could be selectively excluded under the guise of government speech.

Mr. Pealer continued by noting in *Police Department of Chicago v. Mosley*, 408 U.S. 92 (1972), the Supreme Court struck down a Chicago ordinance that prohibited all picketing near schools, except for labor picketing. The stated that the Court held that the ordinance violated the Equal Protection Clause of the Fourteenth Amendment because it discriminated based on the content of speech. He noted that Justice Marshall, writing for the Court, emphasized that "*The Equal Protection Clause requires that statutes affecting First Amendment interests be narrowly tailored to their legitimate objectives.*" The ordinance's

selective exclusion of non-labor picketing failed to meet this requirement, as it did not serve a compelling government interest in a narrowly tailored manner. Mr. Pealer stated that this case illustrated the importance of ensuring that any regulation affecting First Amendment Rights must be both justified by a legitimate objective and crafted in a way that does not unduly restrict free expression. Similarly, he noted that Ledyard's proposed ordinance's broad discretion in approving flags, without clear guidelines, posed a risk of content-based discrimination, which is impermissible under the principles established in *Mosley*.

Risk of Viewpoint Discrimination

Mr. Pealer stated the proposed ordinance's declaration that flagpoles were non-public forums for government speech does not absolve the Town Council from adhering to constitutional principles. He stated even if the government controls the forum, it cannot engage in viewpoint discrimination. He stated by allowing private individuals and groups to propose flags but retaining discretionary power to approve or deny them, the ordinance risks being a mechanism for suppressing certain viewpoints, rather than a legitimate exercise of government speech. He pointed out that this was inconsistent with the First Amendment's Protections. Further the explicit prohibition of the use of the flagpole to fly religious flags runs afoul of other court decisions such as *Lamb's Chapel v. Center Moriches Union Free School District*, 508 U.S. 384 (1993) and *Good News Club v. Milford Central School*, 533 U.S. 98 (2001) where the court decided that such restrictions are prohibited viewpoint discrimination.

Mr. Pealer stated a pertinent case illustrating the importance of viewpoint neutrality in government regulations is *Frederick Douglass Foundation, Inc. v. DC, No. 21-7108 (D.C. Cir. 2023)*. He explained in this case, a federal appeals court found that the city of Washington, D.C., engaged in viewpoint discrimination by selectively enforcing laws prohibiting defacement of public property. He stated that the city allowed Black Lives Matter protesters to paint messages on public streets and sidewalks but arrested pro-life advocates for similar actions. He stated that the court held that "*The First Amendment prohibits the government from favoring some speakers over others. Access to public fora must be open to everyone and to every message on the same terms.*" Mr. Pealer noted that this case underscored the need for government regulations to be applied uniformly and without favoritism towards any particular viewpoint.

Mr. Pealer stated in the *Lamb's Chapel v. Center Moriches Union Free School District*, 508 U.S. 384 (1993), the Supreme Court ruled that a school district violated the First Amendment by denying a church access to school facilities to show a religious film series while allowing other community groups to use the facilities for various purposes. He noted the Court held that the exclusion of the church's religious viewpoint, via Rule 7 which was a clause functionally identical to the prohibition in the proposed policy, constituted viewpoint discrimination. He pointed out that similarly, in *Good News Club v. Milford Central School*, 533 U.S. 98 (2001), the Supreme Court held that a public school district's refusal to allow a religious club to meet on school premises after hours, while allowing other community groups to do so, constituted viewpoint discrimination. He stated the Court emphasized that the government cannot exclude speech based on its viewpoint, even in limited public forums. He stated that these cases reinforce the principle that viewpoint discrimination was impermissible in any forum where the government allowed speech, which has highlighted the need for the Town Council to ensure that its regulations were applied in a viewpoint-neutral manner.

Mr. Pealer stated in conclusion that the proposed ordinance raises significant legal and constitutional issues that must be addressed. He stated by enshrining the current unofficial "No Third-Party Flag Policy" into an official ordinance, the Town Council could ensure clarity, transparency, and legal certainty, while avoiding the potential for viewpoint discrimination and other constitutional issues. He thanked the Administration Committee for their attention on this matter.

Mr. Edwin Murray, 26 Devonshire Drive, Gales Ferry, stated that he submitted an Appointment Application to be considered to serve on the Planning & Zoning Commission. He noted that he was present this evening to answer any questions that the Administration Committee may have relative to his appointment.

Councilor Buhle thanked Mr. Murray for attending tonight's meeting, noting that the Administration Committee would address appointments under New Business later this evening.

Mr. Eleanor Murray, 26 Devonshire Drive, Gales Ferry, stated that she was coming up to her third year as a Ledyard Resident. She noted that she was present this evening to express her support to establish an Ethics Commission. She stated that Ledyard was one of only twenty towns in the entire State that does not have an Ethics Commission. She stated that she probably represented about 1% or less of the people in town that have read the 15 pages of the proposed Ordinance to Establish and Ethics Commission. She stated that she served on the Second Appeals Committee Level of Kaiser Permanente. She state that she strongly felt that people have to have a sense that somebody was looking over what was happening in town, they need to know that they have a place to go if they feel something that was not happening properly, and that somebody would look at what they were bringing to them, whether it goes one way or the other. She stated with an Ethics Commission that somebody was going to take a look at it and be concerned about it. Therefore, she stated that she felt very strongly that the town should move forward with the Ethics Commission. Thank you very much.

Mr. Larry Erhart, 14 Fawn Drive, Gales Ferry, stated that he appreciated the time and effort of everyone who works in the town, either on committees or any public service, noting that they all try to do a good job. He stated that he recently became aware of the proposed Ordinance governing the flags. He stated over the last 30 or 40 years he has heard about many different organizations and their flags. He noted that today he dug out all of his flags, noting that he was wearing a flag on his lapel this evening. He stated that he thought the proposed Third-Party Flag Ordinance was a bad idea for the following reasons:

- Flags are emotional because they mean different things to different people.
- As he drives around town he has seen Confederate Flags; Betsy Ross Flags; UConn Flags; and US American Flags; etc. Mr. Erhart stated each flag may mean something to one set of people, but it may mean something different to another set of people. He noted as an example the Timber Flag and Rattlesnake Flag. He stated the "Don't Tread On Me" Flag was a good flag, noting that it was the flag of the Libertarian Party. However, he stated that some people see the "Don't Tread On Me" Flag as a Militant Flag.

Mr. Erhart stated last June, 2024 State Trooper Aaron Pelletier, was struck and killed by a truck while conducting a traffic stop, noting that it was a terrible tragedy. He stated they wanted to honor the fallen State Trooper with the Thin Blue Line Flag. He stated that he particularly liked the police department, noting that to him the Thin Blue Line Flag was to honor the police. However, he stated some people voted against the Thin Blue Line Flag because they thought it was against Black Lives Matter.

Mr. Erhart stated the proposed Third-Party Flag Ordinance was too vague and too open. He stated if the Town Council was going to write an Ordinance to fly flags on town, property that it should be a simple process; with a designated Flag Pole. He stated Ledyard has a flagpoles at Pfizer Field; at the their baseball and field soccer fields, at Blonders Park and on the Town Green.

Mr. Erhart went on to note that the proposed Third-Party Flag Ordinance stated that only the Town Council could consider requests to display a flag if the request is made by member of the Ledyard Town Council. Therefore, he questioned the reason he could not make a Flag Flying request, and why he had to go through a member of the Town Council. In addition, the proposed Ordinance required that the majority of the Town Council members present must approve the display the requested flag. Therefore, he stated if the Town Council's vote was 4-in favor and 3-opposed that would tell him that there was three people that have a problem with the particular flag. He suggested they make the vote on a request to fly a third-party flag a unanimous decision; noting that was fair to say that everybody was in agreement.

Mr. Erhart also noted that the proposed Third-Party Flag Ordinance referred to flags owned by a private individual, organization, represented a specific historical event, a cause, a nation, or group of people. He stated that he was wearing a Ukrainian Flag which was actually Belarus, not Russia. He stated when he went through the Egyptian Security at the Cairo International Airport the last week of January, 2025 that he was told to take that pin off and add another pin. He stated because he did not want to be sent to Egyptian Prison he took the flag pins off. He stated although they were not the Transportation Security Administration (TSA), but because he was in a different country; and they had a different set of rules he followed their direction. He stated the bottom line was that the proposed Third-Party Flag Ordinance was opening up a can of worms. He stated that it was his option for the Town to stay out of trouble that they fly the United States Flag, and the State of Connecticut flag. Thank you.

Mr. Mike Cherry, 5 Whippoorwill Drive, Gales Ferry, stated that he was present to talk about the following things this evening:

- **Third-Party Flags** – Mr. Cherry suggested the Town look at the Gilbert Supreme Court decision. He also noted in Arizona it was ruled that if you allow one, they have to allow them all for free speech. Therefore, he stated that it was a little different than what Mr. Munger presented during his comments this evening.

- Ethics Commission** – Mr. Cherry noted that some communication that was submitted for the record was included on the Town Council Communications List, however, it was not included on list for Administration Committee. He noted that he wanted to highlight what Leanne Anderson wrote in her letter in which she clearly stated “*Without an enforceable Code of Ethics and a Dedicated Commission, that there was no mechanism to address Conflicts of Interest, Abuses of Power, or Breach of Public Trust.* Mr. Cherry stated that he thought the instruction the Administration Committee drafted addressed Conflicts of Interest, and it addressed Financial Gain. However, he stated the draft Ordinance does not address Abuse of Power or Breach of Public Trust. Therefore, he stated the proposed Ordinance to *Establish an Ethics Commission* does not address the question that a lot of people were asking; which was “*Why we need an Ethics Commission*”. He stated that this was just something for the Administration Committee to think about before bringing a proposed Ordinance to a Public Hearing, noting that it appeared that the draft Ordinance was missing some of the things that were in State Statute that came up in 2018 or in 2019. Therefore, he stated that he thought it was worth looking at the draft Ordinance *Establishing an Ethics Commission* again. He stated that he understands that this item has been on the Administration Committee’s Agenda for more than six months, noting that Councilor Buhle and Councilor Brunelle would most likely be drafting the Ordinance, because Councilor Dombrowski has expressed his position on the subject.
- Appointment Application - Planning & Zoning Commission** – Mr. Cherry stated the he noticed that Mr. Edwin Murray’s Appointment Application to serve on the Planning & Zoning Commission was on tonight’s Agenda. He stated that he has seen Mr. Murray speak at multiple meetings, Public Hearings; Town Council Meetings, and many other different Committee Meetings. He noted that Mr. Murray was not afraid to state his mind; and that he normally has a good opinion; and that he defends his opinion. However, Mr. Cherry stated that he did not always agree with what Mr. Murray has to say. He noted in reviewing the Mr. Murray’s Appointment Application that he noticed that there was not an endorsement from a Town Committee, pointing out on his Application that Mr. Murray stated he was registered as an Unaffiliate; however, he stated that the Connecticut Voter Registration List says that Mr. Murray was a registered Democrat. Therefore, he stated that he believed the Administration Committee needed an endorsement from the Democratic Town Committee before they could act on Mr. Murray’s appointment application. Mr. Cherry stated with that being said, that he thought that Mr. Murray would be good, noting that he has seen him in action. He noted the importance of for members of the Committees, Commissions and Boards to always check their bias at the door; and that he trusted that Mr. Murray to do that.

Registrar Judy Johnson was in attendance at the meeting and agreed to check the Voters Registration List to verify Mr. Murray’s Party Affiliation.

Mr. Paul Whitescarver, 6 Stoddards Wharf Road, Gales Ferry, stated as most probably know, he was the Former Commanding Officer at the New London-Groton Submarine Base. He stated the Submarine Base had a policy to fly the US American Flag, the Connecticut Flag, and the Missing in Action Prisoner of War (MIA POW) Flag. He went on to note that when they attend the Judge Advocate General's Corps (JAG) School for two-weeks, they were specifically instructed that they have to enforce their Flag Policy; as to not to offend anyone on the base, because it's a Federal installation. He stated the

point was that they have a great number of constituents in the Town of Ledyard; and the idea was not to offend anyone. He stated one of the best ways to do that was to have a policy that the Town was going to fly two flags. He stated by doing so it would prevent the Town Council and the Mayor from offending anybody. He stated that he was an apolitical guy, and that he would hate to see division anywhere, because it was just not good for the culture and it was not good for Ledyard. He recommended that the Town Council think about that before they go down the path to allow the flying of third-party flags. He stated the easiest way to not offend anyone was to stick to flying the one or two flags.

Mr. John Rodolico, 40 Long Cove Road, Ledyard, stated when he had the privilege to serve as Ledyard's Mayor, he had a policy known as the "*Line Out the Door*" that was when an individual made a request, and he agreed that would there be a line at his door with others making the same demand. He stated in fairness, the answer would be "Yes", what was good for one was good for everyone. He stated that he could see a fairness issue with this policy, therefore, we need to be careful with what we approve on the Third-Party Flag issue. He stated when he saw words in the proposed Ordinance like "*non-public forums*", "*official sentiments of the council*", and "*government speech*" that he thought of fairness. He questioned whether the provisions allowed in the proposed Ordinance would truly be fair, equitable, and represent the community; or a decision made by five officials. He stated the proposed Ordinance stated that a request must be made to the Town Council 30-days in advance. He questioned whether that process included requests made by a Town Councilor? He also noted that there was a conflict between Paragraph 2.B and Section 3 which gives a Town Councilor the ability to bypass the review process. He recommended adding the words "*in accordance with Section 3*" to the end of Paragraph 2.B. "*All flag requests are subject to FOI requirements which would identify the requester*". He noted the proposed Ordinance stated that the flag must represent an "*historical event, cause, nation or group of people*" Therefore, he questioned whether Ledyard would be flying the flag of other nations. However, he noted that the proposal would exclude a flag which represented "*a religious movement or creed*". He stated both of these criteria could be widely interpreted. He questioned whether Ledyard would fly the flag of a foreign nation or people group, but not commemorate our heritage. He stated by these criteria they could not fly a flag with the words of the *Declaration of Independence* or the *Constitution*, or the pledge that each of you take before every meeting. He asked that the Administration Committee to keep in mind that many of the causes they would seek to honor, including civil rights and our freedoms, have their roots in the religious community. He stated that he does not advocate for religious flags or any flags to be flown, but he did that he does object to singling out faith while permitting other extraneous causes. He noted the proposed Ordinance stated that the Third-Party Flag cannot represent a political party, but not that it can't be political. He stated that was an important distinction, since most flags being considered have a political basis. He stated that the town currently flies two flags, US American Flag and the State of Connecticut Flag. He stated those two flags were universally accepted as representing all our citizens who have pledged to obey the laws and pay the cost of those governments. He stated those two Flags were non-offensive – they speak for all our citizens, and not a few government officials. He stated the proposed Ordinance stated that the flags cannot encourage violence, discrimination, prejudice or racism – and he questioned what about offensiveness.

Mr. Rodolico provided the following suggestion: when he drives through the center of town the last thing he was looking at was what was flying on the Town Hall flag pole. He stated in travelling through town very few people look up at the flag poles. He stated if the Town Council really had an issue that they were seeking to put forward, there are over 5000 homes, nearly 30 churches, and 100's of businesses around our town and that would receive much more exposure and would truly express a representative and fair measure of our citizens thoughts. He stated for the reasons he presented this evening, he was opposed the proposed Ordinance because it was: Unnecessary, Government Overreach, and of Questionable Legality. Thank you.

Ms. Sharon Pealer, 48 Highland Drive, Gales Ferry, stated that she was present this evening to express her opposition to the following two proposed Ordinances that were on tonight's Administration Committee Agenda: (1) *Ordinance Establishing an Ethics Commission*; and (2) *Ordinance to Fly Third-Party Flags*. She stated that both of the proposed Ordinances were unnecessary, and not in the best interest of the town, long term. She stated that both of the proposed Ordinances open the town up for expensive lawsuits. She stated with a budget, being presented for a vote, that called for a 3.15 mils increase for taxpayers who were already strapped with paying, if not the highest mill rate in the region; it was the second highest. She stated that the proposed Third-Party Flag Ordinance was poorly written with the exclusions; noting that the preset was part of the ordinance. She stated that it was exclusionary, not inclusive, noting that it sets the Town Council members up as being both Judge and Jury, over which groups were represented, and which ones were excluded, with no concern over who may be outright offended.

Ms. Pealer went on to address the proposed Ordinance Establishing an Ethics Commission. She stated that an Ethics Ordinance may be something that other towns have, but other towns were not Ledyard. She stated that Ledyard does not have a business or industrial tax base to share the burden of their taxes. She stated as her parents always said, "*Just because your friends are jumping off a bridge, do you need to follow?*". The incentive for the Ethics Ordinance was something in the past, and it was fairly obvious that the need has not come up as often, or the push to have one would have come up more often; as has already been said regarding this subject. She suggested the Administration Committee read the previous meeting minutes comments, noting that they cannot find someone in violation of a law or ordinance that did not exist when the act was performed. She asked that they keep in mind that attorneys were expensive, or one would have been requested to draft a Flag Ordinance, noting if they had worked with the Town Attorney that they would have been aware of all the pitfalls that the proposed Ordinance falls into. Thank you.

Mr. Jacob Hurt, 6 Nugget Hill Drive, Gales Ferry, attending remotely via Zoom, stated as we gather tonight, they had the following big things on their minds:

- ***Presidential Administration and Congressional Administration*** in Washington D.C. was using the powers of its government and the powers available to actively persecute the LGBTQ+ Community. Mr. Hurt stated that he would not for a moment want to be in those people's shoes.

- **Federal Government Budget** – Mr. Hurt stated that they were also looking at a situation where we do not even know if the Government was going to be funded. He stated even if it was, the Administration still tried to deny the funds getting to where they were supposed to go.
- **Ethics Commission** – Mr. Hurt stated that the Ledyard’s Planning and Zoning Commission just has the most controversial Land Use Application in our collective memory that gave rise to some serious ethical concerns and exposed the fact that we do not have an Ethics Commission, and we probably should. He thanked those who spoke out in support of the Ethics Commission, and he noted that he agreed with them. He stated that he supported the Administration Committee’s efforts to get an Ethics Commission established, because it was time to make sure that ethics concerns were fairly aired and resolved, and that we have strong oversight for the ethical conduct of the elected officials in this town; and for anybody else under whom that ordinance would fall.
- **Third Party Flag Ordinance** – Mr. Hurt stated for those complaining about the Flag Ordinance that he stated that he would hope that they would bring that same energy to wondering what the mill rate was going to be if the Federal funds we rely on get impounded. He stated that he also hoped that they bring that same energy into demanding ethical oversight for how things are conducted in this town, and making sure that business rules are followed the way they were supposed to be; and that they bring that same energy to support others if they find themselves in the position that the LGBTQ+ Community finds themselves in now.

Mr. Hurt concluded his comments by stating whether it was by the proposed Flag Ordinance or by some other method; that he strongly support the town's efforts to recognize the humanity and the rights of this community, especially at a time when so many others refuse to do so. Thank you.

Councilor Buhle thanked all the residents for their comments this evening.

IV. PRESENTATIONS/INFORMATIONAL ITEMS – None.

V. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of February 12, 2025.

Moved by Councilor Dombrowski, seconded by Councilor Brunelle

VOTE: 2 – 0 Approved and so declared

VI. OLD BUSINESS

1. Continued discussion and possible action to create an Ethics Commission for the Town of Ledyard.

Councilor Buhle stated as many of you know, being a Town Councilor was not a paid position, and because she had several other things that she does to pay her bills that she did not have the time since their February 12, 2025 meeting to give the time and attention needed to work on the proposed *Ethics Commission Ordinance*. She went on to note her

past statements in which she stated that she felt strongly that an *Ethics Commission* was necessary, because the time to create an *Ethics Commission* was when she had people telling her that the town did not need one. She stated that they could not make someone follow the rules of the *Ethics Commission* after they already broke them. Therefore, she stated the time to enact the rules was before somebody breaks them. She stated if they think that nobody has been unethical, then the time to establish a *Code of Ethics* and *Ethics Commission* was when nobody has been unethical. She stated that there was going to be people that think that they have already seen unethical behavior, however, she stated that they could not retroactively apply an *Ethics Commission*; or a *Code of Ethics* to address those instances. However, she stated that they could set a standard of what they expected for ethical behavior for in this town, and without putting words to a page and an ordinance in a book, and saying, “*This is the law of our Town*”. She stated that setting the standard of what the ethics were for their town with a code of ethics was not a partisan issue.

Councilor Buhle went on to note that *Establishing an Ethics Commission* has become a partisan issue for our town. She stated she did not think it was too much to expect ethical behavior from our Elected Officials, from our Committee, Commission and Board Volunteers and from our Town Employees, noting that it was a no brainer. However, she stated that she wanted to make sure that the Ordinance they write does not end up with myriad lawsuits against the town. She stated that they need to make sure that complaints are founded in truth, and that investigations were fair, honest, and complete; and that accusations without basis do not ruin somebody's career, life or future. She stated all these things were extremely important; and for a lack of a better phrase, that they were not pushing through an ordinance just to make it happen.

Councilor Buhle continued by acknowledging that she understood that those who were proponents of *Establishing an Ethics Commission* that it feels like drafting an *Ethics Commission Ordinance* has been going on for a really long. However, she stated that this was not something that they could get done in two weeks, because it deserved a lot more attention than that. She also stated that she wanted to make sure that when they were ready to push a proposal forward they would be submitting the best version of the Ordinance to the Town Attorney for their legal review; so they were not wasting the Town Attorney's time or wasting taxpayer funds.

Councilor Brunelle stated that she had a Quality Assurance background, and that she finds it upsetting that when they try to bring forward a basic *Ethics Commission* that people were against it. She addressed the importance to hold everyone accountable to the rules, regulations, and guidelines. She state that Ethics in itself was not bad. She stated that every organization or form of civilization needed to have some form of rules. She stated just because we do not currently have a *Code of Ethics* does not excuse the fact that we should have one, and that we do need one. She stated an *Ethics Commission* was a form of fairness which was what they want in a community. She stated it as a matter of right versus wrong, noting that the *Code of Ethics* was like guidelines and bylaws, so that everything could run smoothly. Therefore, she stated not to a have an *Ethics Commission* was absurd. However, she stated that they needed to make sure their *Ethics Commission* was a good one, a fair one, a just one.

Councilor Buhle stated that the Administration Committee would continue to work on drafting a proposed *Ordinance to Establish an Ethics Commission*.

RESULT: CONTINUED

Next Meeting:04/09/2025 5:30 p.m.

2. Continued discussion and possible action to draft an Ordinance regarding the raising of Unofficial-Third-Party Flags on Town Property.

Councilor Buhle thanked Councilor Brunelle for drafting the proposed Ordinance regarding the *Raising of Unofficial-Third-Party Flags on Town Property* and she asked her to provide an overview of the proposal.

Councilor Brunelle stated at she drafted the proposed Ordinance by pulling a lot of the language from other community's ordinances. So if it was badly written, that she guessed that everybody writes bad ordinances; and that was okay.

Councilor Brunelle stated that she wanted to address some comments that she heard this evening regarding the flying of Third-Party Flags. She stated that she felt strongly that the Town Council should be able to have a Flag Ordinance, noting the reason the Town needed a Flag Ordinance was so they could fly the Pride Flag and other flags to show support for our community. She stated as the Town Council that they want to show support and to show that Ledyard was a welcoming community. She stated that flying other flags should not be offensive to people. She stated what was offensive was when you were not welcoming someone into the community.

Councilor Brunelle went on to state that she has heard that the proposed Flag Ordinance was ridiculous. She stated that it was not ridiculous, noting that it was an ordinance to try to be a helpful and a welcoming to a community that was right now under attack. She stated that Red, White, and Blue does not stand for everybody. She state the LGBTQ+ Community's right to marriage was under attack right now, and they were not being treated equally; and women were in trouble of losing some of their rights.

Councilor Brunelle stated that she was an American; and she wanted to serve her country, noting that she loved her country. She stated that she had many family members that fought in wars, stating that one family member almost died because he threw himself on a grenade to save his country. Therefore, she stated that she felt strongly for this country. However, she stated that right now our country does not cover everybody equally; and that was okay, because we have our laws. She stated our people keep fighting for justice, keep fighting for rights, and keep fighting for equality. She stated because she did not expect things to be perfect, was the reason she was here.

Councilor Brunelle stated that she never liked politics; however, she stated the reason she ran to serve on the Town Council was because people in this community needed to step up. She stated that she loved to see people come up and talk, even if she did not agree with them because they were doing something.

Councilor Brunelle stated that she strongly agreed with the proposed Flag Ordinance because all the LGBTQ+ Community hears was hate; all they hear was oppression. She stated that that people tell the LGBTQ+ Community to just shut up and go away; and that they were ridiculous! She stated that she has been told that she was divisive because she wanted to welcome those people. She stated flying the Pride Flag should not be divisive or offensive, noting the LGBTQ+ Community exists. However, she stated that sadly these were the reasons they have to keep moving forward.

Councilor Brunelle addressed residents comments that “*The flying of Third-Party Flags was a public forum*”; however, she stated that it was not a public forum, that was why the proposed ordinance was written the way it is. She stated that it was not a Public Forum; it was the Town Council's Forum. She stated all of those laws versus laws, and this one versus that one, who said they had to fly the religious flags. She stated if they read the law it was a problem because they did not have this written down. So that was why they had to fly the religious flag; and why they had to “*Fly One; Fly All*”, because they did not have this in place, and that was why we are doing this so that we do not open that up.

Councilor Brunelle continued by stating like the *Ethics Commission*; it needed to be written first before the problems. She stated that they write an ordinance so that it was fair; and so they do not offend people. She stated that she could not sit here and say that because we want to show that we welcome the LGBTQ+ Community that they would be offending people. She stated that it would be like saying, I know somebody who wanted to put up a Breast Cancer Pink Ribbon; that they would be offending all the other cancer patients. Councilor Brunelle stated “*No, you're not.... You're not*”. She stated some people might have colon cancer, or stomach cancer, noting that her Mom died from lung cancer; but that she was still going to support someone who had breast cancer.

Councilor Brunelle stated all the comments she has heard regarding the proposed *Ordinance to Fly Third Party Flags* were just excuses to show their biases and that they just do not want to be welcoming; and that was because there was a lot of LGBTQ+ people in this community. She stated these people were too afraid to come forward; they were too afraid to say anything because they were being told to “*Shut up! You're ridiculous. Go away. It's easier if you don't exist*”. However, she stated that she did not agree with that, and if flying the flag could save one life, it was worth it. She stated flying the flag could help one person stop crying in a corner and from feeling like they were a loser; when they could be the next greatest thing for this country. She stated that was what why they proposed the Flag Ordinance, noting that everybody was special, everybody was different, everybody was unique; and she loved everyone in this community; and that she wanted to welcome everyone in this community.

Councilor Brunelle noted residents comments that said the proposed *Flag Ordinance* was anti-religion; however, she stated that they were not. She stated that she just attended a nice program for Black History Month in a church, noting that none of them were anti-religion. However, she stated that there was a time and places for stuff like that, noting

that Religion was welcomed; Freedom of Speech was welcome, Free Expression was welcome, and that Our Rights should be welcomed. Therefore, she stated “Yes”, you may not agree with her and that was fine, because she did not agree with a lot of the residents who have spoke, and that was fine. However, she stated the she was super thankful for everybody that comes forward and talks, because it was important because they do not ever hear the opposing person's thoughts and comments. She stated that she did not sit here and actually think about what they were saying and feeling. She questioned how they were going to understand anybody in this world, how they think, or how they feel, noting to understand other viewpoints that the world needed more of this; not just more of who cares. She stated that everything was hard, but that does not mean that it was wrong. She stated, “*Just because everybody was jumping off a bridge does not mean that you have to follow*”. She stated that the proposed *Flag Ordinance* was the same, noting that because it might be hard, and because everybody else was telling you things that you do not agree with. Therefore, she stated that she had to stick to her gut; and stick to who she was; which was that she wanted to be welcoming to people of this community, for everyone in this community, and not just a select group. She stated that she was not picking just one group over the other group; but that she just wanted to be able to express kindness to people who were under attack right now, noting that they needed that support, whether residents liked it or not, because they were part of this community, they pay taxes, they were helping the community; and that was all she had to say. Thank you.

Councilor Buhle stated while Councilor Brunelle was talking that she pulled up her exact comments that she made during a Town Council meeting nine months ago, today and she read them as follows:

“With the Community Relations Committee's focus on mental health over the last few years she wanted to say that it was s extremely important for us to embrace and support our LGBTQ+ Community and Youth. She noted that according to the Trevor Project, a nonprofit dedicated to LGBTQ+ Youth Suicide Prevention that 41% of LGBTQ+ young people ages 13 to 24 seriously considered attempting suicide in the past year. Including roughly half of transgender and non-binary youth. Additionally, only one-third of LGBTQ+ young people experience parental acceptance with one-third experiencing rejection, and one-third not disclosing their identity until they are adults. She stated that LGBTQ+ Young Adults who report high levels of parental rejection were eight times more likely to report attempting suicide. She stated while we cannot control whether LGBTQ+ youths were accepted at home by their parents that we can create safe spaces and events that show our town is welcoming and supportive. She stated just over one in three transgender and non-binary youth found their home to be gender affirming but 52% found their school to be affirmative. She state that the Trevor Projects Research consistently finds that LGBTQ+ young people report lower rates of attempting suicide when they have access to LGBTQ+ affirming spaces. She stated that she could go on reading statistics about why this is important all night; but people were not statistics, and there were absolutely members of our community who need to know we are an affirming, supportive community. We must be more than a town for all seasons, but a town for all people”.

Councilor Buhle stated what she found interesting was they have a community of people who have told her that the world was not about her, and that she was a “*Snowflake*” when she was not; and that her feelings of being offended were not valid, and that some people just had delicate feelings, and yet the people who said all those things were offended about a flag.

Councilor Buhle stated that she was supportive to a group that commits suicide at a higher rate than almost anybody else. Therefore, she stated that if there was a flag up there, and there was a child in our community who was struggling with their identity and was feeling that this world did not accept them, and thought that they were better off dead than being in Ledyard, or were being told that they were not welcome here; that she hoped they were listening. She stated every single comment that said they would rather not have a flag, because it was offensive, means that you are offensive, and you may not think that was how it comes off; whether or not they thought that.

Councilor Buhle stated the legal parts was all of that matters. However, she stated when they use the word offensive and divisive; that every person she know who was LGBTQ+ does not want to be divisive, they just want to be friends, they just want to hang out together and do normal things and live a normal life. However, she stated the hardest part of that stage was during their youth and their growth of becoming a person. She stated the people she knows who were the most comfortable in their LGBTQ+ lives have been LGBTQ+ for 10+ years. They have dealt with all of that trauma before, and now there were coming out on the other side of feeling comfortable within themselves. She stated when they were 14, 15, 16, 17, 18, 19, 20-year-olds in our town, who were coming into the town, and seeing these comments, and feeling unsupported; that something as simple as flying a flag, noting that it does not have to be in front of the Town Hall, they could put it at the Town Green, could make a difference in their lives. She stated that there were other town property options that could tell somebody this community loves you, and we want you to be here.

Councilor Brunelle stated that she was happily married as a Cisgender woman to a Cisgender man, and that she was very content, and that she would never look at a flag and be upset by it, because it did not encompass her. She stated that realistically, there were other communities that may want to fly flags that she did not fit into, and she was find with that. She stated that she was a big enough person to move past that and look at the bigger picture. She stated that we need to be a town for all people; and all people means people who love differently than you do, who live differently than you do; and people who look differently than you do.

Councilor Buhle stated that obviously, they were not ready to move the proposed Flag Ordinance forward, noting that there were some suggestions that were valid

RESULT: CONTINUED	Next Meeting:04/09/2025 5:30 p.m.
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3. Any Old Business proper to come before the Committee. – None.

VII. NEW BUSINESS

1. MOTION to recommend the Town Council reappoint the following members to the Cemetery Committee for a three (3) year term ending April 26, 2028:

- Mr. William Vidal, III, (D) 183 Spicer Hill Road, Ledyard (Regular Member)
- Mr. Vincent Godino (D) 1906 Center Groton Road, Ledyard (Alternate Member)

Moved by Councilor Buhle, seconded by Councilor Brunelle

Discussion: None.

Administrative Note: the terms of Cemetery Committee Members Ms. Jessica Stately and Ms. Kimlyn Marshall would also be expiring on April 26, 2025. However, the Committee did not endorse their reappointments due to attendance records.

VOTE: 2 – 0 Approved and so declared

RESULT: 2– 0 APPROVED TO RECOMMEND
MOVER: Jessica Buhle, Committee Member
SECONDER: April Brunelle, Committee Member
AYES: April Brunelle, Jessica Buhle
EXCUSED: Kevin Dombrowski

2. MOTION to recommend the Town Council reappoint Mr. Charles Duzy (R) 4 Harvard Terrace, Gales Ferry, to the Housing Authority for a five (5) year term ending March 31, 2030.

Moved by Councilor Brunelle, seconded by Councilor Buhle

Discussion: None.

VOTE: 2 – 0 Approved and so declared

RESULT: 2– 0 APPROVED TO RECOMMEND
MOVER: April Brunelle, Committee Member
SECONDER: Jessica Buhle, Committee Member
AYES: April Brunelle, Jessica Buhle
EXCUSED: Kevin Dombrowski

3. MOTION to recommend the Town Council appoint Mr. James Harwood (D) 10 Eska Drive, Ledyard as a Regular Member of the Planning & Zoning Commission to complete a three (3) year term ending December 31, 2026 filling a vacancy left by Mr. Whitescarver.

Moved by Councilor Buhle, seconded by Councilor Brunelle

Discussion: Councilor Buhle stated that she served on the Conservation Commission with Mr. Harwood, noting that he was well rounded, knowledgeable, and brings a lot to the table.

Administrative Assistant Roxanne Maher stated that Mr. Harwood has been serving as an Alternate Member on the Planning & Zoning Commission. She stated with Mr. Whitescarver's resignation that the Commission has requested that Mr. Harwood be moved to a Regular Member.

VOTE: 2 – 0 Approved and so declared

RESULT: 2– 0 APPROVED TO RECOMMEND
MOVER: Jessica Buhle, Committee Member
SECONDER: April Brunelle, Committee Member
AYES: April Brunelle, Jessica Buhle
EXCUSED: Kevin Dombrowski

4. MOTION to recommend the Town Council appoint Ms. Rebecca Watford (R) 429 Colonel Ledyard Highway, Ledyard, as an Alternate Member to the Historic District Commission to complete a five (5) year term ending December 6, 2028 filling a vacancy left by Mrs. Parkinson.

Moved by Councilor Brunelle, seconded by Councilor Buhle

Discussion: Councilor Buhle stated that Ms. Watford had previously been a caretaker of the Nathan Lester House, noting that she has some experience and background with the Historic Commission District Commission.

Councilor Brunelle stated if there was no relevant conflict arising from Mrs. Waterford being the caretaker of the Nathan Lester House and with serving on the Historic District Commission that they should move her name forward.

VOTE: 2 – 0 Approved and so declared

RESULT: 2– 0 APPROVED TO RECOMMEND
MOVER: April Brunelle, Committee Member
SECONDER: Jessica Buhle, Committee Member
AYES: April Brunelle, Jessica Buhle
EXCUSED: Kevin Dombrowski

5. MOTION to recommend the Town Council appoint Mr. Edwin Murray (U) 26 Devonshire Drive, Gales Ferry as an Alternate Member of the Planning & Zoning Commission to complete a three (3) year term ending December 31, 2025 filling a vacancy left by Mr. Harwood.

Moved by Councilor Buhle, seconded by Councilor Brunelle

Discussion: Councilor Buhle stated that she had some reservations with Mr. Murray's appointment noting that she has seen some of his online content. She noted during Residents Comments earlier this evening Mr. Cherry stated that Mr. Murray was good at providing opinions, and that he was well versed; even if Mr. Cherry disagreed with the Mr. Murray's opinions. However, she stated that she had concerns with any biases that may come into play. Therefore, she stated that she was somewhat indecisive.

Councilor Brunelle stated that she understood Councilor Buhle’s comment.

The Committee discussed the following options: (1) Move Mr. Murray’s Appointment Application forward to the Town Council to discuss further; (2) Review his Application again and make a decision this evening; or (3) Table the Motion to clarify Mr. Murray’s Party Affiliation relative to whether they needed to wait for an endorsement from his respective party and revisit this item at their April 9, 2025 meeting

Mr. Murray stated that the mistake has been correct, explaining that the Voter Registration List still had him registered as a Democrat; but that he was an Unaffiliated. Therefore, he stated that he completed the paperwork this evening to change his party affiliation to Unaffiliated. He asked if the Administration Committee had any questions that he could answer for them this evening.

The Committee noted that they did not have any questions for Mr. Murray this evening; and they thanked him for attending tonight’s meeting.

VOTE:

0 – 2 Motion Failed

RESULT:	0– 2 MOTION FAILED
MOVER:	Jessica Buhle, Committee Member
SECONDER:	April Brunelle, Committee Member
AYES:	April Brunelle, Jessica Buhle
EXCUSED:	Kevin Dombrowski

6. Discussion and possible action to draft a resolution establishing a Sustainable CT Ad-hoc Committee.

Councilor Buhle stated that she added establishing a Sustainable CT Ad-hoc Committee to tonight’s agenda because when she ran to serve on the Town Council that one of her goals was for the Town to obtain a Sustainable CT Certification.

Councilor Buhle stated during the March 6, 2025 Fiscal Year 2025/2026 Budget Work Session they briefly discussed obtaining a Sustainable CT Certification explaining that the Program had some strict requirements in the certification process, which required the Community to complete certain things within the last three-years. However, she stated that Ledyard has already done a number of Sustainable CT Projects that would have qualified for the Certification, such as purchasing all the streetlights from Eversource and converting them all over to LED bulbs, which was done several years ago, therefore, she stated that those projects could not be used toward their certification process, because they were not done within the last three years.

Councilor Buhle went on to explain that there were many sustainable opportunities that the town could, noting that one of her favorite’s things was to save the town money and bolster economic development; and things to protect our watersheds; which was extremely important.

Councilor Buhle stated that Ledyard and North Stonington were currently Sustainable CT Certified Towns; and that our current point of contact was Land Use Director Elizabeth Burdick. She stated that she talked with Ms. Burdick before adding the discussion to establish a Sustainable CT Ad Hoc Committee to tonight's agenda, noting that they discussed the best approach to facilitate this initiative. She stated that East Haddam, East Lyme, and Stonington were Sustainable CT committees, and had Ad Hoc Committee to help them create goals and achieve the certification. Therefore, she stated this was on tonight's Agenda for discussion.

Councilor Brunelle stated that she was definitely for having a Sustainable CT initiative. She noted at a CCM Class that she spoke to someone about whether Ledyard was already a Sustainable CT Community and that she learned that they were. She stated that it would be worthwhile to establish an Ad Hoc Committee because they would want to save money, and to also help bolster more tax revenue from businesses, noting that she did not see any downside.

Mayor Allyn, III stated as everybody knows, the town was very minimally staffed. Therefore, he stated that he did not believe they had the capacity to staff another Committee, Commissioner Board at least right now.

Councilor Buhle questioned whether the town could look into using a Staff Consultant or perhaps look into to using a Sustainable CT Fellow through Southeastern Connecticut Council of Government (SCCOG). She noted that it was her understanding that the Fellows were supposed to start in April or May, and would be available until late August or early September.

Mayor Allyn provided some background noting that Ledyard began the Sustainable CT Certification some time ago; however, he stated the initiative was derailed due to other time demands. He stated as Councilor Buhle mentioned this evening that Ledyard had already undertaken all the LED Streetlight turnovers; and a couple of other projects, which cannot be counted. Therefore, he stated that they would need to develop a new slate of Goals and Projects

Councilor Buhle stated that it would be interesting consider what they could; questioning whether the Multi-Use Pathway and the Food Waste Program could count toward their Sustainable CT Certification.

Councilor Buhle went on to note that last year Councilor Garcia-Irizarry showed her a presentation regarding the Sustainable CT Program that she had discussed with one of the SCCOG Fellows. She stated that she forwarded the Sustainable CT Program Presentation to the Administration Committee, noting that it included the contact information for the Program. She stated that she was going to ask Councilor Garcia-Irizarry to help with this initiative. She stated that even if we do not qualify for the Sustainable CT Certification, that if they picked ten small projects that could help to reduce the town's energy expenses or improve the quality of life for the residents in our town, that it would still be worth the effort; especially because grant funding was available to assist with many of the projects.

Councilor Buhle concluded by stating that she would work with Administrative Assistant Roxanne Maher to draft a Resolution for a Sustainable CT Ad Hoc Committee. She also noted that they would need to consider the membership of the Ad Hoc Committee stating that she thought having representatives from other town commissions such as the Economic Development Commission (EDC) and Conservation Commission; as well as some members of the public would be helpful.

RESULT: CONTINUED

Next Meeting:04/09/2025 5:30 p.m.

7. Any other New Business proper to come before the Committee. – None.

VIII. ADJOURNMENT

Councilor Buhle moved the meeting be adjourned, seconded by Councilor Brunelle.

VOTE: 2 - 0 Approved and so declared, the meeting was adjourned at 6:32 p.m.

Respectfully submitted,

Jessica Buhle
Committee Chairman
Administration Committee



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-0481

Agenda Date: 4/9/2025

Agenda #: 1.

ORDINANCE

Motion/Request:

Discussion and possible action to create an Ethics Commission for the Town of Ledyard.

Background:

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)

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, Section 8 of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics and Ethics Commission.

Section 1. Declaration of Policy and Purpose

Public office is a public trust. The trust of the public is essential for government to function effectively. The proper operation of the town government requires that public officers, officials, and 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.

Therefore, herewith is an established Code of Ethics for all Town officials, officers, and employees. The purpose of this code is to establish standards of ethical conduct for all such officials, officers 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 2. APPLICABILITY

The Ethics Code shall apply to all Town officials, officers, and employees, whether elected and/or appointed, paid or unpaid. The Ethics Code shall also apply to those conducting business with the Town of Ledyard.

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.

SECTION 3. DEFINITIONS

As used in this document, the following words or phrases, unless a different meaning is required by the context or is specifically prescribed, shall have the meanings indicated:

1. *"Persons governed by this Code"* means ALL Town officials, officers, and employees, whether elected and/or appointed, paid or unpaid.
2. *"Business"* means any entity through which activity for profit or not for profit is conducted including, but not limited to a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or self-employed individual.
3. *"Complainant"* means any person who signed a complaint under penalties of false statement alleging a violation of this Code.
4. *"Confidential Information"* means information, whether transmitted orally or in writing, which is obtained by reason of the public position of office held, that is not, at the time of transmission, a matter of public record or public knowledge.

5. *“Confidential Investigation”* means the examination, prior to the finding of probable cause, of both written and oral evidence, that is not to be disclosed to any third party by anyone connected with the investigation, except upon the written request of the respondent.
6. *“Financial Interest”* means pecuniary or material benefit accruing to a town official/employee, spouse or minor child of an officer, 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.
7. *“Gift”* means anything of economic value in excess of \$100.00, including but not limited to entertainment, food, beverage, travel, lodging, given or paid.

A gift does not include:

- a. A political contribution reported as required by law or a donation or payment as described in subdivision (9) or (11) of subsection (b) of 9-333b.
 - b. Services provided by persons volunteering their time.
 - c. A commercially reasonable loan 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 government action or functions.
 - i. An honorary degree bestowed upon a public official or public employee by a public or private university.
 - j. A meal provided at an event or business meeting and/or the registration or entrance fee to attend such an event, in which the public official or public employee participates in his official capacity.
 - k. A meal provided in the home by a Ledyard resident.
 - l. Gift giving occasions recognized by the public, including, Christmas, Chanukah, birthdays, the birth or adoption of a child, weddings, First Communion, Confirmations, or Bar/Bat Mitzvahs, provided the total value of such gifts for each event shall not exceed \$100.00.
8. *“Immediate family”* means spouse, child, parent, grandchild, brother, sister, grandparent, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, and brother-in-law.
 9. *“On The Record”* means in writing, signed and dated or a directive to the secretary taking the minutes of a meeting to note in the minutes of the meeting a special disclosure or statement.

10. *“Personal Beneficial Interest”* means any interest, other than financial, which would affect the action of the official or employee, except if that interest is based solely on the responsibility of his/her town office or employment. Membership in or affiliation with a social, fraternal, charitable, service, educational, religious, governmental or similar non-profit organization is not deemed to automatically create a presumption of personal interest unless the official employee is also an employee of the organization.
11. *“Probable Cause”* is defined by determining whether the facts would warrant a reasonable person to believe that a Town official, officer, or employee violated this Code; the belief should be more than mere suspicions, but less than proof beyond a reasonable doubt.
12. *“Respondent”* means any person accused of violating this Code.
13. *“Town Official, Officer, or Employee”* means an individual whether elected or appointed, whether paid or unpaid, full or part time, including members of boards, commissions, and committees in the service of the Town of Ledyard.

SECTION 4. CONFLICT OF INTEREST

1. Persons governed by this Code 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. Persons governed by this Code shall not be financially interested or have any personal beneficial 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 or persons is or are an employee(s).

It is further provided, notwithstanding the above, that the Mayor of the Town of Ledyard, members of the Town Council of the Town of Ledyard, members of the Board of Education of the Town of Ledyard shall not be financially interested, or have any personal beneficial interest, either directly or indirectly, in any contract or purchase order for any supplies, materials equipment or contractual services furnished to or used by any board, agency, or commission of the Town of Ledyard.

- A. A Town official, officer, or employee shall refrain from voting upon or otherwise participating in any matter on behalf of the municipality if he/she, a member of his/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 estate, material, supplies, or services to the municipality.

If such participation is within the scope of the municipal official’s or municipal employee’s official responsibility, he or she shall be required to provide written disclosure, that sets forth in detail the nature and extent of such interest, to the Town clerk.

Notwithstanding the prohibition in subsection 3(a) a Town official, officer, or employee may vote or otherwise participate in a matter if it involves a determination of general policy, and the interest is shared with a substantial segment of the population of the Town of Ledyard.

- B. Persons governed by this Code 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.

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.

- C. 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 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.
- D. Persons governed by this Code 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. That person (or persons) shall declare on the record that person (or persons) has or have a conflict of interest.
- E. Persons governed by this Code shall not request or permit the use of Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit, except when such are available to the public generally, or provided a municipal policy for the use of such Town official/employee in the interest of the Town.
- F. No Town official or Town employee shall use his or her position or office and any confidential information acquired by a Town official or Town employee through his or her office or position to further such official's or employee's personal or financial interest, or interest of his or her spouse, child, child's spouse, parent, grandparent, brother or sister or a business with which the person is associated.
- G. No Town official or Town employee may appoint or hire or participate in influencing the appointment or hiring of his or her spouse, child, child's spouse, parent, grandparent, brother or sister or a business with which the person is associated for any type of employment with the Town, including by contract, unless the contract is competitively bid. No Town official or Town employee may directly supervise his or her family member or any business with which the person is associated. No Town official or Town employee may exercise authority or make recommendations with regard to personnel actions involving such family member or any business with which the person is associated.
- H. No Town official or Town employee, or a member of his or her immediate family, or a business with which the person is associated shall enter into a contract with the Town valued at five hundred (500) dollars or more, other than a contract of employment as a Town employee, or pursuant to a court appointment, unless the contract has been awarded through a process of public notice and competitive bidding.
- I. No persons in their capacities as Town official or Town employee shall represent anyone, other than the Town, concerning any matter before any board, commission, council, committee, or department of the Town. Nothing herein shall prohibit or restrict a Town official or Town employee from appearing before any board, commission, council, committee, or department of the Town on his or her own behalf, or on behalf of a member of his or her immediate family, or from being a party in any action, proceeding or litigation brought by or against such Town official or Town employee to which the Town is a party.

- J. No former Town official or Town employee member shall represent anyone for compensation before any Town board, commission, council, committee, or department in which he or she was formerly employed at any time within a period of one (1) year after termination of his or her service with the Town.
- K. No former Town official or Town employee shall represent anyone other than the Town concerning any particular matter in which he or she participated personally and substantially while in Town service.
- L. No former 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 for himself or herself or others.
- M. No former Town official or Town employee who participated substantially in the negotiation or award of a Town contract obliging the Town to pay an amount of twenty-five thousand (25,000) dollars or more, or who supervised the negotiation or award of such contract shall seek or accept employment with a party to the contract other than the Town for a period of one (1) year after his or her resignation from Town office or position if his or her resignation occurs less than one year after the contract is signed
- N. Willful violation by any such officer or employee of the provisions of this Code shall be grounds his/her removal in accordance with Chapter IX, Section 6 of the Town Charter. Violation of this section with the knowledge, express or implied, of any person or corporation participating in such contract, transaction, or decision shall render the same voidable by the Town Council, or by a court of competent jurisdiction.

SECTION 5. ESTABLISHMENT OF AN ETHICS COMMISSION

1. Purpose

An Ethics Commission is hereby established to investigate specific charge(s) and complaints concerning allegations of violations of this Code under this ordinance as identified and assigned by the Town Council and/or the Mayor.

2. Membership

The Ethics Commission shall be comprised of five (5) regular members and two (2) alternates of whom shall be electors of the Town. No member shall hold or campaign for any public office, hold office in any political party, serve as an officer of any other Town Committee, Commission, and Board, or be part of the immediate family of any Town official and Town employee. Political minority rules shall apply for the membership of this commission.

Members will serve without compensation except for authorized expenses in conjunction with their duties.

3. Terms of Appointment

Members shall be appointed by the Town Council for a term of three (3) years and shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or are removed by the Town Council.

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.

Any vacancy on the Commission, other than by expiration of term, shall be filled for the unexpired portion of the term by the Town Council with priority given to maintain the structure above.

The Town Council may remove members for cause and fill the vacancy per Chapter III, Section 6 of the Town Charter.

Cause for removal shall include, but is not limited to, unexcused absence from three (3) consecutive meetings. It shall be the responsibility of the Chairman of the Commission to notify the Town Council when a member has not properly performed his/her duties.

Within thirty (30) days of the appointment of this Commission, an Organization Meeting of said Commission shall be held at which members shall choose a Chairman, Vice-Chairman, and a Secretary. Any vacancy in any such office shall be filled by from its regular membership.

4. Authority/Duties

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

- Review assignments and determine whether or not the Ethics Commission would have jurisdiction, if the allegation(s) is true, and if it would be a violation of this Code.
- Consult with the Town Attorney or an Attorney, and other professionals specially appointed by the Town Council to conduct its duties on assignments.
- Request the Attorney provide advisory opinions with regard to the requirements of this Code pertaining to the subject assignment. 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.
- Conduct hearings, and issue subpoenas or subpoenas pursuant to Sections 7-148(c)(10)(B) of the Connecticut General Statutes.
- Compile and maintain a record with the Town Clerk of all reports, advisory opinions, statements, and memoranda filed by and with the Commission to facilitate public access to such reports and statements.
- Report to the Town Council when an investigation is complete, and a decision is rendered.
- Annually report to the Town Council on the status of investigations; summarizing the activities of the commission.
- All Agendas and Minutes of the Ethics Commission are public information and will be made available to the public through the Town's meeting portal and the Town Clerk's Office in accordance with Sections 1-200, 1-225 of the Connecticut General Statutes. Executive session discussion will be confidential.

5. Procedures

a. Filing of Complaints

Complaints of violation of the code of Ethics related to unethical behavior concerning any official, officer, or employee of the Town of Ledyard may be made by any person and shall be made in person on a form prescribed by the Commission and signed under penalty of false statement before one of the following:

1. A judge of a court of record
2. A clerk or a deputy clerk of a court having a seal;
3. A Town Clerk;
4. A public notary;
5. An attorney admitted to the bar of this state
6. A justice of the peace

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. If multiple violations are alleged, the three (3) year limitation shall be applied separately to each such alleged violation.

The Complaint shall include:

- Name of the person accused (respondent)
- Name of the person filing the complaint
- The specific acts alleged to constitute the violation of Section 4 of this code, and when they occurred.
- Whether or not these allegations have been presented to other administrative or judicial authorities.

The Town Council or Mayor shall, within ten (10) business days of receiving complaint, forward the specific charge(s) and complaints concerning allegations of violations of this Code under this ordinance to the Ethics Commission under the heading of "Confidential Materials".

b. Evaluation and Acknowledgement

- i. Within thirty (30) business days of the receipt of the specific charge(s) and/or complaints, the Ethics Commission shall call a meeting to evaluate if the filing is or is not in proper form.
- ii. If the complaint is not in the proper form and/or the Ethics Commission determines that the allegations, even if true, would not constitute a violation of this Code then the Ethics Commission shall dismiss the complaint and duly notify the complainant in writing, with a copy to the Town Council, of said fact and the reasons thereof; by registered or certified mail not later than ten (10) business days after said decision. Allegations applicable to other administrative, or judicial authority will be referred to the proper authority.
- iii. If the Ethics Commission determines that the complaint is in proper form and the allegations, if true would, constitute a violation of this Code then the Ethics Commission shall, not later than ten (10) business days after said determination, provide a copy of the complaint by registered or certified mail to all respondents against whom such complaint is filed and shall provide notice of the receipt of such complaint to the complainant. The respondent(s) shall have ten (10) business days to submit any response to the Ethics Commission.
- iv. If the Complaint is applicable to this Code, the Town Council shall request the Ethics Commission convene a meeting within fourteen (14) business days of the issuance of notification to the complainant.

c. Investigation of Probable Cause-Confidential Investigation

All information supplied to or received from the Ethics Commission during their evaluation or investigation shall remain confidential, as specified by provisions of the Connecticut General Statutes, Section 1-82a, in relation to operations of a Commission of Ethics, unless the Commission makes a finding of probable cause for a hearing, or unless the respondent requests in writing that the entire record and any hearings be open to the public.

The Ethics Commission shall within thirty (30) business days from the receipt of the assignment evaluate the complaint to determine whether the person who is the subject of the complaint is under the jurisdiction of the Ethics Commission; whether the act(s) alleged in the complaint, if proven, would constitute a violation of the Code.

If the Ethics Commission accepts jurisdiction, it shall so advise both the complainant and respondent by certified mail and provide a copy of the complaint (and any other information submitted by the complainant) to the respondent. The Ethics Commission shall advise that complainant and the respondent by certified mail that it will conduct a probable cause determination and invite the respondent to provide any information the respondent deems relevant to the Commission's determination of probable cause. Such information must be submitted to the Commission within twenty-one (21) business days of notification.

Within thirty (30) business days after the response period specified in the previous paragraph, the Ethics Commission shall meet to determine if there is probable cause that a violation of the Code has occurred. In so doing, the Ethics Commission shall only consider the information submitted by the complainant and the respondent.

If the Ethics Commission does not find probable cause of a violation of the Code, it shall so notify both the complainant and the respondent. Such notification shall be made in writing within five (5) business days of such determination. Upon a finding of no probable cause, the case file will be sealed and all matters pertaining thereto shall remain confidential.

If the Ethics Commission determines, by three (3) affirmative votes that there is probable cause of a violation of the code, it shall so notify both the complainant and respondent in writing within five (5) business days of such determination.

Within thirty (30) business days of a finding of probable cause, the Ethics Commission shall schedule a hearing to determine if a violation of the Code has occurred. The Ethics Commission shall notify both the complainant and the respondent of the date, time, and place of such hearing. Such notification shall be made in writing within five (5) business days of the scheduling of the hearing.

All notifications under this section shall be sent via certified mail, return receipt requested.

If the Ethics Commission determines that a violation of the Code has occurred, an investigation shall be conducted within (90) business days of determining the complaint is in violation of this Code.

In the conduct of its investigation, the Ethics Commission shall have the power to hold hearings, administer oaths, examine witnesses, receive oral and documentary evidence, subpoena witnesses, and to require the production for examination by the Commission of any books and papers as permitted by law which are relevant in any manner under investigation or in question.

All parties and witnesses shall be duly sworn under oath prior to testifying before the Commission.

During the investigation, the complainant shall be allowed to present evidence, including documents and witnesses. The respondent(s) shall have the right to appear and be heard and offer any information which may tend to clear the respondent of probable cause to believe that the respondent has violated any provision of the Code of Ethics. The respondent shall be allowed to present evidence, including documents and witnesses. The respondent shall be allowed to examine and cross-examine witnesses presented and be allowed to offer before the Ethics Commission any evidence or witnesses on their behalf. This investigation shall be confidential pursuant to Connecticut General Statutes, Section 1-82a.

i. No probable cause

If the Ethics Commission finds no probable cause it shall within five (5) business days advise the complainant and the respondent of its finding and a summary of the reasons therefore and the complaint and the record of investigation shall remain confidential.

ii. Probable cause

If the Ethics Commission finds probable cause by the concurring vote of three (3) out of five (5) voting members, it shall within five (5) business days of such determination notify both the complainant and the respondent in writing.

Within thirty (30) days of finding of probable cause, the Ethics Commission shall schedule a hearing to determine if a violation of the Code has occurred. The Ethics Commission shall notify both the complainant and the respondent of the date, time, and place of such hearing. Such notification shall be made in writing within five (5) business days of the scheduling of the hearing.

It shall also fix a date for a hearing on a complaint. It shall give notice of that date to the complainant and respondent. Such date shall be not less than thirty (30) business days following notice, nor more than ninety (90) business days after the finding of probable cause.

d. Hearings

The Ethics Commission shall conduct a hearing to determine if a violation of the code has occurred. All hearings shall be opened to the public and recorded in a manner to be determined by the Ethics Commission.

Hearings shall not be subject to rules of court, except the rights:

- i. Of an accused to confront and cross-examine his/her accuser.
- ii. Of every witness or party to be represented by an attorney at law of his/her choice,
- iii. Of every witness to decline to answer questions in accordance with the Fifth Amendment to the Constitution of the United States.

In all other respects, hearings shall be conducted by the Ethics Commission, with the advice and assistance of the Town Attorney acting through its Chairperson, in order to facilitate the prompt and fair disposition of the proceedings.

While conducting a hearing of an alleged violation of this Code, the Ethics Commission shall have the authority to administer oaths, examine witnesses, receive oral and documentary evidence.

The Ethics Commission shall have the authority to issue subpoenas or subpoenas duces tecum enforceable upon application to the Superior Court for the State of Connecticut, to compel attendance of persons at hearings and the production of books, documents, records, and papers, pursuant to Sections 7-148(c)(10)(B) of the Connecticut General Statutes, subject to the inherent power of the commission to decline or limit such request where it is merely duplicative or is unnecessarily burdensome or harassing and not likely to lead to evidence which will aid the Commission in its determination.

e. Finding/Sanctions

No finding of violation of this Code shall be made except upon concurring vote of five (5) out of five (5) members of the Ethics Commission. The Chairperson shall render the finding of the Ethics Commission within thirty (30) business days after conclusion of the hearing.

A copy of the finding shall be sent to the complainant, respondent, and the Town of Ledyard.

Upon finding of a violation of any provision of the Code, the Ethics Commission will refer the matter to the appropriate appointing or supervisory authority. The authority affected will report within thirty (30) business days to the Ethics Commission the action taken, if any. Violators of the Code of Ethics are subject to penalties that may consist of 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 action. If the commission finds unethical conduct by a paid consultant or business performing work for the Town, it can disbar the consultant or business from doing business with the Town for up to 10 years.

Persons subject to this code found not to be in violation of this code will be reimbursed by the Town of Ledyard for their reasonable legal fees, except no legal fees shall be paid for any services rendered before a finding of probable cause.

f. Appeals

Any person aggrieved by any final decision of the Ethics Commission may appeal such decision in accordance with the provisions of Sections 4-175 or Section 4-183 of the Connecticut General Statutes. If successful, any and all reasonable legal fees will be paid by the Town of Ledyard.

SECTION 6. 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

Fred B. Allyn, III, Mayor



TOWN OF LEDYARD CONNECTICUT

Code of Ethics Acknowledgement Form

I, _____
Print Name of Member, Employee, Vendor or Consultant

Member of : _____
Name of Committee, Commission, Board

Employee of the Town of Ledyard _____
Name of Department

Vendor: _____
Name of Company

Consultant: _____
Name of Company

I Acknowledge that I have received and read the Town of Ledyard's Code of Ethics

Signed: _____ Date: _____
Signature of Member, Employee, Vendor or Consultant

**Please Return Completed Form to
Town of Ledyard Town Clerk's Office
741 Colonel Ledyard Highway, Ledyard, Connecticut 06339**

.....
Town Clerk's Office Use

Received by the Town Clerk' Office: _____ Date: _____
Signature of Town Clerk or Assistant Town Clerk

CHAPTER III
THE TOWN COUNCIL

SECTION 9. INVESTIGATION

The Town Council shall have power to investigate all offices and agencies of the Town and for such purposes shall have the power to call witnesses to appear before the Town Council to testify on any matter under investigation. The Chairman, or chairman pro-tempore, upon authorization of the Town Council, shall have the power, for such investigation, to issue subpoenas, and, at his request, any judge of the Superior Court may compel the appearance of witnesses and the production of books, records, and papers.

CHAPTER IX
TRANSITION AND MISCELLANEOUS PROVISIONS

SECTION 6. CONFLICTS OF INTEREST

Any elected or appointed officer or any employee of the Town who has a financial interest or personal benefit, direct or indirect, in any contract, transaction, or decision of any board or commission to which the Town is a party, shall disclose publicly that interest to the appropriate board or commission and the Town Council in advance of discussion or action on the matter, which shall record such disclosure upon the official record of its meetings. The Town Council may by ordinance specify what is, or what is not, a conflict of interest for officials and employees of the Town.

Willful violation by any such officer or employee of the provisions of this section shall be grounds for his removal. Violation of this section with the knowledge, express or implied, of any person or corporation participating in such contract, transaction, or decision shall render the same voidable by the Town Council, or by a court of competent jurisdiction.

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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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, Chairman

CHAPTER 10*

CODES OF ETHICS

PART I*

CODE OF ETHICS FOR PUBLIC OFFICIALS

*Cited. 18 CA 212.

Sec. 1-79. Definitions. The following terms, when used in this part, have the following meanings unless the context otherwise requires:

(1) “Blind trust” means a trust established by a public official or state employee or member of his or her immediate family for the purpose of divestiture of all control and knowledge of assets.

(2) “Business with which he is associated” means any sole proprietorship, partnership, firm, corporation, trust or other entity through which business for profit or not for profit is conducted in which the public official or state employee or member of his or her immediate family is a director, officer, owner, limited or general partner, beneficiary of a trust or holder of stock constituting five per cent or more of the total outstanding stock of any class, provided, a public official or state employee, or member of his or her immediate family, shall not be deemed to be associated with a not for profit entity solely by virtue of the fact that the public official or state employee or member of his or her immediate family is an unpaid director or officer of the not for profit entity. “Officer” refers only to the president, executive or senior vice president or treasurer of such business.

(3) “Candidate for public office” means any individual who has filed a declaration of candidacy or a petition to appear on the ballot for election as a public official, or who has raised or expended money in furtherance of such candidacy, or who has been nominated for appointment to serve as a public official, but does not include a candidate for the office of senator or representative in Congress.

(4) “Board” means the Citizen's Ethics Advisory Board established in section [1-80](#).

(5) “Gift” means anything of value, which is directly and personally received, unless consideration of equal or greater value is given in return. “Gift” does not include:

(A) A political contribution otherwise reported as required by law or a donation or payment as described in subdivision (9) or (10) of subsection (b) of section [9-601a](#);

(B) Services provided by persons volunteering their time, if provided to aid or promote the success or defeat of any political party, any candidate or candidates for public office or the position of convention delegate or town committee member or any referendum question;

(C) A commercially reasonable loan made on terms not more favorable than loans made in the ordinary course of business;

(D) A gift received from (i) an individual's spouse, fiancé or fiancée, (ii) the parent, grandparent, brother or sister of such spouse or such individual, or (iii) the child of such individual or the spouse of such child;

(E) Goods or services (i) that are provided to a state agency or quasi-public agency (I) for use on state or quasi-public agency property, or (II) that support an event or the participation by a public official or state employee at an event, and (ii) that facilitate state or quasi-public agency action or functions. As used in this subparagraph, "state property" means property owned by the state or a quasi-public agency or property leased to a state agency or quasi-public agency;

(F) A certificate, plaque or other ceremonial award costing less than one hundred dollars;

(G) A rebate, discount or promotional item available to the general public;

(H) Printed or recorded informational material germane to state action or functions;

(I) Food or beverage or both, costing less than fifty dollars in the aggregate per recipient in a calendar year, and consumed on an occasion or occasions at which the person paying, directly or indirectly, for the food or beverage, or his representative, is in attendance;

(J) Food or beverage or both, costing less than fifty dollars per person and consumed at a publicly noticed legislative reception to which all members of the General Assembly are invited and which is hosted not more than once in any calendar year by a lobbyist or business organization. For the purposes of such limit, (i) a reception hosted by a lobbyist who is an individual shall be deemed to have also been hosted by the business organization which such lobbyist owns or is employed by, and (ii) a reception hosted by a business organization shall be deemed to have also been hosted by all owners and employees of the business organization who are lobbyists. In making the calculation for the purposes of such fifty-dollar limit, the donor shall divide the amount spent on food and beverage by the number of persons whom the donor reasonably expects to attend the reception;

(K) Food or beverage or both, costing less than fifty dollars per person and consumed at a publicly noticed reception to which all members of the General Assembly from a region of the state are invited and which is hosted not more than once in any calendar year by a lobbyist or business organization. For the purposes of such limit, (i) a reception hosted by a lobbyist who is an individual shall be deemed to have also been hosted by the business organization which such lobbyist owns or is employed by, and (ii) a reception hosted by a business organization shall be deemed to have also been hosted by all owners and employees of the business organization who are lobbyists. In making the calculation for the purposes of such fifty-dollar limit, the donor shall divide the amount spent on food and beverage by the number of persons whom the donor reasonably expects to attend the reception. As used in this subparagraph, “region of the state” means the established geographic service area of the organization hosting the reception;

(L) A gift, including, but not limited to, food or beverage or both, provided by an individual for the celebration of a major life event, provided any such gift provided by an individual who is not a member of the family of the recipient does not exceed one thousand dollars in value;

(M) Gifts costing less than one hundred dollars in the aggregate or food or beverage provided at a hospitality suite at a meeting or conference of an interstate legislative association, by a person who is not a registrant or is not doing business with the state of Connecticut;

(N) Admission to a charitable or civic event, including food and beverage provided at such event, but excluding lodging or travel expenses, at which a public official or state employee participates in his or her official capacity, provided such admission is provided by the primary sponsoring entity;

(O) Anything of value provided by an employer of (i) a public official, (ii) a state employee, or (iii) a spouse of a public official or state employee, to such official, employee or spouse, provided such benefits are customarily and ordinarily provided to others in similar circumstances;

(P) Anything having a value of not more than ten dollars, provided the aggregate value of all things provided by a donor to a recipient under this subdivision in any calendar year does not exceed fifty dollars;

(Q) Training that is provided by a vendor for a product purchased by a state or quasi-public agency that is offered to all customers of such vendor;

(R) Travel expenses, lodging, food, beverage and other benefits customarily provided by a prospective employer, when provided to a student at a public institution of higher

education whose employment is derived from such student's status as a student at such institution, in connection with bona fide employment discussions; or

(S) Expenses of a public official, paid by the party committee of which party such official is a member, for the purpose of accomplishing the lawful purposes of the committee. As used in this subparagraph, “party committee” has the same meaning as provided in subdivision (2) of section [9-601](#) and “lawful purposes of the committee” has the same meaning as provided in subsection (g) of section [9-607](#).

(6) “Immediate family” means any spouse, children or dependent relatives who reside in the individual's household.

(7) “Individual” means a natural person.

(8) “Member of an advisory board” means any individual (A) appointed by a public official as an advisor or consultant or member of a committee, commission or council established to advise, recommend or consult with a public official or branch of government or committee thereof, (B) who receives no public funds other than per diem payments or reimbursement for his or her actual and necessary expenses incurred in the performance of his or her official duties, and (C) who has no authority to expend any public funds or to exercise the power of the state.

(9) “Person” means an individual, sole proprietorship, trust, corporation, limited liability company, union, association, firm, partnership, committee, club or other organization or group of persons.

(10) “Political contribution” has the same meaning as in section [9-601a](#) except that for purposes of this part, the provisions of subsection (b) of said section shall not apply.

(11) “Public official” means any state-wide elected officer, any member or member-elect of the General Assembly, any person appointed to any office of the legislative, judicial or executive branch of state government by the Governor or an appointee of the Governor, with or without the advice and consent of the General Assembly, any public member or representative of the teachers' unions or state employees' unions appointed to the Investment Advisory Council pursuant to subsection (a) of section [3-13b](#), any person appointed or elected by the General Assembly or by any member of either house thereof, any member or director of a quasi-public agency and the spouse of the Governor, but does not include a member of an advisory board, a judge of any court either elected or appointed or a senator or representative in Congress.

(12) “Quasi-public agency” means Connecticut Innovations, Incorporated, the Connecticut Health and Education Facilities Authority, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Student Loan Foundation, the

Connecticut Housing Finance Authority, the State Housing Authority, the Materials Innovation and Recycling Authority, the Capital Region Development Authority, the Connecticut Lottery Corporation, the Connecticut Airport Authority, the Connecticut Health Insurance Exchange, the Connecticut Green Bank, the Connecticut Port Authority, the Connecticut Municipal Redevelopment Authority, the State Education Resource Center and the Paid Family and Medical Leave Insurance Authority.

(13) “State employee” means any employee in the executive, legislative or judicial branch of state government, whether in the classified or unclassified service and whether full or part-time, and any employee of a quasi-public agency, but does not include a judge of any court, either elected or appointed.

(14) “Trust” means a trust in which any public official or state employee or member of his immediate family has a present or future interest which exceeds ten per cent of the value of the trust or exceeds fifty thousand dollars, whichever is less, but does not include blind trusts.

(15) “Business organization” means a sole proprietorship, corporation, limited liability company, association, firm or partnership, other than a client lobbyist, that is owned by, or employs, one or more individual lobbyists.

(16) “Client lobbyist” means a lobbyist on behalf of whom lobbying takes place and who makes expenditures for lobbying and in furtherance of lobbying.

(17) “Necessary expenses” means a public official's or state employee's expenses for an article, appearance or speech or for participation at an event, in his official capacity, which shall be limited to necessary travel expenses, lodging for the nights before, of and after the appearance, speech or event, meals and any related conference or seminar registration fees.

(18) “Lobbyist” and “registrant” shall be construed as defined in section [1-91](#).

(19) “Legal defense fund” means a fund established for the payment of legal expenses of a public official or state employee incurred as a result of defending himself or herself in an administrative, civil, criminal or constitutional proceeding concerning matters related to the official's or employee's service or employment with the state or a quasi-public agency.

(20) “State agency” means any office, department, board, council, commission, institution, constituent unit of the state system of higher education, technical education and career school or other agency in the executive, legislative or judicial branch of state government.

(21) “Confidential information” means any information in the possession of the state, a state employee or a public official, whatever its form, which (A) is required not to be disclosed to the general public under any provision of the general statutes or federal law; or (B) falls within a category of permissibly nondisclosable information under the Freedom of Information Act, as defined in section [1-200](#), and which the appropriate agency, state employee or public official has decided not to disclose to the general public.

Sec. 1-79a. Calculation of dollar limit on gifts. For purposes of calculating the dollar limits under the exceptions to the term “gift” under sections [1-79](#) and [1-91](#) any expenditure provided by a lobbyist who is an individual shall be deemed to have also been provided by the business organization which he owns or by which he is employed, and any expenditure provided by a business organization shall be deemed to have also been provided by all owners and employees of the business organization who are lobbyists.

Sec. 1-80. Office of State Ethics. Citizen's Ethics Advisory Board. Members; appointment; qualifications; vacancies; compensation; restrictions. Hearings. (a) There shall be established an Office of State Ethics. Said office shall consist of an executive director, general counsel, ethics enforcement officer and such other staff as hired by the executive director. Within the Office of State Ethics, there shall be the Citizen's Ethics Advisory Board that shall consist of nine members, appointed as follows: One member shall be appointed by the speaker of the House of Representatives, one member by the president pro tempore of the Senate, one member by the majority leader of the Senate, one member by the minority leader of the Senate, one member by the majority leader of the House of Representatives, one member by the minority leader of the House of Representatives, and three members by the Governor. Members shall be appointed to serve a four-year term commencing on October first of the year in which the prior four-year term expires. Any member may be reappointed. No more than five members shall be members of the same political party.

(b) All members shall be electors of the state. No member shall be a state employee. No member or employee of said board shall (1) hold or campaign for any public office; (2) have held public office or have been a candidate for public office for a three-year period prior to appointment; (3) hold office in any political party or political committee or be a member of any organization or association organized primarily for the purpose of influencing legislation or decisions of public agencies; or (4) be an individual who is a registrant as defined in subdivision (17) of section [1-91](#). For purposes of this subsection, “public office” does not include the offices of justice of the peace or notary public.

(c) Any vacancy on the board shall be filled by the appointing authority having the power to make the original appointment within thirty days.

(d) The board shall elect a chairperson who shall, except as provided in subsection (b) of section [1-82](#) and subsection (b) of section [1-93](#), preside at meetings of the board and a vice-chairperson to preside in the absence of the chairperson. Six members of the board shall constitute a quorum. Except as provided in subdivision (3) of subsection (a) of section [1-81](#), subsections (a) and (b) of section [1-82](#), subsection (b) of section [1-88](#), subsection (e) of section [1-92](#), subsections (a) and (b) of section [1-93](#) and subsection (b) of section [1-99](#), a majority vote of the members shall be required for action of the board. The chairperson or any three members may call a meeting.

(e) Any matter before the board, except hearings held pursuant to the provisions of subsection (b) of section [1-82](#) or subsection (b) of section [1-93](#), may be assigned by the board to two of its members to conduct an investigation or hearing, as the case may be, to ascertain the facts and report thereon to the board with a recommendation for action. Any hearing held pursuant to this subsection shall be held in accordance with the provisions of chapter 54.

(f) Members of the board shall be compensated at the rate of two hundred dollars per day for each day they attend a meeting or hearing and shall receive reimbursement for their necessary expenses incurred in the discharge of their official duties.

(g) The board shall not be construed to be a board or commission within the meaning of section [4-9a](#).

(h) The members and employees of the Citizen's Ethics Advisory Board and the Office of State Ethics shall adhere to the following code of ethics under which the members and employees shall: (1) Observe high standards of conduct so that the integrity and independence of the Citizen's Ethics Advisory Board and the Office of State Ethics may be preserved; (2) respect and comply with the law and conduct themselves at all times in a manner which promotes public confidence in the integrity and impartiality of the board and the Office of State Ethics; (3) be faithful to the law and maintain professional competence in the law; (4) be unswayed by partisan interests, public clamor or fear of criticism; (5) maintain order and decorum in proceedings of the board and Office of State Ethics; (6) be patient, dignified and courteous to all persons who appear in board or Office of State Ethics proceedings and with other persons with whom the members and employees deal in their official capacities; (7) refrain from making any statement outside of a board or Office of State Ethics proceeding, which would have a likelihood of prejudicing a board or Office of State Ethics proceeding; (8) refrain from making any statement outside of a board or Office of State Ethics proceeding that a reasonable person would expect to be disseminated by means of

public communication if the member or employee should know that such statement would have a likelihood of materially prejudicing or embarrassing a complainant or a respondent; (9) preserve confidences of complainants and respondents; (10) exercise independent professional judgment on behalf of the board and Office of State Ethics; and (11) represent the board and Office of State Ethics competently.

(i) No member or employee of the board or Office of State Ethics may make a contribution, as defined in section [9-601a](#), to any state employee, public official, candidate for state-wide office or candidate for the office of representative or senator in the General Assembly.

(j) Members of the board shall recuse themselves from participating in any proceeding or matter undertaken pursuant to this chapter that involves the person who appointed such member to the board.

(k) No former member of the board may represent any business or person, other than himself or herself, before the board for a period of one year following the end of such former member's service on the board. No business or person that appears before the board shall employ or otherwise engage the services of a former member of the board for a period of one year following the end of such former member's service on the board.

(l) No member of the board may hold any other position in state employment for a period of one year following the end of such member's service on the board, including, but not limited to, service as a member on a state board or commission, service as a judge of the Superior Court or service as a state agency commissioner. The provisions of this subsection shall not be construed to prohibit any former board member from holding a volunteer or unpaid position in state service within one year of the end of his or her service on the board.

(m) Upon request of any aggrieved party, the board may delay the effect of any decision rendered by the board for a period not to exceed seven days following the rendering of such decision.

Secs. 1-80b to 1-80d. State Ethics Commission member serving as Citizen's Ethics Advisory Board member; Citizen's Ethics Advisory Board member appointment by Governor. Appointment of interim executive director. Transfer of State Ethics Commission staff. Sections [1-80b](#) to [1-80d](#), inclusive, are repealed, effective October 1, 2021.

Sec. 1-80e. Designation of judge trial referees. The Chief Court Administrator shall designate ten judge trial referees who shall be available to the Office of State Ethics to: (1) Preside over and rule at any hearing of the Office of State Ethics; and (2) make

findings as to probable cause following any investigation conducted by the ethics enforcement officer of the Office of State Ethics.

(Sec. 1-81. Duties of the board, Office of State Ethics. Employment of executive director, general counsel, ethics enforcement officer. Legal and enforcement divisions of the Office of State Ethics. Regulations. State personnel training in ethics. (a) The board and general counsel and staff of the Office of State Ethics shall:

(1) Compile and maintain an index of all reports, advisory opinions, informal staff letters, memoranda issued in accordance with subsection (b) of section [1-82](#) and statements filed by and with the Office of State Ethics to facilitate public access to such reports and advisory opinions, informal staff letters, memoranda statements as provided by this part;

(2) Preserve advisory opinions and informal staff letters, permanently; preserve memoranda issued in accordance with subsection (b) of section [1-82](#) and statements and reports filed by and with the board for a period of five years from the date of receipt;

(3) Upon the concurring vote of a majority of the board present and voting, issue advisory opinions with regard to the requirements of this part or part IV of this chapter, upon the request of any person subject to the provisions of this part or part IV of this chapter, and publish such advisory opinions in the Connecticut Law Journal. Advisory opinions rendered by the board, until amended or revoked, shall be binding on the board and shall be deemed to be final decisions of the board for purposes of appeal to the superior court, in accordance with the provisions of section [4-175](#) or [4-183](#). Any advisory opinion concerning the person who requested the opinion and who acted in reliance thereon, in good faith, shall be binding upon the board, and it shall be an absolute defense in any criminal action brought under the provisions of this part or part IV of this chapter, that the accused acted in reliance upon such advisory opinion;

(4) Respond to inquiries and provide advice regarding the code of ethics either verbally or through informal letters;

(5) Provide yearly training to all state employees regarding the code of ethics;

(6) Make legislative recommendations to the General Assembly and report annually, not later than February fifteenth, to the Governor summarizing the activities of the Office of State Ethics; and

(7) Meet not less than once per month with the office's executive director and ethics enforcement officer.

(b) The Office of State Ethics may enter into such contractual agreements as may be necessary for the discharge of its duties, within the limits of its appropriated funds and in accordance with established procedures.

(c) The Office of State Ethics shall employ an executive director, general counsel and ethics enforcement officer, each of whom shall be exempt from classified state service. The ethics enforcement officer shall be a member of the bar of this state. The salary for the executive director, general counsel and the ethics enforcement officer shall be determined by the Commissioner of Administrative Services in accordance with accepted personnel practices. No one person may serve in more than one of the positions described in this subsection. The Office of State Ethics may employ necessary staff within available appropriations. Such necessary staff of the Office of State Ethics shall be in classified state service.

(d) The executive director, described in subsection (c) of this section, shall be appointed by the Citizen's Ethics Advisory Board for an open-ended term. Such appointment shall not be made until all the initial board members appointed to terms commencing on October 1, 2005, are appointed by their respective appointing authorities, pursuant to subsection (a) of section [1-80](#). The board shall annually evaluate the performance of the executive director, in writing, and may remove the executive director, in accordance with the provisions of chapter 67.

(e) The general counsel and ethics enforcement officer described in subsection (c) of this section, and other staff of the Office of State Ethics shall be appointed by the executive director of the Office of State Ethics. The executive director shall annually evaluate the performance of the general counsel, ethics enforcement officer and such other staff, in writing, and may remove the general counsel or ethics enforcement officer, in accordance with the provisions of chapter 67, or such other staff, in accordance with any applicable collective bargaining agreement.

(f) There shall be a legal division within the Office of State Ethics. The legal division shall provide the board with legal advice on matters before said board and shall represent the board in all matters in which the board is a party, without the assistance of the Attorney General unless the board requests such assistance. The legal division shall, under the direction of the general counsel, provide information and written and verbal opinions to persons subject to the code and to the general public. The general counsel, described in subsection (c) of this section, shall supervise such division. The investigation or instigation of a complaint may not occur solely because of information received by the legal division.

(g) There shall be an enforcement division within the Office of State Ethics. The enforcement division shall be responsible for investigating complaints brought to or by

the board. The ethics enforcement officer, described in subsection (c) of this section, shall supervise the enforcement division. The ethics enforcement officer may represent the Office of State Ethics before the Superior Court in an appeal of any ruling or finding pursuant to, or any matter arising under, section [1-82](#), [1-93](#), or [1-101nn](#), provided the board is not a party in such appeal. The enforcement division shall employ such attorneys and investigators, as necessary, within available appropriations, and may refer matters to the office of the Chief State's Attorney, as appropriate.

(h) The Citizen's Ethics Advisory Board shall adopt regulations in accordance with chapter 54 to carry out the purposes of this part. Such regulations shall not be deemed to govern the conduct of any judge trial referee in the performance of such judge trial referee's duties pursuant to this chapter.

(i) The general counsel shall, in consultation with the executive director of the Office of State Ethics, oversee yearly training of all state personnel in the code of ethics, provide training on the code of ethics to other individuals or entities subject to the code and shall make recommendations as to public education regarding ethics.

Sec. 1-81a. Recommended appropriations. Allotments. (a) Notwithstanding any provision of the general statutes, the appropriations recommended for the Office of State Ethics shall be the estimates of expenditure requirements transmitted to the Secretary of the Office of Policy and Management by the executive director of the Office of State Ethics and the recommended adjustments and revisions of such estimates shall be the recommended adjustments and revisions, if any, transmitted by said executive director to the Office of Policy and Management.

(b) Notwithstanding any provision of the general statutes, the Governor shall not reduce allotment requisitions or allotments in force concerning the Office of State Ethics.

Sec. 1-81b. Summary of ethics laws re bidders, proposers and state contractors. The Office of State Ethics shall develop a plain language summary of state ethics laws concerning (1) persons, firms and corporations submitting bids or proposals for state contracts, and (2) state contractors. The Office of State Ethics shall publish said summary on the Office of State Ethics' web site.

Sec. 1-81c. Mandatory ethics training for public officials. Frequency. Exception. Not later than December 31, 2010, the Office of State Ethics shall establish and administer a program of mandatory training on the code of ethics for public officials as set forth in chapter 10. Such program shall provide such training to members of the General Assembly upon first election to the General Assembly, and for all members of

the General Assembly every four years beginning in 2011, except that, in the event there is a significant revision of the code of ethics for public officials, as determined by the Joint Committee on Legislative Management, said committee shall request that the Office of State Ethics conduct a training for all members of the General Assembly before the date of the next regularly scheduled training.

Sec. 1-82. Complaints. Procedure. Time limits. Investigation; notice; hearings. Attorneys' fees. Damages for complaints without foundation. (a)(1) Upon the complaint of any person on a form prescribed by the board, signed under penalty of false statement, or upon its own complaint, the ethics enforcement officer of the Office of State Ethics shall investigate any alleged violation of this part, section [1-101bb](#) or section [1-101nn](#). Not later than five days after the receipt or issuance of such complaint, the board shall provide notice of such receipt or issuance and a copy of the complaint by registered or certified mail to any respondent against whom such complaint is filed and shall provide notice of the receipt of such complaint to the complainant. When the ethics enforcement officer of the Office of State Ethics undertakes an evaluation of a possible violation of this part, section [1-101bb](#) or section [1-101nn](#) prior to the filing of a complaint, the subject of the evaluation shall be notified not later than five business days after an Office of State Ethics staff member's first contact with a third party concerning the matter.

(2) In the conduct of its investigation of an alleged violation of this part, section [1-101bb](#) or section [1-101nn](#), the Office of State Ethics shall have the power to hold hearings, administer oaths, examine witnesses and receive oral and documentary evidence. The Office of State Ethics may subpoena witnesses under procedural rules adopted by the Citizen's Ethics Advisory Board as regulations in accordance with the provisions of chapter 54 to compel attendance before the Office of State Ethics and to require the production for examination by the ethics enforcement officer of the Office of State Ethics of any books and papers which the Office of State Ethics deems relevant in any matter under investigation or in question, provided any such subpoena is issued either pursuant to a majority vote of the Citizen's Ethics Advisory Board or pursuant to the signature of the chairperson of such board. The vice-chairperson of such board may sign any such subpoena if the chairperson of such board is unavailable. In the exercise of such powers, the Office of State Ethics may use the services of the state police, who shall provide the same upon the office's request. The Office of State Ethics shall make a record of all proceedings conducted pursuant to this subsection. The ethics enforcement officer of the Office of State Ethics may bring any alleged violation of this part before a judge trial referee assigned by the Chief Court Administrator for such purpose for a probable cause hearing. Such judge trial referee shall be compensated in accordance with the provisions of section [52-434](#) from such funds as may be available to the Office of State Ethics. Any witness summoned before the Office of State Ethics or a judge trial referee pursuant to this subsection shall receive the witness fee paid to

witnesses in the courts of this state. During any investigation conducted pursuant to this subsection or any probable cause hearing conducted pursuant to this subsection, the respondent shall have the right to appear and be heard and to offer any information which may tend to clear the respondent of probable cause to believe the respondent has violated any provision of this part, section [1-101bb](#) or section [1-101nn](#). The respondent shall also have the right to be represented by legal counsel and to examine and cross-examine witnesses. Not later than ten days prior to the commencement of any hearing conducted pursuant to this subsection, the Office of State Ethics shall provide the respondent with a list of its intended witnesses. Any finding of probable cause to believe the respondent is in violation of any provisions of this part shall be made by a judge trial referee not later than thirty days after the ethics enforcement officer brings such alleged violation before such judge trial referee, except that such thirty-day limitation period shall not apply if the judge trial referee determines that good cause exists for extending such limitation period.

(b) If a judge trial referee determines that probable cause exists for the violation of a provision of this part, section [1-101bb](#) or section [1-101nn](#), the board shall initiate hearings to determine whether there has been a violation of this part, section [1-101bb](#) or section [1-101nn](#). Any such hearing shall be initiated by the board not later than thirty days after the finding of probable cause by a judge trial referee and shall be concluded not later than ninety days after its initiation, except that such thirty or ninety-day limitation period shall not apply if the judge trial referee determines that good cause exists for extending such limitation period. A judge trial referee, who has not taken part in the probable cause determination on the matter shall be assigned by the Chief Court Administrator and shall be compensated in accordance with section [52-434](#) out of funds available to the Office of State Ethics. Such judge trial referee shall preside over such hearing and rule on all issues concerning the application of the rules of evidence, which shall be the same as in judicial proceedings. The judge trial referee shall have no vote in any decision of the board. All hearings of the board held pursuant to this subsection shall be open. At such hearing the board shall have the same powers as the Office of State Ethics under subsection (a) of this section and the respondent shall have the right to be represented by legal counsel, to compel attendance of witnesses and the production of books, documents, records and papers and to examine and cross-examine witnesses. Not later than ten days prior to the commencement of any hearing conducted pursuant to this subsection, the Office of State Ethics shall provide the respondent with a list of its intended witnesses. The judge trial referee shall, while engaged in the discharge of the duties as provided in this subsection, have the same authority as is provided in section [51-35](#) over witnesses who refuse to obey a subpoena or to testify with respect to any matter upon which such witness may be lawfully interrogated, and may commit any such witness for contempt for a period no longer than thirty days. The Office of State Ethics shall make a record of all proceedings pursuant to this subsection.

During the course of any such hearing, no ex-parte communication shall occur between the board, or any of its members, and: (1) The judge trial referee, or (2) any staff member of the Enforcement Division of the Office of State Ethics, concerning the complaint or the respondent. The board shall find no person in violation of any provision of this part, section [1-101bb](#) or section [1-101nn](#) except upon the concurring vote of two-thirds of its members present and voting. No member of the board shall vote on the question of whether a violation of any provision of this part has occurred unless such member was physically present for the duration of any hearing held pursuant to this subsection. Not later than forty-five days after the public hearing conducted in accordance with this subsection, the board shall publish its finding and a memorandum of the reasons therefor. Such finding and memorandum shall be deemed to be the final decision of the board on the matter for the purposes of chapter 54. The respondent, if aggrieved by the finding and memorandum, may appeal therefrom to the Superior Court in accordance with the provisions of section [4-183](#).

(c) If a judge trial referee finds, after a hearing pursuant to this section, that there is no probable cause to believe that a public official or state employee has violated a provision of this part, section [1-101bb](#) or section [1-101nn](#), or if the board determines that a public official or state employee has not violated any such provision, or if a court of competent jurisdiction overturns a finding by the board of a violation by such a respondent, the state shall pay the reasonable legal expenses of the respondent as determined by the Attorney General or by the court if appropriate. If any complaint brought under the provisions of this part, section [1-101bb](#) or section [1-101nn](#) is made with the knowledge that it is made without foundation in fact, the respondent shall have a cause of action against the complainant for double the amount of damage caused thereby and, if the respondent prevails in such action, the respondent may be awarded by the court the costs of such action together with reasonable attorneys' fees.

(d) No complaint may be made under this section later than five years after the violation alleged in the complaint has been committed.

(e) No person shall take or threaten to take official action against an individual for such individual's disclosure of information to the board or the general counsel, ethics enforcement officer or staff of the Office of State Ethics under the provisions of this part, section [1-101bb](#) or section [1-101nn](#). After receipt of information from an individual under the provisions of this part, section [1-101bb](#) or section [1-101nn](#), the Office of State Ethics shall not disclose the identity of such individual without such individual's consent unless the Office of State Ethics determines that such disclosure is unavoidable during the course of an investigation. No person shall be subject to civil liability for any good faith disclosure that such person makes to the Office of State Ethics.

Sec. 1-82a. Confidentiality of complaints, evaluations of possible violations and investigations. Publication of findings.

(a) Unless a judge trial referee makes a finding of probable cause, a complaint alleging a violation of this part, section [1-101bb](#) or section [1-101nn](#) shall be confidential except upon the request of the respondent. An evaluation of a possible violation of this part, section [1-101bb](#) or section [1-101nn](#) by the Office of State Ethics prior to the filing of a complaint shall be confidential except upon the request of the subject of the evaluation. If the evaluation is confidential, any information supplied to or received from the Office of State Ethics shall not be disclosed to any third party by a subject of the evaluation, a person contacted for the purpose of obtaining information or by the ethics enforcement officer or staff of the Office of State Ethics. No provision of this subsection shall prevent the Office of State Ethics from reporting the possible commission of a crime to the Chief State's Attorney or other prosecutorial authority.

(b) An investigation conducted prior to a probable cause finding shall be confidential except upon the request of the respondent. If the investigation is confidential, the allegations in the complaint and any information supplied to or received from the Office of State Ethics shall not be disclosed during the investigation to any third party by a complainant, respondent, witness, designated party, or board or staff member of the Office of State Ethics.

(c) Not later than three business days after the termination of the investigation, the Office of State Ethics shall inform the complainant and the respondent of its finding and provide them a summary of its reasons for making that finding. The Office of State Ethics shall publish its finding upon the respondent's request and may also publish a summary of its reasons for making such finding.

(d) If a judge trial referee makes a finding of no probable cause, the complaint and the record of the Office of State Ethics' investigation shall remain confidential, except upon the request of the respondent and except that some or all of the record may be used in subsequent proceedings. No complainant, respondent, witness, designated party, or board or staff member of the Office of State Ethics shall disclose to any third party any information learned from the investigation, including knowledge of the existence of a complaint, which the disclosing party would not otherwise have known. If such a disclosure is made, the judge trial referee may, after consultation with the respondent if the respondent is not the source of the disclosure, publish the judge trial referee's finding and a summary of the judge trial referee's reasons therefor.

(e) The judge trial referee shall make public a finding of probable cause not later than five business days after any such finding. At such time the entire record of the investigation shall become public, except that the Office of State Ethics may postpone examination or release of such public records for a period not to exceed fourteen days

for the purpose of reaching a stipulation agreement pursuant to subsection (c) of section [4-177](#). Any such stipulation agreement or settlement shall be approved by a majority of those members present and voting.

Sec. 1-82b. Continuation of certain probable cause hearings. Section [1-82b](#) is repealed, effective October 1, 2021.

Sec. 1-83. Statements of financial interests. Filing requirements. Ethics statements. Confidentiality. Waiver. (a)(1) All state-wide elected officers, members of the General Assembly, department heads and their deputies, members or directors of each quasi-public agency, members of the Investment Advisory Council and such members of the Executive Department and such employees of quasi-public agencies as the Governor shall require, shall file electronically with the Office of State Ethics using the software created by the office, under penalty of false statement, a statement of financial interests for the preceding calendar year on or before the May first next in any year in which they hold such an office or position. If, in any year, May first falls on a weekend or legal holiday, such statement shall be filed not later than the next business day. Any such individual who leaves his or her office or position shall file electronically a statement of financial interests covering that portion of the year during which such individual held his or her office or position. The Office of State Ethics shall notify such individuals of the requirements of this subsection not later than sixty days after their departure from such office or position. Such individuals shall file such statement electronically not later than sixty days after receipt of the notification.

(2) Each state agency, department, board and commission shall develop and implement, in cooperation with the Office of State Ethics, an ethics statement as it relates to the mission of the agency, department, board or commission. The executive head of each such agency, department, board or commission shall be directly responsible for the development and enforcement of such ethics statement and shall file a copy of such ethics statement with the Office of State Ethics.

(b) (1) The statement of financial interests, except as provided in subdivision (2) of this subsection, shall include the following information for the preceding calendar year in regard to the individual required to file the statement and the individual's spouse and dependent children residing in the individual's household: (A) The names of all businesses with which associated; (B) all sources of income, including the name of each employer, with a description of the type of income received, in excess of one thousand dollars, without specifying amounts of income; (C) the name of securities in excess of five thousand dollars at fair market value owned by such individual, spouse or dependent children or held in the name of a corporation, partnership or trust for the benefit of such individual, spouse or dependent children; (D) the existence of any known blind trust and the names of the trustees; (E) all real property and its location,

whether owned by such individual, spouse or dependent children or held in the name of a corporation, partnership or trust for the benefit of such individual, spouse or dependent children; (F) the names and addresses of creditors to whom the individual, the individual's spouse or dependent children, individually, owed debts of more than ten thousand dollars; (G) any leases or contracts with the state or a quasi-public agency held or entered into by the individual or a business with which he or she was associated; and (H) the name of any of the following that is a partner or owner of, or has a similar business affiliation with, the business included under subparagraph (A) of this subdivision: (i) Any lobbyist, (ii) any person the individual filing the statement knows or has reason to know is doing business with or seeking to do business with the state or is engaged in activities that are directly regulated by the department or agency in which the individual is employed, or (iii) any business with which such lobbyist or person is associated.

(2) In the case of securities in excess of five thousand dollars at fair market value held within (A) a retirement savings plan, as described in Section 401 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, (B) a payroll deduction individual retirement account plan, as described in Section 408 or 408A of said Internal Revenue Code, (C) a governmental deferred compensation plan, as described in Section 457 of said Internal Revenue Code, or (D) an education savings plan, as described in Section 529 of said Internal Revenue Code, the names of such securities shall not be required to be disclosed in any statement of financial interests and only the name of such retirement savings plan, individual retirement account plan, deferred compensation plan or education savings plan holding such securities shall be required.

(c) The statement of financial interests filed pursuant to this section shall be a matter of public information, except (1) the names of any dependent children residing in the household of the individual filing such statement shall not be subject to disclosure under the Freedom of Information Act, as defined in section [1-200](#), and (2) the list of names, filed in accordance with subparagraph (F) of subdivision (1) of subsection (b) of this section shall be sealed and confidential and for the use of the Office of State Ethics only after a complaint has been filed under section [1-82](#) and such complaint has been determined by a vote of the board to be of sufficient merit and gravity to justify the unsealing of such list or lists and not open to public inspection unless the respondent requests otherwise. If the board reports its findings to the Chief State's Attorney in accordance with subsection (c) of section [1-88](#), the board shall turn over to the Chief State's Attorney such relevant information contained in the statement as may be germane to the specific violation or violations or a prosecutorial official may subpoena such statement in a criminal action. Unless otherwise a matter of public record, the Office of State Ethics shall not disclose to the public any such subpoena which would be exempt from disclosure by the issuing agency.

(d) Any individual who is unable to provide information required under the provisions of subdivision (1) of subsection (b) of this section by reason of impossibility may petition the board for a waiver of the requirements.

Sec. 1-84. (Formerly Sec. 1-66). Prohibited activities. Exception re employment of immediate family at constituent unit. (a) No public official or state employee shall, while serving as such, have any financial interest in, or engage in, any business, employment, transaction or professional activity, which is in substantial conflict with the proper discharge of his duties or employment in the public interest and of his responsibilities as prescribed in the laws of this state, as defined in section [1-85](#).

(b) No public official or state employee shall accept other employment which will either impair his independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.

(c) No public official or state employee shall wilfully and knowingly disclose, for financial gain, to any other person, confidential information acquired by him in the course of and by reason of his official duties or employment and no public official or state employee shall use his public office or position or any confidential information received through his holding such public office or position to obtain financial gain for himself, his spouse, child, child's spouse, parent, brother or sister or a business with which he is associated.

(d) No public official or state employee or employee of such public official or state employee shall agree to accept, or be a member or employee of a partnership, association, professional corporation or sole proprietorship which partnership, association, professional corporation or sole proprietorship agrees to accept any employment, fee or other thing of value, or portion thereof, for appearing, agreeing to appear, or taking any other action on behalf of another person before the Department of Banking, the Office of the Claims Commissioner, the Health Systems Planning Unit of the Office of Health Strategy, the Insurance Department, the Department of Consumer Protection, the Department of Motor Vehicles, the State Insurance and Risk Management Board, the Department of Energy and Environmental Protection, the Public Utilities Regulatory Authority, the Connecticut Siting Council or the Connecticut Real Estate Commission; provided this shall not prohibit any such person from making inquiry for information on behalf of another before any of said commissions or commissioners if no fee or reward is given or promised in consequence thereof. For the purpose of this subsection, partnerships, associations, professional corporations or sole proprietorships refer only to such partnerships, associations, professional corporations or sole proprietorships which have been formed to carry on the business or profession directly relating to the employment, appearing, agreeing to

appear or taking of action provided for in this subsection. Nothing in this subsection shall prohibit any employment, appearing, agreeing to appear or taking action before any municipal board, commission or council. Nothing in this subsection shall be construed as applying (1) to the actions of any teaching or research professional employee of a public institution of higher education if such actions are not in violation of any other provision of this chapter, (2) to the actions of any other professional employee of a public institution of higher education if such actions are not compensated and are not in violation of any other provision of this chapter, (3) to any member of a board or commission who receives no compensation other than per diem payments or reimbursement for actual or necessary expenses, or both, incurred in the performance of the member's duties, or (4) to any member or director of a quasi-public agency. Notwithstanding the provisions of this subsection to the contrary, a legislator, an officer of the General Assembly or part-time legislative employee may be or become a member or employee of a firm, partnership, association or professional corporation which represents clients for compensation before agencies listed in this subsection, provided the legislator, officer of the General Assembly or part-time legislative employee shall take no part in any matter involving the agency listed in this subsection and shall not receive compensation from any such matter. Receipt of a previously established salary, not based on the current or anticipated business of the firm, partnership, association or professional corporation involving the agencies listed in this subsection, shall be permitted.

(e) No legislative commissioner or his partners, employees or associates shall represent any person subject to the provisions of part II concerning the promotion of or opposition to legislation before the General Assembly, or accept any employment which includes an agreement or understanding to influence, or which is inconsistent with, the performance of his official duties.

(f) No person shall offer or give to a public official or state employee or candidate for public office or his spouse, his parent, brother, sister or child or spouse of such child or a business with which he is associated, anything of value, including, but not limited to, a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the public official, state employee or candidate for public office would be or had been influenced thereby.

(g) No public official or state employee or candidate for public office shall solicit or accept anything of value, including but not limited to, a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the public official or state employee or candidate for public office would be or had been influenced thereby.

(h) Nothing in subsection (f) or (g) of this section shall be construed (1) to apply to any promise made in violation of subdivision (6) of section [9-622](#), or (2) to permit any activity otherwise prohibited in section [53a-147](#) or [53a-148](#).

(i) (1) No public official or state employee or member of the official or employee's immediate family or a business with which he is associated shall enter into any contract with the state, valued at one hundred dollars or more, other than a contract (A) of employment as a state employee, (B) with the Technical Education and Career System for students enrolled in a school in the system to perform services in conjunction with vocational, technical, technological or postsecondary education and training any such student is receiving at a school in the system, subject to the review process under subdivision (2) of this subsection, (C) with a public institution of higher education to support a collaboration with such institution to develop and commercialize any invention or discovery, or (D) pursuant to a court appointment, unless the contract has been awarded through an open and public process, including prior public offer and subsequent public disclosure of all proposals considered and the contract awarded. In no event shall an executive head of an agency, as defined in section [4-166](#), including a commissioner of a department, or an executive head of a quasi-public agency, as defined in section [1-79](#), or the executive head's immediate family or a business with which he is associated enter into any contract with that agency or quasi-public agency. Nothing in this subsection shall be construed as applying to any public official who is appointed as a member of the executive branch or as a member or director of a quasi-public agency and who receives no compensation other than per diem payments or reimbursement for actual or necessary expenses, or both, incurred in the performance of the public official's duties unless such public official has authority or control over the subject matter of the contract. Any contract made in violation of this subsection shall be voidable by a court of competent jurisdiction if the suit is commenced not later than one hundred eighty days after the making of the contract.

(2) The superintendent of the Technical Education and Career System shall establish an open and transparent process to review any contract entered into under subparagraph (B) of subdivision (1) of this subsection.

(j) No public official, state employee or candidate for public office, or a member of any such person's staff or immediate family shall knowingly accept any gift, as defined in subdivision (5) of section [1-79](#), from a person known to be a registrant or anyone known to be acting on behalf of a registrant.

(k) No public official, spouse of the Governor or state employee shall accept a fee or honorarium for an article, appearance or speech, or for participation at an event, in the public official's, spouse's or state employee's official capacity, provided a public official, Governor's spouse or state employee may receive payment or reimbursement

for necessary expenses for any such activity in his or her official capacity. If a public official, Governor's spouse or state employee receives such a payment or reimbursement for lodging or out-of-state travel, or both, the public official, Governor's spouse or state employee shall, not later than thirty days thereafter, file a report of the payment or reimbursement with the Office of State Ethics, unless the payment or reimbursement is provided by the federal government or another state government. If a public official, Governor's spouse or state employee does not file such report within such period, either intentionally or due to gross negligence on the public official's, Governor's spouse's or state employee's part, the public official, Governor's spouse or state employee shall return the payment or reimbursement. If any failure to file such report is not intentional or due to gross negligence on the part of the public official, Governor's spouse or state employee, the public official, Governor's spouse or state employee shall not be subject to any penalty under this chapter. When a public official, Governor's spouse or state employee attends an event in this state in the public official's, Governor's spouse's or state employee's official capacity and as a principal speaker at such event and receives admission to or food or beverage at such event from the sponsor of the event, such admission or food or beverage shall not be considered a gift and no report shall be required from such public official, spouse or state employee or from the sponsor of the event.

(l) No public official or state employee, or any person acting on behalf of a public official or state employee, shall wilfully and knowingly interfere with, influence, direct or solicit existing or new lobbying contracts, agreements or business relationships for or on behalf of any person.

(m) No public official or state employee shall knowingly accept, directly or indirectly, any gift, as defined in subdivision (5) of section [1-79](#), from any person the public official or state employee knows or has reason to know: (1) Is doing business with or seeking to do business with the department or agency in which the public official or state employee is employed; (2) is engaged in activities which are directly regulated by such department or agency; or (3) is prequalified under section [4a-100](#). No person shall knowingly give, directly or indirectly, any gift or gifts in violation of this provision. For the purposes of this subsection, the exclusion to the term "gift" in subparagraph (L) of subdivision (5) of section [1-79](#) for a gift for the celebration of a major life event shall not apply. Any person prohibited from making a gift under this subsection shall report to the Office of State Ethics any solicitation of a gift from such person by a state employee or public official.

(n) (1) As used in this subsection, (A) "investment services" means investment legal services, investment banking services, investment advisory services, underwriting services, financial advisory services or brokerage firm services, and (B) "principal of an investment services firm" means (i) an individual who is a director of or has an

ownership interest in an investment services firm, except for an individual who owns less than five per cent of the shares of an investment services firm which is a publicly traded corporation, (ii) an individual who is employed by an investment services firm as president, treasurer, or executive or senior vice president, (iii) an employee of such an investment services firm who has managerial or discretionary responsibilities with respect to any investment services, (iv) the spouse or dependent child of an individual described in this subparagraph, or (v) a political committee established by or on behalf of an individual described in this subparagraph.

(2) The State Treasurer shall not pay any compensation, expenses or fees or issue any contract to any firm which provides investment services when (A) a political committee, as defined in section [9-601](#), established by such firm, or (B) a principal of the investment services firm has made a contribution, as defined in section [9-601a](#), to, or solicited contributions on behalf of, any exploratory committee or candidate committee, as defined in section [9-601](#), established by the State Treasurer as a candidate for nomination or election to the office of State Treasurer. The State Treasurer shall not pay any compensation, expenses or fees or issue any contract to such firms or principals during the term of office as State Treasurer, including, for an incumbent State Treasurer seeking reelection, any remainder of the current term of office.

(o) If (1) any person (A) is doing business with or seeking to do business with the department or agency in which a public official or state employee is employed, or (B) is engaged in activities which are directly regulated by such department or agency, and (2) such person or a representative of such person gives to such public official or state employee anything having a value of more than ten dollars, such person or representative shall, not later than ten days thereafter, give such recipient and the executive head of the recipient's department or agency a written report stating the name of the donor, a description of the item or items given, the value of such items and the cumulative value of all items given to such recipient during that calendar year. The provisions of this subsection shall not apply to a political contribution otherwise reported as required by law.

(p) (1) No public official or state employee or member of the immediate family of a public official or state employee shall knowingly accept, directly or indirectly, any gift costing one hundred dollars or more from a public official or state employee who is under the supervision of such public official or state employee.

(2) No public official or state employee or member of the immediate family of a public official or state employee shall knowingly accept, directly or indirectly, any gift costing one hundred dollars or more from a public official or state employee who is a supervisor of such public official or state employee.

(3) No public official or state employee shall knowingly give, directly or indirectly, any gift in violation of subdivision (1) or (2) of this subsection.

(q) No public official or state employee shall intentionally counsel, authorize or otherwise sanction action that violates any provision of this part.

(r) (1) Notwithstanding the provisions of subsections (b) and (c) of this section, a member of the faculty or a member of a faculty bargaining unit of a constituent unit of the state system of higher education may enter into a consulting agreement or engage in a research project with a public or private entity, provided such agreement or project does not conflict with the member's employment with the constituent unit, as determined by policies established by the board of trustees for such constituent unit.

(2) The board of trustees for each constituent unit of the state system of higher education shall establish policies to ensure that any such member who enters such a consulting agreement or engages in such a research project (A) is not inappropriately using university proprietary information in connection with such agreement or project, (B) does not have an interest in such agreement or project that interferes with the proper discharge of his or her employment with the constituent unit, and (C) is not inappropriately using such member's association with the constituent unit in connection with such agreement or project. Such policies shall (i) establish procedures for the disclosure, review and management of conflicts of interest relating to any such agreement or project, (ii) require the approval by the chief academic officer of the constituent unit, or his or her designee, prior to any such member entering into any such agreement or engaging in any such project, and (iii) include procedures that impose sanctions and penalties on any member for failing to comply with the provisions of the policies. Annually, the internal audit office of each constituent unit shall audit the constituent unit's compliance with such policies and report its findings to the committee of the constituent unit established pursuant to subdivision (3) of this subsection. For purposes of this subsection, "consulting" means the provision of services for compensation to a public or private entity by a member of the faculty or member of a faculty bargaining unit of a constituent unit of the state system of higher education: (I) When the request to provide such services is based on such member's expertise in a field or prominence in such field, and (II) while such member is not acting in the capacity of a state employee, and "research" means a systematic investigation, including, but not limited to, research development, testing and evaluation, designed to develop or contribute to general knowledge in the applicable field of study.

(3) There is established a committee for each constituent unit of the state system of higher education to monitor the constituent unit's compliance with the policies and procedures described in subdivision (2) of this subsection governing consulting agreements and research projects with public or private entities by a member of the

faculty or a member of a faculty bargaining unit of such constituent unit. Each committee shall consist of nine members as follows: (A) Three members, appointed jointly by the Governor, the speaker of the House of Representatives, the president pro tempore of the Senate, the majority leader of the House of Representatives, the majority leader of the Senate, the minority leader of the House of Representatives and the minority leader of the Senate, who shall serve as members for each such committee; (B) one member appointed by the chairperson of the constituent unit's board of trustees from the membership of such board; (C) the chief academic officer of the constituent unit, or his or her designee; (D) three members appointed by the chief executive officer of the constituent unit; and (E) one member appointed by the chairperson of the Citizen's Ethics Advisory Board from the membership of such board. Members shall serve for a term of two years. Any vacancies shall be filled by the appointing authority. Each committee shall (i) review the annual reports submitted by the internal audit office for the constituent unit, pursuant to subdivision (2) of this subsection, (ii) make recommendations, annually, to the board of trustees of the constituent unit concerning the policies and procedures of the constituent unit established pursuant to subdivision (2) of this subsection, including any changes to such policies and procedures, and (iii) send a copy of such recommendations, in accordance with section [11-4a](#), to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and government administration.

(4) The provisions of subsections (b) and (c) of this section shall apply to any member of the faculty or member of a faculty bargaining unit of a constituent unit of the state system of higher education who enters such a consulting agreement or engages in such a research project without prior approval, as described in subdivision (2) of this subsection.

(s) Notwithstanding the provisions of this section or any other provision of this part, a state employee who is employed at a constituent unit of the state system of higher education and a member of the immediate family of such state employee may be employed in the same department or division of such constituent unit, provided the constituent unit has determined that procedures have been implemented to ensure that any final decisions impacting the financial interests of either such state employee, including decisions to hire, promote, increase the compensation of or renew the employment of such state employee, are made by another state employee who is not a member of the immediate family of such state employee.

Sec. 1-84a. Disclosure or use of confidential information by former official or employee. No former executive or legislative branch or quasi-public agency public official or state employee shall disclose or use confidential information acquired in the course of and by reason of his official duties, for financial gain for himself or another person.

Sec. 1-84b. Certain activities restricted after leaving public office or employment. (a) No former executive branch or quasi-public agency public official or state employee shall represent anyone other than the state, concerning any particular matter (1) in which he participated personally and substantially while in state service, and (2) in which the state has a substantial interest.

(b) No former executive branch or quasi-public agency public official or state employee shall, for one year after leaving state service, represent anyone, other than the state, for compensation before the department, agency, board, commission, council or office in which he served at the time of his termination of service, concerning any matter in which the state has a substantial interest. The provisions of this subsection shall not apply to an attorney who is a former employee of the Division of Criminal Justice, with respect to any representation in a matter under the jurisdiction of a court.

(c) The provisions of this subsection apply to present or former executive branch public officials or state employees of an agency who hold or formerly held positions which involve significant decision-making or supervisory responsibility. Such positions shall be designated as such by the agency concerned, in consultation with the Office of State Ethics, except that such provisions shall not apply to members or former members of the boards or commissions who serve ex officio, who are required by statute to represent the regulated industry or who are permitted by statute to have a past or present affiliation with the regulated industry. On or before November 1, 2021, and not less than annually thereafter, the head of each agency concerned, or his or her designee, shall submit the designation of all positions in existence on such date that are subject to the provisions of this subsection to the office electronically, in a manner prescribed by the Citizen's Ethics Advisory Board. If an agency creates such a position after its annual submission under this subsection, the head of such agency, or his or her designee, shall submit the designation of the newly created position not later than thirty days after the creation of such position. As used in this subsection, "agency" means the Health Systems Planning Unit of the Office of Health Strategy, the Connecticut Siting Council, the Department of Banking, the Insurance Department, the Department of Emergency Services and Public Protection, the office within the Department of Consumer Protection that carries out the duties and responsibilities of sections [30-2](#) to [30-68m](#), inclusive, the Public Utilities Regulatory Authority, including the Office of Consumer Counsel, and the Department of Consumer Protection and the term "employment" means professional services or other services rendered as an employee or as an independent contractor.

(1) No public official or state employee in an executive branch position designated pursuant to the provisions of this subsection shall negotiate for, seek or accept employment with any business subject to regulation by his agency.

(2) No former public official or state employee who held such a position in the executive branch shall, within one year after leaving an agency, accept employment with a business subject to regulation by that agency.

(3) No business shall employ a present or former public official or state employee in violation of this subsection.

(d) The provisions of subsection (e) of this section apply to (1) present or former Department of Consumer Protection public officials or state employees who hold or formerly held positions which involve significant decision-making or supervisory responsibility and designated as such by the department, in consultation with the Office of State Ethics, and (2) present or former public officials or state employees of other agencies who hold or formerly held positions which involve significant decision-making or supervisory responsibility concerning the regulation or investigation of (A) any business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state, which positions are designated as such by the agency concerned, in consultation with the Office of State Ethics. On or before November 1, 2021, and not less than annually thereafter, the Commissioner of Consumer Protection and the head of each agency concerned, or their designees, shall submit designations of all positions in existence on such date that are subject to the provisions of this subsection to the office electronically, in a manner prescribed by the Citizen's Ethics Advisory Board. If the department or agency concerned creates such a position after its annual submission under this subsection, the Commissioner of Consumer Protection or the head of such agency, as applicable, or their designees, shall submit the designation of the newly created position not later than thirty days after the creation of such position.

(e) (1) No Department of Consumer Protection public official or state employee or other public official or state employee described in subdivision (2) of subsection (d) of this section shall negotiate for, seek or accept employment with (A) a business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state.

(2) No former Department of Consumer Protection public official or state employee or other former public official or state employee described in subdivision (2) of subsection (d) of this section, who held such a position shall, within two years after leaving such agency, accept employment with (A) a business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian

tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state.

(3) As used in this subsection, “employment” means professional services or other services rendered as an employee or as an independent contractor.

(f) No former public official or state employee (1) who participated substantially in the negotiation or award of (A) a state contract valued at an amount of fifty thousand dollars or more, or (B) a written agreement for the approval of a payroll deduction slot described in section [3-123g](#), or (2) who supervised the negotiation or award of such a contract or agreement, shall accept employment with a party to the contract or agreement other than the state for a period of one year after his resignation from his state office or position if his resignation occurs less than one year after the contract or agreement is signed. No party to such a contract or agreement other than the state shall employ any such former public official or state employee in violation of this subsection.

(g) No member or director of a quasi-public agency who participates substantially in the negotiation or award of a contract valued at an amount of fifty thousand dollars or more, or who supervised the negotiation or award of such a contract, shall seek, accept, or hold employment with a party to the contract for a period of one year after the signing of the contract.

(h) The provisions of subsections (a), (b) and (f) of this section shall not apply to any employee of a quasi-public agency who leaves such agency before July 1, 1989. The provisions of subsections (b) and (f) of this section shall not apply to a former state employee of a public institution of higher education whose employment was derived from such employee's status as a student at such institution.

(i) No Treasurer who authorizes, negotiates or renegotiates a contract for investment services valued at an amount of fifty thousand dollars or more shall negotiate for, seek or accept employment with a party to the contract prior to one year after the end of the Treasurer's term of office within which such contract for investment services was authorized, negotiated or renegotiated by such Treasurer.

(j) No former executive, judicial or legislative branch or quasi-public agency official or state employee convicted of any felony involving corrupt practices, abuse of office or breach of the public trust shall seek or accept employment as a lobbyist or act as a registrant pursuant to this chapter.

(k) No former Governor shall accept employment or act as a registrant pursuant to the provisions of this chapter, for one year after leaving state service, on behalf of any business that received a contract with any department or agency of the state during such

Governor's term. No business shall employ a former Governor in violation of this subsection.

Sec. 1-84c. Donation of goods or services to state or quasi-public agencies. Reporting requirement. (a) Nothing in this chapter shall prohibit the donation of goods or services, as described in subparagraph (E) of subdivision (5) of section [1-79](#), to a state agency or quasi-public agency, the donation of the use of facilities to facilitate state agency or quasi-public agency action or functions or the donation of real property to a state agency or quasi-public agency.

(b) If a public official or state employee receives goods or services to support such official's or employee's participation at an event, as described in subparagraph (E) of subdivision (5) of section [1-79](#), and such goods or services (1) include lodging or out-of-state travel, or both, and (2) are not provided by the federal government or another state government, such official or employee shall, not later than thirty days after receipt of such goods or services, file a report with the Office of State Ethics. Such report shall be on an electronic form prescribed by the board and shall certify to the Office of State Ethics, under penalty of false statement, that the goods or services received in support of such official's or employee's participation at an event facilitated state action or functions. If a public official or state employee does not file a report within such thirty-day period, either intentionally or due to gross negligence on the official's or employee's part, the official or employee shall return to the donor the value of the goods or services received. Unless the failure to file such report is intentional or due to gross negligence, the public official or state employee shall not be subject to any penalty under this chapter for such failure.

(Sec. 1-84d. Foundations or alumni associations established for the benefit of a constituent unit of public higher education or technical education and career school. Notwithstanding any provision of the general statutes, for purposes of this chapter, no foundation or alumni association established for the benefit of a constituent unit of public higher education or technical education and career school shall be deemed to be doing business with or seeking to do business with such constituent unit of public higher education or technical education and career school.

Sec. 1-85. (Formerly Sec. 1-68). Interest in conflict with discharge of duties. A public official, including an elected state official, or state employee has an interest which is in substantial conflict with the proper discharge of his duties or employment in the public interest and of his responsibilities as prescribed in the laws of this state, if he has reason to believe or expect that he, his spouse, a dependent child, or a business with which he is associated will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his official activity. A public official, including an elected state official, or state employee does not have an interest which is

in substantial conflict with the proper discharge of his duties in the public interest and of his responsibilities as prescribed by the laws of this state, if any benefit or detriment accrues to him, his spouse, a dependent child, or a business with which he, his spouse or such dependent child is associated as a member of a profession, occupation or group to no greater extent than any other member of such profession, occupation or group. A public official, including an elected state official or state employee who has a substantial conflict may not take official action on the matter.

Sec. 1-86. Procedure when discharge of duty affects official's or state employee's financial interests. Lobbyists prohibited from accepting employment with General Assembly and General Assembly members forbidden to be lobbyists. (a) Any public official or state employee, other than an elected state official, who, in the discharge of such official's or employee's official duties, would be required to take an action that would affect a financial interest of such official or employee, such official's or employee's spouse, parent, brother, sister, child or the spouse of a child or a business with which such official or employee is associated, other than an interest of a de minimis nature, an interest that is not distinct from that of a substantial segment of the general public or an interest in substantial conflict with the performance of official duties as defined in section [1-85](#) has a potential conflict of interest. Under such circumstances, such official or employee shall, if such official or employee is a member of a state regulatory agency, either excuse himself or herself from the matter or prepare a written statement signed under penalty of false statement describing the matter requiring action and the nature of the potential conflict and explaining why despite the potential conflict, such official or employee is able to vote and otherwise participate fairly, objectively and in the public interest. Such public official or state employee shall deliver a copy of the statement to the Office of State Ethics and enter a copy of the statement in the journal or minutes of the agency. If such official or employee is not a member of a state regulatory agency, such official or employee shall, in the case of either a substantial or potential conflict, prepare a written statement signed under penalty of false statement describing the matter requiring action and the nature of the conflict and deliver a copy of the statement to such official's or employee's immediate superior, if any, who shall assign the matter to another employee, or if such official or employee has no immediate superior, such official or employee shall take such steps as the Office of State Ethics shall prescribe or advise.

(b) No elected state official shall be affected by subsection (a) of this section.

(c) No person required to register with the Office of State Ethics under section [1-94](#) shall accept employment with the General Assembly or with any member of the General Assembly in connection with legislative action, as defined in section [1-91](#). No member of the General Assembly shall be a lobbyist.

Secs. 1-86a to 1-86c. Reserved for future use.

Sec. 1-86d. Legal defense fund established by or for a public official or state employee. Reports. Contributions. (a) Any public official or state employee who establishes a legal defense fund, or for whom a legal defense fund has been established, shall file a report on said fund with the Office of State Ethics not later than the tenth day of January, April, July and October. Each such report shall include the following information for the preceding calendar quarter: (1) The names of the directors and officers of the fund, (2) the name of the depository institution for the fund, (3) an itemized accounting of each contribution to the fund, including the full name and complete address of each contributor and the amount of the contribution, and (4) an itemized accounting of each expenditure, including the full name and complete address of each payee and the amount and purpose of the expenditure. The public official or state employee shall sign each such report under penalty of false statement. The provisions of this subsection shall not apply to any person who has made a contribution to a legal defense fund before June 3, 2004.

(b) (1) In addition to the prohibitions on gifts under subsections (j) and (m) of section [1-84](#) and subsection (a) of section [1-97](#), no public official or state employee shall accept, directly or indirectly, any contribution to a legal defense fund established by or for the public official or state employee, from (A) a member of the immediate family of any person who is prohibited from giving a gift under subsection (j) or (m) of section [1-84](#) or subsection (a) of section [1-97](#), or (B) a person who is appointed by said public official or state employee to serve on a paid, full-time basis. No person described in subparagraph (A) or (B) of this subdivision shall make a contribution to such a legal defense fund, and no such person or any person prohibited from making a gift under subsection (j) or (m) of section [1-84](#) or subsection (a) of section [1-97](#) shall solicit a contribution for such a legal defense fund.

(2) A public official or state employee may accept a contribution or contributions to a legal defense fund established by or for the public official or state employee from any other person, provided the total amount of such contributions from any such person in any calendar year shall not exceed one thousand dollars. No such person shall make a contribution or contributions to said legal defense fund exceeding one thousand dollars in any calendar year. The provisions of this subdivision shall not apply in 2004, to any person who has made a contribution or contributions to a legal defense fund exceeding one thousand dollars in 2004, before June 3, 2004, provided said legal defense fund shall not accept any additional contributions from such person in 2004, and such person shall not make any additional contributions to said fund in 2004.

(3) Notwithstanding the provisions of subdivision (2) of this subsection, a public official or state employee may accept a contribution or contributions, in any amount, to a legal defense fund established by or for the public official or state employee from a relative of the public official or state employee or a person whose relationship with the public official or state employee is not dependent on the official's or employee's status as a public official or state employee. The factors that the board shall consider in determining whether a person's relationship is so dependent shall include, but not be limited to, whether the person may be able to benefit from the exercise of official authority of the public official or state employee and whether the person made gifts to the public official or state employee before the official or employee began serving in such office or position.

(Sec. 1-86e. Consultants, independent contractors and their employees. Prohibited activities. (a) No person hired by the state as a consultant or independent contractor, and no person employed by such consultant or independent contractor, shall:

(1) Use the authority provided under the contract, or any confidential information acquired in the performance of the contract, to obtain financial gain for the consultant or independent contractor, an employee of the consultant or independent contractor or a member of the immediate family of any such consultant, independent contractor or employee;

(2) Accept another state contract which would impair the independent judgment of the consultant, independent contractor or employee in the performance of the existing contract; or

(3) Accept anything of value based on an understanding that the actions of the consultant, independent contractor or employee on behalf of the state would be influenced.

(b) No person shall give anything of value to a person hired by the state as a consultant or independent contractor or an employee of a consultant or independent contractor based on an understanding that the actions of the consultant, independent contractor or employee on behalf of the state would be influenced.

Sec. 1-87. Aggrieved persons. Appeals. Any person aggrieved by any final decision of the board, made pursuant to this part, may appeal such decision in accordance with the provisions of section [4-175](#) or section [4-183](#).

Sec. 1-88. Authority of board after finding violation. Prohibition against disclosure of information. Enforcement of civil penalties. (a) The board, upon a

finding made pursuant to section [1-82](#) that there has been a violation of any provision of this part, section [1-101bb](#) or section [1-101nn](#), shall have the authority to order the violator to do any or all of the following: (1) Cease and desist the violation of this part, section [1-101bb](#) or section [1-101nn](#); (2) file any report, statement or other information as required by this part, section [1-101bb](#) or section [1-101nn](#); and (3) pay a civil penalty of not more than ten thousand dollars for each violation of this part, section [1-101bb](#) or section [1-101nn](#).

(b) Notwithstanding the provisions of subsection (a) of this section, the board may, after a hearing conducted in accordance with sections [4-176e](#) to [4-184](#), inclusive, upon the concurring vote of two-thirds of its members present and voting, impose a civil penalty not to exceed ten dollars per day upon any individual who fails to file any report, statement or other information as required by this part, section [1-101bb](#) or section [1-101nn](#). Each distinct violation of this subsection shall be a separate offense and in case of a continued violation, each day thereof shall be deemed a separate offense. In no event shall the aggregate penalty imposed for such failure to file exceed ten thousand dollars.

(c) The board may also report its finding to the Chief State's Attorney for any action deemed necessary. The board, upon a finding made pursuant to section [1-82](#) that a member or member-elect of the General Assembly has violated any provision of this part, section [1-101bb](#) or section [1-101nn](#), shall notify the appropriate house of the General Assembly, in writing, of such finding and the basis for such finding.

(d) Any person who knowingly acts in such person's financial interest in violation of section [1-84](#), [1-85](#), [1-86](#), [1-86d](#), [1-86e](#) or [1-101nn](#) or any person who knowingly receives a financial advantage resulting from a violation of any of said sections shall be liable for damages in the amount of such advantage. If the board determines that any person may be so liable, it shall immediately inform the Attorney General of that possibility.

(e) Any employee of the Office of State Ethics or member of the Citizen's Ethics Advisory Board who, in violation of this part or section [1-101nn](#), discloses information filed in accordance with subparagraph (F) of subdivision (1) of subsection (b) of section [1-83](#), shall be dismissed, if an employee, or removed from the board, if a member.

(f) Any civil penalty imposed by the board pursuant to this section may be enforced by the Office of State Ethics as a money judgment in accordance with chapter 906.

Sec. 1-89. Violations; penalties. Disciplinary powers of the legislature, agencies and commissions. Civil action for damages. (a)(1) Any person who intentionally violates any provision of this part, section [1-101bb](#) or section [1-101nn](#) shall, for a first violation, be guilty of a class A misdemeanor, unless subdivision (2) of this subsection is applicable.

(2) If, for a first violation, such person derives a financial benefit of one thousand dollars or more as a result of such violation, such person shall be guilty of a class D felony.

(3) For a second or subsequent violation, such person shall be guilty of a class D felony.

(4) No person may be found guilty of a violation of subsection (f) or (g) of section [1-84](#) and bribery or bribe receiving under section [53a-147](#) or [53a-148](#) upon the same incident, but such person may be charged and prosecuted for all or any of such offenses upon the same information.

(b) The penalties prescribed in this part or section [1-101nn](#) shall not limit the power of either house of the legislature to discipline its own members or impeach a public official, and shall not limit the power of agencies or commissions to discipline their officials or employees.

(c) The Attorney General may bring a civil action against any person who knowingly acts in the person's financial interest in, or knowingly receives a financial advantage resulting from, a violation of section [1-84](#), [1-85](#), [1-86](#), [1-101bb](#) or [1-101nn](#). In any such action, the Attorney General may, in the discretion of the court, recover any financial benefit that accrued to the person as a result of such violation and additional damages in an amount not exceeding twice the amount of the actual damages.

(d) Any fines, penalties or damages paid, collected or recovered under section [1-88](#) or this section for a violation of any provision of this part or section [1-101bb](#) or [1-101nn](#) applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section [3-13c](#), affected by such violation.

Sec. 1-89a. Conferences on ethical issues. Section [1-89a](#) is repealed, effective October 1, 2021.

(Sec. 1-90. Commission to review oath of office for members of General Assembly. Section [1-90](#) is repealed.

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](tel: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.

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'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

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."
 - o *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.
 - o *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 townsman. 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?

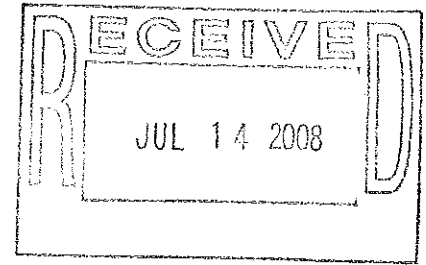
If this committee is put in place, all present and future volunteers should be made aware that anyone in town can file an ethics complaint against them. My friend was simply volunteering to make a good thing happen for the town. If the situation had been handled professionally, perhaps she wouldn't have 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



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591



REPRESENTATIVE TOM REYNOLDS
FORTY-SECOND ASSEMBLY DISTRICT

VICE CHAIRMAN
PUBLIC SAFETY AND SECURITY COMMITTEE

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

MEMBER
APPROPRIATIONS COMMITTEE
EDUCATION COMMITTEE

MEMORANDUM

DATE: July 9, 2008
TO: Mayor Fred Allyn, Jr.
FROM: Representative Tom Reynolds *TR*
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.

**STATE OF CONNECTICUT
AGENCY LEGISLATIVE PROPOSAL
2019 SESSION**

Document Name 2019 AAC Municipal Ethics	
Agency Office of State Ethics	Agency Priority (See instructions) 1
Contact Person/Unit Carol Carson, Executive Director	Telephone 860-263-2400
Email Address: Carol.Carson@ct.gov	
Title of Proposal AAC Municipal Ethics	Statutory Reference Proposal Type <input checked="" type="checkbox"/> New <input type="checkbox"/> Resubmittal
ATTACH COPY OF FULLY DRAFTED BILL (Required for review)	
APPROVAL OF OTHER AFFECTED AGENCY (Attach additional approvals if necessary)	
Agency N/A	Agency Contact (Name and Title) N/A
Attach Summary of Agency Comments	Contact Date N/A
Summary of Proposal (Include background information)	
<p>To require 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.</p> <p>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.</p> <p>The proposed minimum ethics 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, 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.</p>	
Reason for Proposal (Include significant policy and programmatic impacts)	
<p>Section 1. Requires all municipalities to adopt, by a certain date, 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 subsection (b) of this section, or adopt model minimum provisions provided for in section 2 of this act. The section sets forth certain deadlines for compliance with these requirements.</p>	

Section 2. Provides for the model minimum provisions that a municipality may adopt to be in compliance with the requirements of section 1 of this act.

Section 3. Requires municipalities, by a certain date, to report their compliance with the provisions of this act to the Office of State Ethics and include a copy of their local ethics code with such report. By a specified date, the Office of State Ethics has to inform the Legislature of the municipal compliance with the requirements of this act.

Section 4. Provides for an ethics education instructor who will be employed by the Office of State Ethics to provide ethics trainings to all municipalities on the minimum ethics provisions set forth in this act.

Significant Fiscal Impacts

Municipal: None
Federal: None
State: Funding for one ethics education instructor who will be employed by the Office of State Ethics.

AN ACT CONCERNING MUNICIPAL ETHICS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2019*) (a) On or before October 1, 2020, each municipality shall adopt a code of ethics that contains, at a minimum, the provisions described in subsection (b) of this section. If a municipality adopted or adopts an ethics code prior to October 1, 2020, that contains the minimum provisions described in subsection (b) of this section, such municipality shall be in compliance with the requirements of this section. If, on or before October 1, 2020, a municipality adopts the model minimum provisions, as contained in section 2 of this act, such municipality shall be in compliance with the requirements of this section.

(b) The following minimum provisions shall be contained in a code of ethics that is adopted by a municipality pursuant to subsection (a) of this section:

(1) A conflict of interest provision that prohibits a municipal official or employee of the municipality from participating in any matter in which such municipal official or employee, his or her immediate family members, or any businesses with which the official or employee is associated, has a personal or financial interest, other than an interest of a de minimis nature valued less than one hundred dollars, or an interest that is not distinct from that of a substantial segment of the municipality's population, which does not include any group of municipal government employees;

(2) a disclosure and recusal provision that requires the written disclosure of a conflict of interest by a municipal official or employee of the municipality and the recusal from participating in any decision-making concerning a matter that presents a conflict of interest;

(3) a gift provision that prohibits a municipal official or employee of the municipality from soliciting or accepting anything of value that could reasonably be expected to influence the actions or judgment of such municipal official or employee;

(4) a use of property provision that prohibits a municipal official or employee of the municipality from using municipal property in any manner that benefits himself or herself, his or her immediate family members, or any businesses with which the official or employee is associated, to a degree that is greater than a member of the general public when such property is made available to the general public;

(5) a use of office or position provision that prohibits a municipal official or employee of the municipality from using his or her office or position and any confidential information acquired by a municipal official or employee of the municipality through his or her office or position to further such official's or employee's own personal or financial interests, or interests of his or her immediate family members, or any businesses with which the official or employee is associated;

(6) a nepotism provision that prohibits a municipal official or employee of the municipality from appointing or hiring, or participating in influencing appointment or hiring of an immediate family member for any type of employment with the municipality, including by contract, unless the contract is competitively bid. The provision shall prohibit a municipal official or employee of the municipality from serving in a direct supervisory capacity over an immediate family member, or exercising authority or make recommendations with regard to personnel actions involving such family member;

(7) a contracting provision that prohibits a municipal official or employee of the municipality, his or her immediate family members, or any businesses with which the official or employee is associated, from entering into any contract with the municipality in which such municipal official or municipal employee holds a municipal office or position, valued at five hundred dollars or more, other than a contract of employment as a municipal employee, or pursuant to a court appointment, unless the contract has been awarded through an open and public process;

(8) a representation of private interests provision, other than self-representation or representation of an immediate family member, that prohibits a municipal official or employee of the municipality from representing anyone in any matter before any municipal board, commission, council or department; and

(9) post-employment provisions that prohibit former municipal official or employee of the municipality from (A) representing anyone for compensation before any municipal board, commission, council, committee or department in which he or she was formerly employed at any time within a period of one year after termination of his or her service with the municipality; (B) representing anyone other than the municipality, concerning any particular matter which the official or employee participated personally and substantially while in municipal service or employment, and in which the municipality has a substantial interest; (C) accepting employment with a party to the contract valued at an amount of twenty-five thousand dollars or more, other than the municipality, for a period of one year after his or her resignation from municipal office or position if the former official or employee participated substantially in the negotiation or award of such contract and his or her

resignation occurs less than one year after the contract is signed; and (D) disclosing or using confidential information acquired in the course of and by reason of his or her official duties, for anyone's financial gain or benefit.

Sec. 2. (NEW) (*Effective October 1, 2019*) Any municipality that adopts a code of ethics that contains the model minimum provisions shall be in compliance with the requirements of section 1 of this act. The following provisions shall constitute the model minimum provisions:

Definitions:

(1) "Business with which the person is associated" means any sole proprietorship, partnership, firm, corporation, trust or other entity through which business for profit or not for profit is conducted in which the municipal official or employee of the municipality or member of his or her immediate family is a director, officer, owner, limited or general partner, beneficiary of a trust or holder of stock constituting five per cent or more of the total outstanding stock of any class, provided, the municipal official or employee of the municipality, or member of his or her immediate family, shall not be deemed to be associated with a not for profit entity solely by virtue of the fact that the municipal official or employee of the municipality or member of his or her immediate family is an unpaid director or officer of the not for profit entity. "Officer" refers only to the president, executive or senior vice president or treasurer of such business, and to any person who exercises exclusive control over such business.

(2) "Confidential information" means any information in the possession of a municipality, a municipal employee, or a municipal official, whatever its form, which (1) is mandatorily non-disclosable to the general public under a municipal regulation, ordinance, policy or provision, or state or federal statute or regulation, or non-disclosable pursuant to municipal contract or order of any court of competent jurisdiction; or (2) falls within a category of permissibly non-disclosable information under the Freedom of Information Act, Chapter 3 of the Connecticut General Statutes, and which the appropriate municipal board, commission, council or department or individual has decided not to disclose to the general public.

(3) "Financial interest" means any interest with a monetary value of one hundred dollars or more or that generates a financial gain or loss of one hundred dollars or more per person in a calendar year.

(4) "Gift" means anything of value, which is directly and personally received, unless consideration of equal or greater value is given in return. "Gift" does not include:

(A) A political contribution otherwise reported as required by law or a donation or payment as described in subdivision (9) or (10) of subsection (b) of section 9-601a of the general statutes;

(B) Services provided by persons volunteering their time, if provided to aid or promote the success or defeat of any political party, any candidate or candidates for public office or the position of convention delegate or town committee member or any referendum question;

(C) A commercially reasonable loan made on terms not more favorable than loans made in the ordinary course of business;

(D) A gift received from (i) an individual's spouse, fiancé or fiancée, (ii) the parent, grandparent, brother or sister of such spouse or such individual, or (iii) the child of such individual or the spouse of such child;

(E) Goods or services that are provided to the municipality and facilitate governmental action or functions;

(F) A certificate, plaque or other ceremonial award costing less than one hundred dollars;

(G) A rebate, discount or promotional item available to the general public;

(H) Printed or recorded informational material germane to governmental actions or functions;

(I) A meal provided at an event or the registration or entrance fee to attend such an event, in which the municipal official or employee of the municipality participates in his or her official capacity;

(J) A meal provided in the home by an individual who resides in the municipality;

(K) A gift, including, but not limited to, food or beverage, or both, provided by an individual for the celebration of a major life event such as the birth or adoption of a child, a wedding, a confirmation or a bar or bat mitzvah, a funeral, or retirement from municipal employment or service, provided any such gift provided by an individual who is not a member of the family of the recipient shall not exceed five hundred dollars. As used in this subparagraph, "major life event" shall not include any event that occurs on an annual basis such as an anniversary except personal gifts of up to twenty-five dollars per occasion, aggregating no more than fifty dollars per recipient in a calendar year, shall be permitted to a minor incident to a birthday or other traditional gift-giving occasion such as Christmas or Chanukah;

(L) Anything of value provided by an employer of (i) a municipal official, (ii) a municipal employee, or (iii) a spouse of a municipal official or municipal employee, to such official, employee or spouse, provided such benefits are customarily and ordinarily provided to others in similar circumstances;

(M) Anything having a value of not more than ten dollars, provided the aggregate value of all things provided by a donor to a recipient under this subparagraph in any calendar year shall not exceed fifty dollars; or

(5) "Immediate family" means any spouse, child or dependent relative who resides in the individual's household.

(6) "Individual" means a natural person.

(7) "Person" means an individual, sole proprietorship, trust, corporation, limited liability company, union, association, firm, partnership, committee, club or other organization or group of persons.

(8) "Personal interest" means an interest in any action taken by the municipality in which an individual will derive a nonfinancial benefit or detriment but which will result in the expenditure of municipal funds.

(9) "Municipal employee" means a person employed, whether part time or full time, by a municipality or a political subdivision thereof.

(10) "Municipal official" means an elected or appointed official, whether paid or unpaid or part time or full time, of a municipality or political subdivision thereof, including candidates for the office and includes a district officer elected pursuant to section 7-327 of the general statutes.

Minimum Provisions:

(1) (A) A municipal official or municipal 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 estate, material, supplies or services to the municipality.

(B) If such participation is within the scope of the municipal official's or municipal employee's official responsibility, he or she shall be required to provide written disclosure, that sets forth in detail the nature and extent of such interest, to the town clerk.

(C) Notwithstanding the prohibition in subparagraph (A) of this subdivision, a municipal official or municipal employee may vote or otherwise participate in a matter that involves a determination of general

policy if the official's or employee's interest in the matter is shared with a substantial segment of the population of the municipality and is not limited any group of municipal government employees.

(2) (A) No municipal official or municipal employee shall solicit or accept any gift from any person who, to his or her knowledge, has personal or financial interest in any pending matter within such official's or employee's official responsibility, or could reasonably be expected to influence the actions or judgment of such municipal official or employee.

(B) If a prohibited gift is offered to a municipal official or municipal employee, he or she shall refuse it, return it, or pay the donor the market value of the gift. Alternatively, such prohibited gift may be considered a gift to the municipality provided it remains in the municipality's possession permanently.

(3) No municipal official or municipal employee shall request or permit the use of municipally-owned vehicles, equipment, facilities, materials or property for personal convenience or profit, or that of his or her immediate family members, or any businesses with which the person is associated, except when such are available to the public generally or are provided as municipal policy for the use of such municipal official or municipal employee in the conduct of official business.

(4) No municipal official or municipal employee shall use his or her position or office and any confidential information acquired by a municipal official or municipal employee through his or her office or position to further such official's or employee's personal or financial interests, or interests of his or her spouse, child, child's spouse, parent, grandparent, brother or sister or a business with which the person is associated.

(5) No municipal official or municipal employee may appoint or hire, or participate in influencing the appointment or hiring of his or her spouse, child, child's spouse, parent, grandparent, brother or sister or a business with which the person is associated for any type of employment with the municipality, including by contract, unless the contract is competitively bid. No municipal official or municipal employee may directly supervise his or her family member or any business with which the person is associated. No municipal official or municipal employee may exercise authority or make recommendations with regard to personnel actions involving such family member or any business with which the person is associated.

(6) No municipal official or municipal employee, or a member of his or her immediate family, or a business with which the person is associated shall enter into a contract with the municipality valued at five hundred dollars

or more, other than a contract of employment as a municipal employee, or pursuant to a court appointment, unless the contract has been awarded through a process of public notice and competitive bidding.

(7) No municipal official or municipal employee shall represent anyone, other than the municipality, concerning any matter before any board, commission, council, committee or department of the municipality.

(8) Nothing herein shall prohibit or restrict a municipal official or municipal employee from appearing before any board, commission, council, committee or department of the municipality on his or her own behalf, or on behalf of a member of his or her immediate family, or from being a party in any action, proceeding or litigation brought by or against such municipal official or municipal employee to which the municipality is a party.

(9) No former municipal official or municipal employee shall represent anyone for compensation before any municipal board, commission, council, committee or department in which he or she was formerly employed at any time within a period of one year after termination of his or her service with the municipality.

(10) No former municipal official or municipal employee shall represent anyone other than the municipality concerning any particular matter in which he or she participated personally and substantially while in municipal service.

(11) No former municipal official or municipal employee shall disclose or use confidential information acquired in the course of and by reason of his or her official duties, for financial gain for himself or herself or others.

(12) No former municipal official or municipal employee who participated substantially in the negotiation or award of a municipal contract obliging the municipality to pay an amount of twenty-five thousand dollars or more, or who supervised the negotiation or award of such contract shall seek or accept employment with a party to the contract other than the municipality for a period of one year after his or her resignation from municipal office or position if his or her resignation occurs less than one year after the contract is signed.

Sec. 3. (NEW) (*Effective October 1, 2019*) (a) Not later than January 15, 2021, each municipality shall submit a notice to the Office of State Ethics stating whether the municipality has complied with the requirements of section 1 of this act. Such notice shall include a copy of such municipality's code of ethical conduct that includes the minimum provisions described in subsection (b) of section 1 of this act.

(b) Not later than January 1, 2022, the Office of State Ethics shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to ethics. Such report shall indicate the status of the compliance of each municipality with the requirement of section 1 of this act.

Sec. 4. (NEW) (*Effective October 1, 2019*) Not later than October 1, 2020, the Office of State Ethics shall employ an ethics education instructor, who shall be in classified state service, to conduct municipal ethics education program, at least annually, for municipal officials and employees for the purpose of educating such officials or employees as to the requirements of the minimum provisions described in subsection (b) of section 1 of this act. The Office of State Ethics shall be appropriated sufficient funds to support the municipal ethics education program described in this section.

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,

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 townsman. 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.

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



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-0461

Agenda Date: 4/9/2025

Agenda #: 2.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Discussion and possible action to draft an Ordinance regarding the raising of Unofficial-Third-Party Flags on Town Property.

Background:

Town Council June 12, 2024 Meeting: In response to a proposal to raise the Pride-Progressive Flag in-front of Town Hall in recognition of Pride Month (June) several residents provided comments both for and against the flying of Un-Official-Third Party Flags on Town Property.

Link to 6/12/2024 Minutes:

[Meeting Minutes \(legistar.com\) <https://ledyardct.legistar.com/View.ashx?M=M&ID=1159053&GUID=8D4AFDB8-45E7-40B2-9550-579227DAEB67>](https://ledyardct.legistar.com/View.ashx?M=M&ID=1159053&GUID=8D4AFDB8-45E7-40B2-9550-579227DAEB67)

Link to 6/12/2024 Video:

[Town Council on 2024-06-12 7:00 PM - Regular Meeting \(granicus.com\) <https://ledyardct.granicus.com/player/clip/968?view_id=1&redirect=true>](https://ledyardct.granicus.com/player/clip/968?view_id=1&redirect=true)

In the absence of a Policy or Ordinance regarding the subject of flying of Un-Official-Third Party Flags on Town Property; Chairman Rodriguez referred the subject to the Administration Committee to research.

Department Comment/Recommendation:

(type text here)

Mayor Comment/Recommendation:

(type text here)

Body:

(type text here)

Department Comment/Recommendation:
(type text here)

Unofficial Flags on Town and School Property

By: Taylorann Vibert, Graduate Fellow
May 7, 2024 | 2024-R-0078

Issue

Summarize the law governing unofficial flags on town property and school property in Connecticut.

The Office of Legislative Research is not authorized to provide legal opinions and this report should not be considered one.

Summary

Although the federal government provides guidance on how to fly unofficial flags in relation to the U.S. flag, both federal and state law are silent on the issue of unofficial flags on town property. This issue is primarily governed by town policies and municipal ordinances. In Connecticut, these policies and ordinances typically either (1) prohibit all unofficial flags but provide exceptions for certain military and departmental flags or (2) allow unofficial flags on a case-by-case basis upon approval by the town council or board of selectmen.

Town ordinances may include disclaimers that the flags are not intended to serve as a forum for public expression, but rather as a non-public forum to display government speech. A 2022 U.S. Supreme Court case, *Shurtleff v. City of Boston*, discussed below, held that a municipality may raise one unofficial flag but decline to raise another flag if it is done as an expression of governmental speech, rather than as a restriction on private speech in a public forum.

Some towns have policies and ordinances that are specific to flags flown on school property. Further, in light of the decision in *Shurtleff*, the Connecticut Association of Boards of Education (CABE) [advises boards of education to adopt policies](#) on unofficial flags flown on school property and provides model policies and procedures districts may consider (beginning on page 5).

Flags on Town Property Generally

Neither federal nor state law restricts whether or which flags may be flown in addition to the U.S. flag. The U.S. Flag Code provides guidance on how additional flags should be displayed with the U.S. flag but does not restrict other flags from being flown with it ([4 U.S.C. §§ 4-10](#)). For an overview of federal flag law, see this [Congressional Research Service report](#).

The issue of whether and which unofficial flags may be flown on town property is primarily governed by municipal law, typically through policies or ordinances.

Examples of Towns' Flag Policies and Ordinances

Unofficial Flags Generally Prohibited. Several towns, including Berlin, Southington, and Tolland, among others, have adopted policies or ordinances that generally prohibit unofficial flags with certain exceptions.

[Berlin's policy](#) generally prohibits flying unofficial flags but provides exceptions for (1) certain military flags (e.g., POW/MIA flags, U.S. armed forces, military units) on property used as a veteran's memorial, at the discretion of the town's veterans committee; (2) the official department flag and, with approval from the town council, flags honoring first responders at police and fire departments; and (3) Thin Blue Line, Thin Red Line, and FDNY/MIA 9/11 flags at fire departments. It specifies flagpoles are not intended to serve as a forum for free expression.

[Southington's ordinance](#) prohibits the flying of unofficial flags but makes exceptions for POW/MIA flags, gives the town's veterans committee discretion to raise certain military flags on town property, and also allows the fire and police departments and schools to fly their official flags. It specifies that flagpoles are not intended to serve as a forum for free expression.

[Tolland's policy](#) prohibits unofficial flags except (1) certain military flags at a veteran's memorial and at the discretion of the veteran's committee; (2) service, remembrance, or public safety department flags at memorial parks; and (3) the public safety department flag at any of their stations or offices.

Unofficial Flags Generally Allowed. Other towns, including Easton, New Britain, and South Windsor, among others, have policies or ordinances that generally allow unofficial flags but impose certain restrictions or requirements.

[Manchester's policy](#) (beginning on page 19) allows unofficial (i.e., commemorative and organizational) flags on a designated flagpole upon request to and approval by the board of

directors. The board will not consider certain categories of flags (e.g., those of a particular religion, political party, business, or those that enable violence, discrimination, prejudice, or racism) and the policy does not apply to board of education-controlled properties. The policy specifies that flagpoles are not intended to serve as a forum for free expression.

New Britain's policy allows unofficial flags to be flown outside of city hall upon request but the city will not fly flags it determines are inappropriate, offensive, discriminatory, or controversial.

An ordinance in South Windsor allows unofficial (i.e., commemorative and organizational) flags on one designated flagpole upon request to, and supermajority plus one approval by, the town council. The council will not consider certain categories of flags (e.g., those of a particular religion, political party, or business, or those that enable violence, discrimination, prejudice, or racism). The ordinance specifies that flagpoles are not intended to serve as a forum for free expression.

Government Speech and Private Speech

While the law does not restrict towns from flying unofficial flags, it may prohibit towns from rejecting flags from being flown on town property if the town flagpole is used for private speech, rather than government speech.

The U.S. Supreme Court established that a government entity is entitled to say what it wishes and to select the views it wants to express (*Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 829 (1995)). A central issue in this “government speech doctrine” is identifying when speech is government speech versus private speech. In *Shurtleff v. City of Boston*, the Supreme Court recently distinguished between the two in the context of a municipal flag policy (*Shurtleff v. City of Boston*, 142 S. Ct. 55 (2021)).

In *Shurtleff*, the Court held that the city violated the First Amendment by refusing an individual’s request to fly what he described as a Christian flag when it had routinely approved applications to fly other unofficial flags on one of the three flagpoles outside city hall. The determination of whether the flag-raising was government speech was a fact-specific inquiry, focusing on whether the municipality intended to convey the flags’ messages as its own. The Court classified the third-party flag raising on Boston’s flagpole as private speech because the city did not have any meaningful involvement in the selection of the flags or the messages those flags would communicate. Since the flag-raising was private speech, denying the request to fly this flag violated the Free Speech Clause of the First Amendment as it “constitutes impermissible viewpoint discrimination.”

Generally, under the *Shurtleff* decision, a government entity may continue to use a flagpole to convey the government’s message and display the flags that the governing body selects. If a government’s flag-raising program constitutes government speech, then they may refuse to fly flagpoles based on viewpoint. However, if a government entity wishes to use their flagpole as a forum for private expression and allow private organizations and individuals to display flags, they have limited discretion to reject flags and cannot do so based on the content of the flag (i.e., the municipality may not be able to reject flags with controversial messaging). For more information about the decision in *Shurtleff v. City of Boston*, see OLR Report [2022-R-0241](#).

In response to the decision in *Shurtleff*, some towns are changing their flag policies. For example, in 2022, Enfield adopted [resolution 6230](#) (beginning on page 9) to fly the rainbow flag for the month of June “to inspire equity, create alliances, [and] celebrate diversity.” However, in January 2024, the Town Council adopted [resolution 6841](#) (beginning on page 16) which prohibits unofficial flags and limits the flags flown on town property to the American flag, the State of Connecticut flag, the MIA/POW flag, and the flags of the various military services of the United States.

Flags on School Property

Federal and State Law

State law requires that each local and regional board of education provide a United States flag for each schoolroom and requires the flags to be displayed in schoolrooms during each day school is in session ([CGS § 10-230](#)). A similar requirement exists in the U.S. Flag Code, which specifies that the U.S. flag should be displayed at every public institution, polling places on election days, and in schoolhouses during school days, among other places ([4 U.S.C. § 6\(e\)–\(g\)](#)).

Municipal Law

Town policies and ordinances may or may not apply to flags specifically on school buildings or property. For example, policies that regulate flagpoles “owned or maintained by the town” may apply to the extent flagpoles on school property fit within that definition.

Towns may also have a school-specific ordinance or resolution. For example, Southington’s [ordinance](#) specifies that any town property serving as an official school may only fly (1) the official school flag or (2) on the interior of school buildings, the official country flag of other sovereign nations with the approval of the school’s principal. As another example, in 2022, Stonington’s board of education adopted a resolution allowing teachers to display LGBTQ+ rainbow flags (see [pages 1-2](#)).

TV:co



MEMORANDUM

TO: Fred B. Allyn, III, Mayor, Town of Ledyard
FROM: Matt Ritter and/or Dori Pagé Antonetti
RE: Municipal Displays of Flags and the First Amendment
DATE: September 10, 2024

You recently shared that the Town of Ledyard (“Town”) currently flies only the United States, State of Connecticut, and military flags on Town flagpoles, and that the Town Council is considering whether to adopt an ordinance regarding the flying of flags on Town property. You asked for legal advice regarding flag-flying policies and the legal issues regarding same.

I. BACKGROUND

It is our understanding that the Town currently does not maintain a written policy or ordinance regarding flag flying but has consistently and uniformly permitted only the United States, State of Connecticut, and military flags (“Official Flags”) to be flown on Town flagpoles (“Town Flagpoles”). Recently, the Town received requests that the Town also raise affinity flags. It is our further understanding that the Town is still considering these requests, and as part of the process, the Town’s Administration Committee has the following item on its September 11, 2024 agenda: “Discussion and possible action to draft an Ordinance regarding the raising of Unofficial-Third-Party Flags on Town Property.”

II. MUNICIPAL FLAG-FLYING

As a threshold matter, given its current and longstanding practice, the Town has no legal obligation to fly any “unofficial third party flags” on Town Flagpoles. Therefore, the question is whether the Town wishes to permit flags other than the Official Flags to be flown on Town Flagpoles.

If the Town wishes to fly flags other than the Official Flags, it may choose to do so in either of two ways: (1) as government speech (in which case the flags are no longer unofficial third party flags, but express the views of the government on a particular matter), or (2) as private speech (in which case the flags represent private views but are allowed to be flown in a forum that has been opened for that purpose). If flags are flown as government speech, then the Town can choose what flags to fly, and what flags not to fly; in other words, the Town could refuse a flag based on its viewpoint. If, however, the Town creates a limited public forum for

private expression, then the government is constrained by the First Amendment. *See Amer. Italian Women v. City of New Haven*, 2022 WL 1912853, and *8 (D. Conn. 2022).

In *Shurtleff v. City of Boston, Mass. et al.*, 596 U.S. 243 (2022), the United States Supreme Court recently considered the issue of flag-flying pursuant to a government-sponsored program. On City Hall Plaza, the City of Boston hoisted flags on three flagpoles: (1) the American flag, (2) the Commonwealth of Massachusetts flag, and (3) (usually) the City of Boston's flag. The City also allowed groups to hold ceremonies on the plaza, during which groups were permitted to hoist their own flag (rather than the City of Boston flag) on the third flagpole. Over a twelve-year period, the City of Boston permitted the flying of fifty unique flags in almost 300 different ceremonies. However, it refused the request of a group to fly the "Christian Flag." When the group making the request sued, alleging a violation of its First Amendment rights, the City defended its actions on the basis that its decisions as to what flags would fly above City Hall constituted government speech. If the City was successful in making this argument, the City would be within its rights to prohibit certain flags based on their viewpoint.

In analyzing the City's argument, the Court clarified the scope of "government speech". As explained by the Court, the First Amendment does not prohibit the government from declining to express a view. "When the government wishes to state an opinion, to speak for the community, to formulate policies, or to implement programs, it naturally chooses what to say and what not to say." *Id.* at 251. The Court also noted that "the line between government speech and private expression can blur when ... a government invites the people to participate in a program." *Id.* at 252. In reviewing such speech, the Court noted that there must be a fact-specific inquiry to determine whether the government is speaking for itself or creating a forum for private speech. *See id.* This inquiry involves an examination of: (1) the history of the expression at issue (here, flag flying on a government plaza as part of a flag-flying program); (2) whether the public would tend to view the speech as attributable to the government or a private citizen/organization; and (3) the extent to which the government controlled the flag flying and shaped the messages being sent.

After reviewing these factors, the Court found that the first two were non-dispositive, but as to the third, the City did not engage in any meaningful consideration of the various requests to fly flags until the petitioner's request. Indeed, the City had no "meaningful involvement in the selection of flags or the crafting of their messages," and therefore the Court rejected the claim that the flags permitted to fly over City Hall should be considered government speech. Instead, the practice of permitting various flags to fly over City Hall was considered a limited public forum, and the Court concluded that the City violated the First Amendment, and engaged in impermissible viewpoint discrimination, by refusing to allow the petitioner to access to that forum and fly its "Christian Flag."

This case provides helpful guidance in evaluating three options that the Town may consider as related to flag flying on Town Flagpoles: (1) maintain the Town's current approach of flying only Official Flags as government speech, (2) allow additional flags to be flown as government speech, or (3) create a limited public forum and allow citizens to fly flags as an

expressions of their private speech. Each of these options involves different legal considerations and practical concerns, and we address each in turn below.

III. OPTIONS FOR CONSIDERATION

A. Option One: Maintain Current Approach and Display Only Official Government (U.S., State, and Military) Flags

The government (here, the Town of Ledyard) has the right to express its views on a particular matter and engage in government speech. Courts have held that government speech that expresses the view of government officials on particular topics does not create a limited forum for other speech.

As noted above, our understanding is that the Town currently does not maintain a written policy or ordinance regarding flag flying but has consistently and uniformly permitted only the Official Flags to be flown on Town Flagpoles. Consistent with the First Amendment, the Town may continue with this practice and deny requests by other organizations to fly flags on Town property.

This approach offers little legal exposure, as long as it is consistently and uniformly followed. In light of *Shurtleff*, however, if the Town wishes to maintain this approach, it may wish to adopt a resolution or ordinance to make clear that only the Official Flags will be flown on Town Flagpoles, and that the Town Flagpoles are in no way intended as a forum for speech.

B. Option Two: Allow Additional Flag(s) to be Flown as Government Speech and Display Only Those Flags Selected by the Town

The Town may choose to adopt an ordinance or pass a resolution that identifies the Official Flags – and other flags identified by the Town -- to be flown on Town Flagpoles as government speech. If the Town decides to pursue this approach, the Town is well advised, in light of *Shurtleff*, to ensure that it engage in meaningful consideration and active control of any flags proposed to be flown on Town property. These options are recommended for two reasons: (1) to ensure that no limited public forum (as discussed below) is inadvertently created, and (2) to ensure that the Town wishes to endorse each flag approved to be flown as its own speech.

If the Town wishes to pursue this approach, it should consider whether it will adopt an ordinance or resolution identifying, at the outset, the flags that will be flown as government speech or whether it will establish a policy and process for determining whether and how flags will be considered for approval as government speech. Such policy and procedure would need to be carefully written, and consistently implemented, to ensure that the Town engaged in meaningful consideration and active control of which flags were approved, lest it inadvertently open up a forum for other speech (in which case the limited public forum analysis, below, would apply).

This approach would allow the Town to express messages in a symbolic way. Practically, however, this approach raises a number of considerations, including but not limited

to: (1) the possibility that the process of determining whether certain flags should be flown as an expression of the government's views could, in and of itself, become divisive and/or consume Town resources and attention;¹ (2) whether and what types of restrictions and guidelines would be in place for flags other than the Official Flags (*e.g.*, size, quality, duration of display, etc.); and (3) how requests would be processed and approved by the Town.

C. Option Three: Create a Limited Public Forum by Allowing Citizens to Fly Flags on Town Flagpoles as Private Speech

The Town may choose to create a limited public forum and allow outside organizations to fly flags in order to express their own private speech. In such instance, the First Amendment would prohibit the Town from discriminating against citizen speakers based on their viewpoint, including religious viewpoint, and may prohibit the Town from excluding certain classes of speech. *Rosenberger v. Rector and Visitors of Univ. of Virginia*, 515 U.S. 819 (1995) (“Once it has opened a limited forum, however, the State must respect the lawful boundaries it has itself set. The State may not exclude speech where its distinction is not “reasonable in light of the purpose served by the forum,” nor may it discriminate against speech on the basis of its viewpoint.”) (further citations omitted).

When considering this option, the Town is advised to be mindful that individuals and organizations may request a wide variety of viewpoints and perspectives to be placed on display on the Town Flagpoles, and determining whether and when any restrictions could lawfully be implemented could be time-consuming, disruptive, and costly.

* * *

We hope that this analysis is helpful to you. Please let me know whether and how we may be of further assistance as the Town considers these important issues. Thank you.

¹ *See, e.g.*, Jane Caffrey, “Dozens speak out amid debate over flying the ‘Thin Blue Line’ flag at Wethersfield town hall” (June 18, 2024), available at <https://www.nbcconnecticut.com/news/local/dozens-speak-out-amid-debate-over-flying-the-thin-blue-line-flag-at-wethersfield-town-hall/3315859/>.

42 Church Hill Road
Ledyard, CT 06339
September 10, 2024

Administration Committee
Ledyard Town Council

Dear Council Members,

My name is Lorraine Healy and I live at 42 Church Hill Road in Ledyard. I am sorry that I cannot attend your meeting in-person. I have another meeting to attend to at the same time.

I am writing to discuss the proposed ordinance regarding raising of unofficial third-party flags on town property. I am against changing the current unwritten practice but I am for making that policy official in an ordinance. I have read the accompanying documents, OLR Report unofficial flags 5-7-24 and Attorney Memo-Memo Re Flag Flying-2024-09-09. I believe the town will open itself up to more legal issues if it changes its current policy.

How are you going to decide which flags represent our town or are allowed to fly?
Unfortunately, in today's environment, nothing is simple. It seems like every flag today is associated with some political agenda. Flying one flag and not another does not bring people together, it divides people. People do not hate that flag or group. They just see it as unfair to favor one flag over another.

I believe it is in the best interest of the Town, to only fly the United States, State of Connecticut, and military flags ("Official Flags") on Town flagpoles. Citizens can fly any flag they want on their property.

Sincerely,

Lorraine Healy

Roxanne Maher

From: Fred Allyn, III
Sent: Wednesday, January 8, 2025 8:27 AM
To: Roxanne Maher
Subject: FW: Ledyard School Board Vote

Roxanne,

Please add this to the Admin proposed flag policy change. I believe it is not only applicable to the BoE but to Town properties as a whole.

Best,

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: Ethan Harris <harriseb89@yahoo.com>
Sent: Thursday, January 2, 2025 1:51 PM
To: Fred Allyn, III <mayor@ledyardct.org>; Kristen Chapman <mayoral.asst@ledyardct.org>
Subject: Ledyard School Board Vote

Good Afternoon Mayor Allyn,

My name is Ethan Harris, a long-time Ledyard citizen for 30+ years having grown up here as my hometown. I love Ledyard and my children do enjoy this town now as well as we have settled here for the foreseeable future and many of my children currently attend Ledyard Public Schools as well. That is the reason that I am writing to you today and please feel free to share my email with whomever it would pertain to.

It was brought to my attention that Ledyard Public Schools has been presented an opportunity to vote on the flying of the Pride flag as well as the BLM flag at our schools and that this vote will be sooner rather than later. However, it is my belief that this would be a mistake and open a large can of worms in our beloved hometown.

As citizens of the United States, we already have a flag that represents us as a nation. The American flag (although not perfectly at times) already represents our citizen's right to the freedom to live as they see fit. to live just as much as it

represents our freedom to worship how we see fit as well. Our nation longs for unity, and the damage of flying a different flag brings on two major issues. The first is that it tells children who identify as living alternative lifestyles that they are not represented under the American flag and that they are incompatible with one another. As an example, take a look at the pride flag of today; It currently has undergone numerous updates in order to adequately represent every single group that identifies in this manner. Instead of being represented under the one pride flag, they now have to represent EVERYTHING. Secondly, this now alienates other groups that do not share the same beliefs as that of the pride flag. How will people of faith such as Christians and Muslims and many others feel when they send their kids to schools that now represent what their faith does not? Our nation's flag should represent all of them, however, if you choose to fly the pride flag, I guarantee you that you will need to install 40 more flag poles as the same will become true of every other cause. No, instead let there be one flag, one nation, one united people.

As for the BLM flag. Black lives truly do matter, I stand by that as much as every other life that is precious. However BLM is not a cause, it is an organization and as an organization, they have no place in our schools. Will every organization be represented by a flag at our schools then? Will we need another 40 poles to fly every flag for every group and organization? Which flags will be excluded? Is Ledyard prepared to deal with lawsuits from organizations that feel underrepresented in schools?

The American flag represents the American experiment. We are not a perfect people, but we represent an unprecedented idea that a people can be united. I encourage the board to stand for inclusion and justice by affirming we are united under one single flag. The Flag that stands for a nation of united peoples. Thank you.

Sincerely,

Ethan B. Harris
Ledyard Resident.

Jan 4, 2025

To The Ledyard Town Council
From Mr. + Mrs. Clinton G. Babcock
residents of Ledyard

Upon hearing that the Town Council is planning to vote on flying a Gay flag at the Ledyard Senior High School, we want to make it known that we fully appose this move.

The only flag that needs to fly at the school is the United States Flag.

This is a move that would not be good for our children. It is against God's will and we would ask you to think again about making that a vote.

If you go ahead with that remember Hebrews 10:30-31.³⁰ The Lord will judge his people.³¹ It is a dreadful (fearful) thing to fall into the Hands of the Living God.

Please reconsider this plan!

Sincerely

Patricia +

Clinton G. Babcock

Roxanne Maher

From: Pamela Ball <pcball@earthlink.net>
Sent: Friday, January 24, 2025 11:05 AM
To: Roxanne Maher
Subject: Flying of flags at Town Hall

Dear Council,

I write to disagree with the proposed Ordinance to allow flags other than the American flag and State of Connecticut flag to be at Town Hall.

Town Hall is the “public government property” of every single resident in town and should not be used as a medium for supporting or not supporting any particular group or cause. Flags flown at Town Hall represent every resident in town and it is easy to imagine that each proposed flag will have supporters and dissenters. No matter how well-intentioned, it is not up to any town commission to mark the town as publicly supporting or not supporting any group or cause.

At a minimum, flags represent political, social, and religious affiliations, opinions and activities. It’s fine to display a flag on private, business or church property because it was chosen by the homeowner, business owner or church society. If third party placed an offending flag on private, business or church property, the owners or church would have every right to remove it. This proposal is allowing a “third party” of council members and/or town residents to fly a flag on property that belongs to all town residents. What if the town displays a flag that is offensive to a town resident? Can they ask for it to be removed and what are the chances that it will be removed? If it is removed, how can that be reconciled to the supporters? If it is not removed, how can that be reconciled to the dissenters? What if the offending flag is vandalized? What will be the consequences if the person is caught? What if the person isn’t caught?

It will be impossible to set forth non-controversial criteria to determine which flags are acceptable or and which are not. Defining such criteria will require making decisions about religions, ethics, ethnicities, gender, LGBTQ+, history, and more. Will flags be voted upon and by whom? Will the town residents be included in determining what flags are acceptable or not? Every single flag that will be proposed will have supporters and non-supporters thus every single flag will represent or insult any given resident; this is a lose-lose situation. If 5% of the town residents do not like a particular flag, will it be removed? 3%? 10% 2%? 20%? Who will tally the responses? Is council going to take the time and energy to address complaints and concerns for every flag? This does not seem a good use of their time and energy. Is council willing to take on the task of making sure proposed flags are acceptable to all? This too does not seem a good use of their time and energy.

Who will buy the flags? I would rather that all of my tax dollars go to support more important issues. I would not want my tax dollars to be used to purchase a flag that I might find offensive or even one that I support.

Consider our veterans and those in active duty service who often salute the American flag. If there is a flag being flown along with the American flag that they find offensive, it puts them in the position of saluting something that they do not support or not saluting the American flag.

Government buildings should fly government flags and should not be used to make or imply political or social statements.

There are many places and ways to show support for political, social, and religious affiliations and activities but flying flags other than the American flag and State of Connecticut flag at Town Hall will just invite controversy and stoke/reinforce social and political divisions.

Thank you for reading.

Pam Ball

Roxanne Maher

From: Fred Allyn, III
Sent: Wednesday, January 8, 2025 8:27 AM
To: Roxanne Maher
Subject: FW: Ledyard School Board Vote

Roxanne,

Please add this to the Admin proposed flag policy change. I believe it is not only applicable to the BoE but to Town properties as a whole.

Best,

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: Ethan Harris <harriseb89@yahoo.com>
Sent: Thursday, January 2, 2025 1:51 PM
To: Fred Allyn, III <mayor@ledyardct.org>; Kristen Chapman <mayoral.asst@ledyardct.org>
Subject: Ledyard School Board Vote

Good Afternoon Mayor Allyn,

My name is Ethan Harris, a long-time Ledyard citizen for 30+ years having grown up here as my hometown. I love Ledyard and my children do enjoy this town now as well as we have settled here for the foreseeable future and many of my children currently attend Ledyard Public Schools as well. That is the reason that I am writing to you today and please feel free to share my email with whomever it would pertain to.

It was brought to my attention that Ledyard Public Schools has been presented an opportunity to vote on the flying of the Pride flag as well as the BLM flag at our schools and that this vote will be sooner rather than later. However, it is my belief that this would be a mistake and open a large can of worms in our beloved hometown.

As citizens of the United States, we already have a flag that represents us as a nation. The American flag (although not perfectly at times) already represents our citizen's right to the freedom to live as they see fit. to live just as much as it

represents our freedom to worship how we see fit as well. Our nation longs for unity, and the damage of flying a different flag brings on two major issues. The first is that it tells children who identify as living alternative lifestyles that they are not represented under the American flag and that they are incompatible with one another. As an example, take a look at the pride flag of today; It currently has undergone numerous updates in order to adequately represent every single group that identifies in this manner. Instead of being represented under the one pride flag, they now have to represent EVERYTHING. Secondly, this now alienates other groups that do not share the same beliefs as that of the pride flag. How will people of faith such as Christians and Muslims and many others feel when they send their kids to schools that now represent what their faith does not? Our nation's flag should represent all of them, however, if you choose to fly the pride flag, I guarantee you that you will need to install 40 more flag poles as the same will become true of every other cause. No, instead let there be one flag, one nation, one united people.

As for the BLM flag. Black lives truly do matter, I stand by that as much as every other life that is precious. However BLM is not a cause, it is an organization and as an organization, they have no place in our schools. Will every organization be represented by a flag at our schools then? Will we need another 40 poles to fly every flag for every group and organization? Which flags will be excluded? Is Ledyard prepared to deal with lawsuits from organizations that feel underrepresented in schools?

The American flag represents the American experiment. We are not a perfect people, but we represent an unprecedented idea that a people can be united. I encourage the board to stand for inclusion and justice by affirming we are united under one single flag. The Flag that stands for a nation of united peoples. Thank you.

Sincerely,

Ethan B. Harris
Ledyard Resident.

Roxanne Maher

From: Roxanne Maher
Sent: Monday, February 10, 2025 7:07 AM
To: Town Council Group
Cc: Roxanne Maher
Subject: FW: Flag Policy

From: Judy Johnson <jegjohnson59@gmail.com>
Sent: Sunday, February 9, 2025 8:34 PM
To: Roxanne Maher <council@ledyardct.org>
Subject: Flag Policy

Dear Council,

I have been a happy resident in Ledyard for 32 years. I felt Ledyard was a great place to raise our 4 kids. I am disturbed by discovering the council wants to change the town flag policy and let 3rd party interest groups fly, on town property, a flag that supports their own special interests. Interests that divide us. I fully support their privilege to fly their flag on their own personal property.

As an example, my husband and I fly an Israeli flag in support of Israel because they were attacked on October 7th. Not everyone agrees with that so it would be wrong to fly an Israeli flag on town property. The same goes for every other flag other than the USA flag, CT state flag or the Ledyard town flag. These 3 flags we can all unite behind and fully support. Please keep Ledyard United and allow special flags to fly only on personal property.

Thank you,

Judy Johnson
243 Whalehead Road
Gales Ferry

Roxanne Maher

From: Sharon Pealer <pealerl@att.net>
Sent: Sunday, February 9, 2025 2:41 PM
To: Roxanne Maher
Subject: Flag policy

I wish to raise my voice in opposition to the proposed Flag policy change. Ledyard is a small town and the one thing that does represent all of her residents is that we live in the town of Ledyard, in the State of Connecticut and in the country of the United States. To start separating people out as one thing or another that is different than that is more divisive than inclusive. I would hope that the elected town council would not wish to divide the town residents by starting to fly flags that only honor one group and not honor another. Can we just all be thankful that we live in a small town that values all her residents and does not divide them. Thank you Sharon Pealer

Roxanne Maher

From: Candice Casavant <candice.joy@hotmail.com>
Sent: Monday, February 10, 2025 2:51 PM
To: Roxanne Maher
Subject: Flags?!!

Hello! I'm a veteran and resident in Ledyard. I oppose any other flags from flying over town hall besides American, state or POW. There are no other allegiances that we all hold and it isn't right to use the town hall to promote other causes. It seems that if you fly some flags, then you have to fly them all. Thanks for listening and for your hard work representing the Ledyard residents.

Candice Casavant

Sent from my iPhone

Roxanne Maher

From: Daniel Pealer <danieljpealer@gmail.com>
Sent: Monday, February 10, 2025 10:20 PM
To: Roxanne Maher
Subject: Regarding the Flag Ordinance

Dear Members of the Town Council,

I am writing to express my concerns regarding the proposed flag policy and to urge the council not to adopt it. While I understand that supporters of this policy believe it to be commendable, I fear their support is based more on hopeful objectives than on a careful consideration of potential consequences. I believe that implementing such a policy could lead to significant legal and social challenges. As the economist Friedrich Hayek once said, "We must judge the law by its results, not by its intentions." Due to having more familiarity with history and the law that is what I shall focus on.

Firstly, it is important to consider the legal implications of adopting an affinity flag policy. In the recent Supreme Court case, *Shurtleff v. City of Boston (2022)*, the Court addressed the issue of government endorsement of private speech. The City of Boston had a policy that allowed private groups to raise their flags on a city flagpole. However, when a religious group requested to raise their flag, the city denied the request, citing concerns about violating the Establishment Clause. The Supreme Court ruled in favor of the religious group, stating that the city's policy amounted to viewpoint discrimination and violated the First Amendment.

Similarly, in *Ste v. Biggers (2025)*, the Fifth Circuit Court of Appeals found that a presiding officer had engaged in viewpoint discrimination by silencing speech during public meetings. The court emphasized that government officials must remain neutral and not suppress speech based on its content or viewpoint.

Additionally, the Supreme Court case *Good News Club v. Milford Central School (2001)* further highlights the importance of viewpoint neutrality. The Court ruled that a public school violated the First Amendment by denying a religious club access to school facilities while allowing other groups to use the same facilities. The Court held that the school had engaged in viewpoint discrimination by excluding the religious club based on its religious viewpoint.

The final case I wish to bring up is *National Socialist Party of America v. Village of Skokie (1977)*. In this case, the Supreme Court ruled that the National Socialist Party of America had the right to hold a demonstration in Skokie, Illinois, despite the offensive nature of their message. The Court emphasized that the government cannot suppress speech simply because it is controversial or offensive, reinforcing the principle of viewpoint neutrality.

By adopting the proposed flag policy, the town could face similar legal challenges. If the town allows certain affinity groups to raise their flags while denying others, it could be seen as endorsing or favoring particular viewpoints thus violating the critical principle of viewpoint neutrality. This could open the town to litigation and potential liability for violating the First Amendment rights of individuals and groups. The current policy of only flying the American Flag and the State Flag maintains viewpoint neutrality and avoids all of these issues

In conclusion, while I am sure the intent behind the affinity flag policy is commendable, the potential legal issues and divisive impact on the community make it an unwise choice. I respectfully request that the council reconsider this policy. If the town council still wants to fly a new flag in the town I would recommend that a contest be held to design a new flag to represent the entire town, I am sure that we'd get plenty of fantastic proposals.

Thank you for your time and consideration.

Sincerely,

Daniel Pealer.

Roxanne Maher

From: Kyle Dykes <kyledykes977@gmail.com>
Sent: Monday, February 10, 2025 5:38 PM
To: April Brunelle; Jessica Buhle; Carmen Garcia Irizarry; Kevin J. Dombrowski; Gary Paul; Tony Saccone; Gary St. Vil; Naomi Rodriguez; Timothy Ryan; Town Council Group
Cc: Fred Allyn, III
Subject: Third Party Flag Ordinance

Town Council,

Good evening. My name is Kyle Dykes and I am the pastor of Gallup Hill Baptist church and have been a resident of Ledyard for the past 11 years. I am writing to you in light of your impending discussion and decision on raising unofficial third-party flags on town property to encourage you to abandon the pursuit of the ordinance.

First of all, I believe we have some goals in common here. We desire all people in our town to flourish and thrive regardless of their religion, political ideology, sexual preferences, etc. I love our town. Gallup Hill Baptist Church loves this town. We pray earnestly for its success and flourishing and ask God bless this town. We all benefit in a town that thrives.

However, this ordinance will negatively impact the flourishing of the town regardless of what type of flag you choose to fly for the following reasons:

- The town, our schools, etc. should be places of ideological neutrality. By raising the flag of a particular group you are in effect saying - we favor this group above others. It communicates support to one particular group while at the same time communicating opposition towards any that disagree with it. For example, If you choose to fly the LGBTQ flag, you will automatically communicate to culturally conservative residents, Orthodox Muslims or Jews, historically orthodox Christians that their beliefs and concerns are secondary and un-favored. While the decision will seem inclusive to some; it is automatically exclusive to others.

- How will you decide which third party flags to fly? If you fly the flag of one group, then you automatically open the door to flying the flag for ALL groups. What will you say when someone asks you to fly a Palestinian flag? An Islamic Jihadist flag? The Christian flag? A Satanist flag? This is a Pandora's box that should remain closed.

It is in the best interest of all of Ledyard's residents to make sure our town stays neutral. Fly flag of our country and our state, that's it. We can all unite under those flags; any others will divide us.

Kyle and Marcia Dykes

Roxanne Maher

From: Roxanne Maher
Sent: Monday, February 10, 2025 3:36 PM
To: Town Council Group
Subject: FW: Flags

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

From: Jeanne Allyn <jeanneallyn@icloud.com>
Sent: Monday, February 10, 2025 2:38 PM
To: Roxanne Maher <council@ledyardct.org>
Subject: Flags

I hope the Council will use common sense and deny the request for more flags. How many more poles will have to be installed to take all flags that will be requested— and MORE will be requested!
If you are smart , you will see the wisdom in denying the flag request.
Sent from my iPhone

Roxanne Maher

From: Barbara Kil <barbarakil2020@gmail.com>
Sent: Tuesday, February 11, 2025 7:11 AM
To: Roxanne Maher
Subject: Third Party Flag

As a Ledyard Resident (50 Seabury Avenue) I would like to express my strong Opposition to the proposed Change to the Long Standing "Policy" in Ledyard for Town Property.

I support the Flying of the Flag of the United States of America , The State of CT and the Town of Ledyard . These flags represent all of the residents of our town, other flags might not be supported by everyone. I would say the examples of such flags are too numerous to list. Well, maybe I can't go without an example ; Black Lives Matter But so do the Lives of the Unborn. Can we support flying a flag supporting the Pro Life Position? I also would Love to see a Keep Christ in Christmas flown for the month of December. And Certainly no one would object to the Thin Blue Line Flag??

I am sorry that I will be out of town on Wednesday night and unable to speak in person

I would add that I am also a member of the Ledyard Republican Town Committee , at our monthly meeting tonight we voted unanimously in opposition to this proposed policy
Barbara kil

Get [Outlook for iOS](#)

Roxanne Maher

From: Roxanne Maher
Sent: Monday, February 10, 2025 3:36 PM
To: Town Council Group
Subject: FW: Regarding flag flying

Tracking:	Recipient	Read
	Town Council Group	
	Jessica Buhle	Read: 2/10/2025 3:38 PM
	Carmen Garcia Irizarry	Read: 2/10/2025 4:26 PM
	Timothy Ryan	Read: 2/10/2025 5:49 PM
	William Barnes	Read: 2/10/2025 7:10 PM

From: Mike Krupansky <krupansky@gmail.com>
Sent: Monday, February 10, 2025 3:08 PM
To: Roxanne Maher <council@ledyardct.org>
Subject: Regarding flag flying

To whom it may concern,

This note is to let you know that I DO NOT support the Town of Ledyard flying any other flag than the official flag of the United States of America and the state flag of Ct or a POW flag.

Supporting any other cause is not consistent with unity of all. It is creating division. If not all support a flying flag, it's that same as misrepresenting those who are not in agreement.

Having said that, people are free to fly whatever flag they choose on their own property.

Just not in a public place in representation of all.
We are AMERICAN first...

Thank you,
Christine Krupansky

Roxanne Maher

From: Kathleen Magro <kmagro@sbcglobal.net>
Sent: Monday, February 10, 2025 2:23 PM
To: Roxanne Maher
Subject: Flying Flags

I am writing this email to oppose flying any flag other than the American, State, and POW over Town Hall.

Kathleen Magro

[Sent from AT&T Yahoo Mail on Android](#)

Roxanne Maher

From: Lisa Maloney <lmaloney6826@gmail.com>
Sent: Monday, February 10, 2025 3:54 PM
To: Roxanne Maher
Subject: Third Party Flags

I am writing as a 35 year Ledyard Resident to speak out against Third Party Flags being flown at any town property. I believe the only flags on town property should be the US Flag and CT Flag. Once you start flying flags for one group you must fly flags for all groups.

If residents want flags supporting different groups they can fly them from their homes. I believe this would open the door to conflicts we do not need.

Lisa Maloney
Gales Ferry CT.

Roxanne Maher

From: Michael Riegert <riegertmr@icloud.com>
Sent: Monday, February 10, 2025 6:10 PM
To: Town Council Group
Subject: Third Party Flags

Dear Town Council,

I am writing this email after having been made aware of the upcoming discussion relating to an Ordinance for unofficial flags.

It is my recommendation that the town enact an ordinance to only fly the official flags on town property.

Thank you,

Mike Riegert
6 Meeting House Ln
Ledyard CT

Roxanne Maher

From: William D. Saums <bsaums@centechsolutions.com>
Sent: Monday, February 10, 2025 5:43 PM
To: Roxanne Maher
Subject: Public Comment re flags at Town hall

Dear Councilors:

As you all know, I served on the Town Council for many years, and during one of my recent terms, the Council considered and rejected a request to fly the Pan-African flag.

While I thought the request was a worthy gesture, doing so would set a precedent and open the Town to requests to fly other, less acceptable flags.

Speaking as a citizen, I do not want to see an American Nazi party flag flying over Town Hall, and these days; it would not surprise me if the Town found itself on the receiving end of such a request and in the middle of an unnecessary legal battle.

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: wrthorne@comcast.net
Sent: Monday, February 10, 2025 4:01 PM
To: Roxanne Maher
Subject: Third Party Flags

February 10, 2025

To: Chairperson, Ledyard Town Administration Committee

From: William & Gillian Thorne, 3 Adios Lane Ledyard, CT

Subject: Unofficial-Third-party Flags on Town Property

We are writing to express our concerns regarding the proposed ordinance allowing Third Party Flags to be flown on Town Property. As you are aware, this is a complicated and contentious issue that has led to several legal challenges and ultimately to the Supreme Court. The Supreme Court has made it clear that flags flown on Town Property are not Private Speech but Government Speech (i.e. the government is speaking for all of us through these flags). Separating Private Speech from Government Speech seems to be the only way to stay clear of Free Speech legal issues.

It is clear to us that as Americans and State of Connecticut residents, allowing our government to speak for us through the American Flag and State of Connecticut Flag is totally justified and proper. However, things get complicated beyond that. The town would have to frequently decide, as requests are made, what it wants to allow as Government Speech (i.e. speech representing the residents of the town).

The Town could designate a flagpole (such as the one on the Town Green) for private speech and allow flags to be flown that might not have majority support among town residents but that opens the town up to all kinds of issues when a flag is rejected for what seems like a logical reason (such as the Palestinian or Israeli Flag) but the town should be prepared to justify their rejection (possibly in court).

As things stand now, we have a simple and straightforward policy regarding flags flown on Town Property that has been around for decades. We shouldn't complicate things and open the town to litigation. Town residents, businesses and organizations are free to fly whatever flag they choose. In those cases, they are speaking for just themselves and not the town as a whole.

We vote for keeping things as they stand, simple and straightforward with little chance of legal complications.

Bill Thorne
3 Adios Lane
Ledyard, CT 06339
Cell: 860 287-0494

Roxanne Maher

From: Eric <bsaofnl-eric@yahoo.com>
Sent: Monday, February 10, 2025 10:03 PM
To: Town Council Group
Cc: Roxanne Maher
Subject: A Few Reasons Why Third-Party Flags Should Not Be Flown At The Town Hall

To the Admin Committee and the Ledyard Town Council.

I am opposed to allowing third-party flags to be flown at the Town Hall for the following reasons:

1. Third-party flags can symbolize specific groups that promote views that are divisive or are incompatible with some faiths.
2. Third-party flags often symbolize the goals, issues, and policies that unify the organizations they represent – goals, issues, and policies that should not be encouraged by government.
3. The government should never fly third-party flags that may promote a desire to publicly shame or intimidate those who disagree with the goals, issues, and policies of the organizations the flags represent.
4. The benefits of flying third-party flags will seldom outweigh the risk of damage to the reputation of our town and its leaders.

Respectfully,

Eric Treaster

Roxanne Maher

From: Dayle Wilder <dayle98@me.com>
Sent: Monday, February 10, 2025 3:38 PM
To: Roxanne Maher
Subject: LGBT Flag

As a Ledyard Taxpayer and resident for over 40 years I emphatically Object to the idea of flying a Political and highly provocative flag on our Town Hall property.

We all need to unite and live as good neighbors to one another. This is Not the way to do that.

I am appalled and ashamed that the council could even have considered this divisive display of politics that will cause more harm among residents than good.

If you ever intend to run for public office again, I will work hard to see that those council members who are pushing this on Ledyard residents Never get elected again.

Dayle Wilder
98 Spicer Hill Road

Roxanne Maher

From: jchiangi@comcast.net
Sent: Wednesday, February 12, 2025 8:20 AM
To: Roxanne Maher
Subject: Council Meeting tonight

Please forward to the council for the meeting tonight.

2/12/2025

Town Council,

I has come to my attention that there is a discussion about flying flags specific to a group of people and/or causes. I am writing to emphasize the importance of the American flag as a powerful symbol of our nation's values and unity. The American flag is already a symbol for ALL.

The American flag represents freedom, democracy, and the sacrifices made by individuals who fought to uphold these ideals. It serves as a reminder of our nation's history, the good and the bad, and the diverse paths that have led us to today. When we see the flag waving, it inspires a sense of pride and belonging, uniting us as Americans regardless of our differences.

Moreover, the flag is a symbol of hope and resilience, reminding us that we can overcome challenges and strive for a better future together. It encourages us to reflect on the principles of liberty and justice for ALL!

Let us honor the American flag by embracing its significance and embodying the ideals it represents in our daily lives.

In summary, I believe only the American Flag and State Flag should be flown in Ledyard and military flags when needed.

John & Bettijean Chiangi
41 Sable Drive, Ledyard CT 06339

Dear Mr. Mayor, Council and Committee

I write this letter on behalf of my household of 3 in Ledyard.

I am writing to express my perspective on the practice of flying flags, explicitly advocating for the exclusive display of the American flag.

The American flag is a powerful symbol of our nation's values, history, and unity. When we display the American flag, we honor the principles of liberty, justice, and equality that are fundamental to our national identity.

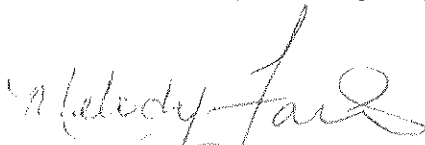

While I respect the sentiments associated with the Pride flag the Black Lives Matter flag and other flags that represent a specific group of people, I believe that flying the American flag exclusively emphasizes our shared citizenship and national identity. It reinforces the idea that we are all part of one nation, united under a common banner, and encourages us to celebrate our diversity within that framework.

I encourage us to focus on the American flag as a symbol representing all citizens and fostering a sense of unity and belonging among everyone. Together, we can honor our nation and work toward a future that upholds the values the flag embodies.

In conclusion - We ask that the Town of Ledyard only fly the American Flag as a symbol of all of us.

Thank you for considering our perspective.

Sincerely, Melody, Bradley & Tyler Farris | Address: 591 Colonel Ledyard Hwy, Ledyard CT 06339



Tyler Farris

Roxanne Maher

From: Whit Irwin <whitirwin6@gmail.com>
Sent: Tuesday, February 11, 2025 11:12 PM
To: Town Council Group
Cc: Roxanne Maher; Fred Allyn, III
Subject: Letter in Lieu of Appearance at the Ledyard Town Administrative Committee meeting of 12 Feb 2025
Attachments: 250211 Ltr to the TC-Flag Policy.pdf

All -

I regret that I cannot attend the Administrative Committee meeting tomorrow. I am working at that time, or I would speak to the Committee yet again. This is a reminder that I remain unwaveringly opposed to your reconsideration of the status quo regarding third party flags over Town Properties. My feelings on this have not changed, and your waiting for time to pass before bringing this topic to the table again is doubly angering. Rest assured I will bring your recalcitrance regarding this fringe matter to public view in the next election cycle.

Whit Irwin

February 11, 2025

Town of Ledyard, Town Council
741 Colonel Ledyard Hwy
Ledyard, CT 06339-1511

To the Town Council of Ledyard:

I believe that you, as an elected body, are making a grave misstep in reconsidering the current town norm regarding the banners to be raised on our town flagpoles. The town council has repeatedly brought this topic to various forums, and by pursuing this matter, you seem to be unwilling to listen to other views. I have stood in front of the Administrative committee and the Town Council a number of times to ensure at least one voice in opposition is actually heard at the meeting. As I am unable to attend the Administrative Committee meeting in any way, I submit this letter with the strongest recommendation to table this topic for the foreseeable future.

Flags raised over our public buildings should be limited to those standards which represent EVERYONE in our community: the National Flag, the State Flag, the Town Flag, Military Service Flags, and the POW/MIA Flag. Any other flags flying over our public properties will be exclusionary of some group, and this is unacceptable for an administration and council which should represent all the people of our town. For those people who wish a flag specifically to promote some cause or collection of people, they can raise those banners on their own properties and promote whatever cause they would like.

Upon no fewer than three occasions, the Council has been advised about the legal exposure in exercising control over third party flags to raise over public properties. In 2022, the City of Boston lost a legal challenge in the Supreme Court on this very issue, costing the City more than \$2,100,000 in legal fees alone, with restitution and penalties still to be awarded for depriving persons of their freedom of expression because that Council exercised control over which flags the City would display. If the exclusionary nature of third party flags alone is not enough to sway the Town Council to table the matter, the risk of legal exposure and monetary penalties should. Ledyard is not a rich town by any means, and the people are already burdened by significant local taxes. It would be a colossal failure of representation to open the Town to this exposure and the potential consequences.

In conclusion and plain language, please let this matter die in committee now and stop bringing it forward to anger Ledyard citizens. Recognize that if the legal consequences do occur, those who advocate for this policy and those members of the Town Council who vote for it should be held personally liable for the costs of litigation and penalties, rather than the Town.

With great caution,



W. S. Whitney Irwin
2 Winfield Way
Ledyard, CT 06339

February 12, 2025

Mayor & Town Council

I am writing to express my thoughts on a symbol that holds profound significance for all Americans: **the American flag**.

The American flag embodies the values of freedom, unity, and diversity. It serves as a powerful reminder that our nation is built on the principles of inclusion and equality. The **flag represents every individual**, regardless of race, religion, gender, or background. It is a symbol that celebrates the rich culture and experiences that make up our great nation.

Throughout history, the American flag has flown in moments of triumph and adversity. It has witnessed the struggles and sacrifices of countless individuals who fought for justice and equality. As we reflect on these moments, it is essential to recognize that **the flag is a representation of all people**—those who have come before us and those who continue to fight for a more inclusive future.

In recent years, discussions surrounding the flag have highlighted the need to ensure that its symbolism encompasses the voices and experiences of all Americans. It is crucial for us to foster an environment where everyone feels represented and valued by the ideals the flag stands for.

We need to come together to understand and celebrate the American flag as a symbol of hope and resilience for all.



Jami Allyn

602 Colonel Ledyard Hwy

Ledyard CT 06339

Roxanne Maher

From: Ted & Elfie Janacek <tnejanacek@gmail.com>
Sent: Wednesday, February 12, 2025 10:01 AM
To: Roxanne Maher
Cc: Teddy Janacek
Subject: 3rd Party Flag Flying- NO

Dear Ledyard Council, I am writing to you to oppose the flying of 3rd Party Flags on Town Property.

The flags authorized are the US Flag, State Flag and Ledyard Flag.

Many thanks, Theodore K. Janacek
11 Eagle Ridge Drive
Gales Ferry CT 06335

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: Anita Merando <armerando@gmail.com>
Sent: Friday, February 28, 2025 1:01 PM
To: Town Council Group; Roxanne Maher
Subject: Displaying Flags

To the members of the Ledyard Town Council,

I've listened to many people discuss the reasons to display or not display the Pride Flag and other flags that honor the diversity of our town's population. So many point to division, or the naming of differences. I'd like to advocate for a different interpretation.

Historic fact: We are a country of laws and social norms that have been defined by white men-- currently, 60 to 65% of lawmakers nationally are white men.

In my lifetime, the rights of LGBTQ+ individuals have not been recognized fully. Those of us who identify as "Straight" display our identity freely and in unencumbered ways in all aspects of our society. Our engagements, weddings, births, and deaths are all publicly acknowledged and honored.

Those of us who identify differently have been pushed to the margins. I've heard the argument that the US flag represents all of us, and I believe that it should. But the civil and legal rights of so many of us are still uncertain. There are movements afoot to roll back the hard fought civil and legal rights of specific groups. Let me ask my hererosexual married friends, when was the last time you had to worry about your marital rights being revoked?

Displaying the flag of those whose identities are not in the majority and represented fully by our primarily white society will not rectify social and civil inequities. However, it will highlight the fact that we are a diverse community and that there are contributions and perspectives beyond the majority viewpoint that are meant to be represented by our national, state, and military flags.

National celebrations of marginalized groups evolved because the civil rights and historic contributions of these people have been minimized. As a white cisgender woman, I feel no need to have a month set aside to acknowledge my identity, because it is represented clearly all around me. However, I do see the reason to acknowledge the hardfought rights of women. My own mother was born into a world where she couldn't enjoy the freedom to have her own checking account, to own property. or to receive medical care without the permission of a man. When we don't acknowledge the hardfought rights and contributions of underrepresented groups, we pretend that they didn't have to work hard to establish those rights. We pretend that they are accepted in ways that defy their lived experiences. We need to elevate everyone, and those of us who fit into a majority status can well afford to reflect on the fact that we are not all represented equally.

I not only advocate for the display of a Pride Flag, but wish that as a town we would follow monthly acknowledgments of underrepresented people, not as a divisive measure, but as a way to ask folk to remember that we are all here, in this small town, pursuing a more perfect union.

Thank you for your time and consideration,

Anita Merando
67 Homestead Rd
Ledyard, CT 06339

Roxanne Maher

From: Sue Johnson <suedebjohnson@gmail.com>
Sent: Wednesday, February 12, 2025 3:17 PM
To: Roxanne Maher
Subject: Flags

Hello

We just want it known that we are opposed to any flags other than the American, State and POW flags being flown over town hall.

Thank You

Sue & Paul Johnson



File #: 25-1570

Agenda Date: 4/9/2025

Agenda #: 3.

RESOLUITON

Motion/Request:

Discussion and possible action to draft a resolution establishing a Sustainable CT Ad-hoc Committee.

Background:

Town Council Meeting 3/11/2020

The Town Council adopted a “ *Town Of Ledyard Resolution Supporting Participation In The Sustainable Ct Municipal Certification Program* ”

The purpose of obtaining the *Sustainable CT Program* designation would enable the Town to apply for small grants that were targeted to improve the community such as *In Our Backyard* (IOB) Grants. She stated a link was provided in the supporting materials to the Sustainable CT website. She explained that the vision of Sustainable CT was for communities to *strive to be thriving, resilient, collaborative and forward thinking. They build community and local economy. They equitably promote the health and well-being of current and future residents; and they respect the finite capacity of the natural environment.*

Sustainable CT encouraged Municipalities to register and become certified, which involved doing certain actions, many of which Ledyard has already done such as:

- Thriving local economy
- Well sorted land and natural resources
- Vibrant and creative local ecosystems
- Dynamic and resilient planning
- Clean and diverse transportation system
- Efficient physical infrastructure & operations such as the complete streets/lighting
- Strategic and inclusive public services
- Healthy, efficient and diverse housing inclusive of equitable community impacts
- Innovation actions

With the adoption of the “*Town of Ledyard Resolution Supporting Participation in the Sustainable CT Municipal Certification Program*” Ledyard could be registered Ledyard as a Sustainable CT Member, which would allow them to apply for *In Our Backyard* (IOB) Grants. The IOB Grants was a grassroots funded effort, in which IOB would match local funds dollar for dollar for community initiatives such as the Town Green Improvements. In 2020 the maximum amount that IOB would match was up-to \$20,000.

The IOB Grant Program would be similar to a “*GoFundMe*” Page, noting as funds were raised on-line that the IOB would instantly match the funds. The public could donate money (individual donation could not exceed

\$1,000) and/or the Town could allocate funding for an initiative and the IOB Grant would match those funds dollar for dollar.

The IOB Investors would also help create a short video to showcase the project to post on-line as part of the Application Process to appeal to the public for funding. The IOB Grant program would provide funding for projects that would be an “*All inclusive proposed use*”; another words the project would need to benefit the entire community such as Town Green Improvements; the Ledyard Fairgrounds Improvements, Tri-Town Trail initiatives, Food Pantry equipment, etc. Projects such as a Christmas Tree would not qualify for funding because it was not all inclusive. Also, the Town would not have to always be the Applicant, explaining that the Tri-Town Trail Association, Church Groups or other Community Organization could apply for the IOB Grant. However, the maximum number of Applications the Community could have open at one time was five.

Towns such as Montville, New London, Stonington, East Lyme, and East Haddam have all become Sustainable CT Communities and have received IOB Grant Funding for a variety of initiatives.

Please see attached:

Ledyard Sustainable CT Resolution adopted 3/11/2020

East Haddam Resolution Sustainable Resolution

Department Comment/Recommendation:

(type text here)

Mayor Comment/Recommendation:

(type text here)

Body:

(type text here)



TOWN OF LEDYARD CONNECTICUT TOWN COUNCIL

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339-1551
(860) 464-3230
council@ledyardct.org

Chairman Linda C. Davis

TOWN OF LEDYARD RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE CT MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, Sustainable CT is a comprehensive, statewide, action-oriented voluntary certification program, built by and for municipalities, with the vision that: Sustainable CT communities strive to be thriving, resilient, collaborative, and forward-looking. They build community and local economy. They equitably promote the health and well-being of current and future residents. And they respect the finite capacity of the natural environment.

WHEREAS, Sustainable CT is designed to boost local economies, help municipal operations become more efficient, reduce operating costs, and provide grants and additional support to municipalities.

WHEREAS, the Town of Ledyard embraces an ongoing process of working toward greater sustainability, selecting which actions it chooses to pursue from the voluntary menu of actions provided by Sustainable CT.

RESOLVED, by the Ledyard Town Council that Director of Land Use & Planning is authorized to serve as the Town of Ledyard's Sustainable CT contact person for the Sustainable CT Municipal Certification process and authorize him/her to complete Municipal Registration on behalf of the Town of Ledyard.

RESOLVED, that to focus attention and effort within the Town of Ledyard on matters of sustainability, and in order to promote the Ledyard Town Council's local initiatives and actions toward Sustainable CT Municipal Certification, the Ledyard Town Council establishes an advisory Sustainability Team.

RESOLVED, that the first meeting of the Sustainability Team must be held within 90 days of passing this resolution and that the Sustainability Team shall meet as frequently as needed, but no less than quarterly.

RESOLVED, that the Sustainability Team shall report annually to the Ledyard Town Council on the progress of its activities toward Sustainable CT certification, with reports and presentations made publicly available.

Adopted by the Ledyard Town Council on: March 11, 2020

Linda C. Davis, Chairman

The above is a certified a true copy of a Resolution adopted by the Town of Ledyard at a meeting of its Town Council on March 11, 2020 and which has not been rescinded or modified in any way whatsoever.

IN WITNESS WHEREOF: The undersigned has affixed his signature and corporate seal on this _____ day of _____ 2020.

Patricia A. Riley, Town Clerk

(SEAL)

Emmett J. Lyman
First Selectman

Susan C. Link
Robert R. Smith
Selectmen

Board of Selectmen
TOWN OF EAST HADDAM
MUNICIPAL OFFICE COMPLEX
1 PLAINS ROAD
P.O. BOX 385
MOODUS, CONNECTICUT 06469



Office: 860-873-5021
Fax: 860-873-5025
Email: admin@easthaddam.org

BOARD OF SELECTMEN SUPPORTING RESOLUTION
(January 16, 2019 Meeting)

TOWN OF EAST HADDAM
Resolution Supporting Participation
In the Sustainable CT Municipal Certification Program

Motion made by Mr. Smith, seconded by Mr. Lyman, to adopt the following resolution:

WHEREAS, Sustainable CT is a comprehensive, statewide, action-oriented voluntary certification program, built by and for municipalities, with the vision that: *Sustainable CT communities strive to be thriving, resilient, collaborative and forward-looking. They build community and local economy. They equitably promote the health and well-being of current and future residents and they respect the finite capacity of the natural environment.*

WHEREAS, Sustainable CT is designed to boost local economies, help municipal operations become more efficient, reduce operating costs and provide grants and additional support to municipalities.

WHEREAS, East Haddam embraces an ongoing process of working toward greater sustainability, selecting which actions it chooses to pursue from the voluntary menu of actions provided by Sustainable CT.

RESOLVED, by the Board of Selectmen of the Town of East Haddam that we do hereby authorize Robert Smith, Selectman, to serve as East Haddam's Sustainable CT contact person for the Sustainable CT Municipal Certification process and authorize him to complete the Municipal Registration on behalf of the Town of East Haddam.

RESOLVED, that to focus attention and effort within East Haddam on matters of sustainability, and in order to promote East Haddam's Board of Selectmen's local initiatives and actions toward Sustainable CT Municipal Certification, the Town of East Haddam Board of Selectmen establishes an advisory Sustainability Team.

RESOLVED, that the first meeting of the Sustainability Team must be held within 90 days of passing this resolution and that the Sustainability Team shall meet as frequently as needed, but no less than quarterly.

RESOLVED, that the Sustainability Team shall report annually to the East Haddam Board of Selectmen on the progress of its activities toward Sustainable CT certification, with reports and presentations made publicly available.

Unanimous aye.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-091

Agenda Date: 4/9/2025

Agenda #: 4.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Any other Old Business proper to come before the Committee

Background:

(type text here)

Department Comment/Recommendation:

(type text here)



File #: 25-1715

Agenda Date: 4/9/2025

Agenda #: 1.

APPOINTMENT

Motion/Request:

MOTION to appoint Ms. Vanessa Sotelo (D) 8 Cedar Ridge Road, Ledyard, and an Alternate Member of the Parks, Recreation, & Senior Citizens Commission to complete a three (3) year term ending June 28, 2028, filling a vacancy left by Ms. Hawes.

Background:

Ms. Sotelo is a student at Connecticut Community College; and will be graduating with an Associates Degree in Sociology this spring and will be transferring to Eastern Connecticut State University this fall.

Ms. Sotelo is an active member of the Committee with the Democratic Town Committee and she enjoys the outdoors and engaging with community (Please see attached resume’)

Administrative Notes:

At the Town Council’s February 26, 2025 meeting Ms. Hawes was appointed as a Regular Member (moved from and Alternate Member)

Currently the Parks, Recreation, & Senior Citizens Commission has the following two vacancies:

- One Regular Member
- One Alternate Member (please see attached Roster)

Nominating Committee Recommendation:

DTC endorsed Ms. Sotelo’s appointment to the Parks, Recreation, & Senior Citizens Commission (see attached email dated)

Minority Representation - CGS 9-167a:

In accordance with Chapter IV; Section 8 of the Town Charter “Except as otherwise provided for in this Charter, the Town Council may appoint members to fill vacancies in other offices, boards, and commissions established by this Charter and by ordinance as vacancies may occur, and appointing members to such offices, boards, and commissions as may be created in the future. Such appointments shall be made by the Town Council for such terms and upon such conditions as provided in the respective ordinance”.

Chapter IV, Section 9: “In making appointments and removals, the Town Council shall act by the affirmative votes of at least a majority of all its members.

All members of boards, commissions, and committees contained in this Charter, or subsequently created under this Charter, except members of the Building Code Board of Appeals, the Fire Marshal, and the Deputy Fire Marshal(s), shall be electors of the Town at the time of their appointment and during their terms of office.”

Connecticut General Statutes

Sec. 9-167a. Minority representation. (a) (1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

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

(2) The provisions of this section shall not apply (A) to any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision, (B) to a legislative body of a municipality (i) having a town meeting as its legislative body or (ii) for which the charter or a special act, on January 1, 1987, provided otherwise or (C) to the city council of an unconsolidated city within a town and the town council of such town if the town has a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting or (D) to the board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty Thousand dollars.

(b) Prior to any election for or appointment to any such body, the municipal clerk, in cases of elections, and the appointing authority, in cases of appointments, shall determine the maximum number of members of any political party who may be elected or appointed to such body at such election or appointment. Such maximum number shall be determined for each political party in the following manner: From the number of members of one political party who are members of such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of subsection (a) of this section.

Application Form

Profile

Vanessa

First Name

Sotelo

Last Name

Middle Initial

vanessa.sotelo81@gmail.com

Email Address

8 Cedar Ridge Rd

Home Address

Suite or Apt

Gales Ferry

City

CT

State

06335

Postal Code

Home: (860) 449-2259

Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Parks, Recreation & Senior Citizens Commission: Submitted

Education & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I enjoy the outdoors and engaging with community

Community Involvement

Ledyard DTC

Educational Background

I am currently a student at Connecticut Community College. I will be graduating with my associates in Sociology this spring and will be transferring to Eastern Connecticut State University this fall.

Employer

[Ledyard Parks-](#)

[Recreation and Senior Citizens Commission -](#)

[Vanessa S.docx](#)

Job Title

Upload a Resume

Party Affiliation

Party Affiliation *

Democrat

Disclaimer & FOIA Information

Your attendance and active participation is important for the Committee to conduct its business. Any member of a Committee/Commission/Board who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Committee and the vacancy shall be filled, except that the Committee may vote to waive attendance requirements in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements. It shall be the responsibility of the Chairman of the Committee to notify the Town Council or Mayor's office when a member has not properly performed his/her duties.

Please Agree with the Following Statement

If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.

I Agree

Signature (type full name below)

Vanessa Sotelo

Roxanne Maher

From: So Rodriguez <ledyarddtcncnaomi@comcast.net>
Sent: Wednesday, March 19, 2025 1:09 PM
To: Roxanne Maher
Subject: Vacancy on Parks, Recreation and Senior Citizens Commission

Hello Roxanne,

The DTC Nominating Committee has voted on 3/12/25 to forward/recommend Ms. Vanessa Sotelo to fill the open alternate vacancy on the Parks, Recreation and Senior Citizens Commission. Thank you.

Respectfully,

Naomi Rodriguez, Chair
DTC Nominating Committee

PARKS, RECREATION AND SENIOR CITIZENS COMMISSION

	Name	Term Expiration
U	Hawes, Lauren 8 Warbler Way Gales Ferry, Connecticut 06335	6/28/2025
U	Crocker, Paula P.O. Box 452 1500 Route 12 Gales Ferry, Connecticut 06335	6/28/2025
U	DiRico, Kenneth Melanie Lane Gales Ferry, Connecticut 06335	6/28/2026
R	Finegan, Lucrezia 1331 Baldwin Road Gales Ferry, Connecticut 06335	6/28/2026
R	Vacant (Harding, Margaret Anne)	6/28/2025
U	Kent, Loretta 1363 Baldwin Hill Road Gales Ferry, Connecticut 06335	6/28/2027
D	Schneider, Carol 101 Inchcliffe Drive Gales Ferry, Connecticut 06335	6/28/2026
<u>Alternate Members</u>		
U	Vacant (Hawes, Lauren)	6/28/2027
D	Bacon, Stephanie 6 Patricia Court Gales Ferry, Connecticut 06335	6/28/2025

Town Council Appointment

3 Year Term 7 Regular Members; 2 Alternate Members



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-1716

Agenda Date: 4/9/2025

Agenda #: 2.

APPOINTMENT

Motion/Request:

MOTION to appoint Mr. Christian Allyn (U) 1010 Shewville Road, Ledyard, to the Cemetery Committee as a Regular Member, of for a three (3) year term ending April 26, 2028, filling a vacancy left by Ms. Staley.

Background:

Mr. Allyn has taken classes in history and has a Bachelors Degree in Business. He is currently employed as an Assistant Archivist for the Ledyard Historical Society.

Mr. Allyn has attended a few Cemetery Committee Meetings and he has also been involved with members of the Historical Society.

Mr. Allyn is interested in serving on the Cemetery Committee because he would like want to expand the knowledge he has gained through his work and experience with the Ledyard Historical Society. I have been involved in a few meetings with members of the Historical Society and the Cemetery Committee. (Please see attached resume')

Administrative Notes:

The Cemetery Committee has the following two vacancies:

- One Regular Member
- One Alternate Member (please see attached Roster)

Nominating Committee Recommendation:

DTC endorsed Ms. Sotelo's appointment to the Parks, Recreation, & Senior Citizens Commission (see attached email dated)

Minority Representation - CGS 9-167a:

In accordance with Chapter IV; Section 8 of the Town Charter "Except as otherwise provided for in this Charter, the Town Council may appoint members to fill vacancies in other offices, boards, and commissions established by this Charter and by ordinance as vacancies may occur, and appointing members to such offices, boards, and commissions as may be created in the future. Such appointments shall be made by the Town Council for such terms and upon such conditions as provided in the respective ordinance".

Chapter IV, Section 9: "In making appointments and removals, the Town Council shall act by the affirmative votes of at least a majority of all its members.

All members of boards, commissions, and committees contained in this Charter, or subsequently created under this Charter, except members of the Building Code Board of Appeals, the Fire Marshal, and the Deputy Fire Marshal(s), shall be electors of the Town at the time of their appointment and during their terms of office.”

Connecticut General Statutes

Sec. 9-167a. Minority representation. (a) (1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

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

(2) The provisions of this section shall not apply (A) to any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision, (B) to a legislative body of a municipality (i) having a town meeting as its legislative body or (ii) for which the charter or a special act, on January 1, 1987, provided otherwise or (C) to the city council of an unconsolidated city within a town and the town council of such town if the town has a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting or (D) to the board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty Thousand dollars.

(b) Prior to any election for or appointment to any such body, the municipal clerk, in cases of elections, and the appointing authority, in cases of appointments, shall determine the maximum number of members of any political party who may be elected or appointed to such body at such election or appointment. Such maximum number shall be determined for each political party in the following manner: From the number of members of one political party who are members of such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of subsection (a) of this section.

Application Form**Profile**

Christian

First Name

Allyn

Last Name

Middle
Initial

allyncg@comcast.net

Email Address

1010 Shewville Road

Home Address

Suite or Apt

Ledyard

City

CT

State

06339

Postal Code

Mobile: (860) 608-4434

Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Cemetery Committee: Submitted

Education & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I am interested in serving because I want to expand on my knowledge gained from my experience with the Ledyard Historical Society.

Community Involvement

I have been involved in a few meetings with members of the Historical Society and the Cemetery Committee.

Educational Background

I have taken classes in history and have a Bachelors Degree in Business.

Ledyard Historical Soceity

Employer

Assistant Archivist

Job Title

[Christian Allyn resume cemetery committee.docx](#)

Upload a Resume

Party Affiliation

Party Affiliation *

Independent

Disclaimer & FOIA Information

Your attendance and active participation is important for the Committee to conduct its business. Any member of a Committee/Commission/Board who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Committee and the vacancy shall be filled, except that the Committee may vote to waive attendance requirements in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements. It shall be the responsibility of the Chairman of the Committee to notify the Town Council or Mayor's office when a member has not properly performed his/her duties.

Please Agree with the Following Statement

If selected as a board member, I understand that information on this application is subject to the Freedom of Information Act (FOIA) and may be disclosed to anyone requesting this information.

I Agree

Signature (type full name below)

Christian Allyn

Christian Allyn

Ledyard, CT 06339 | 860-608-4434 | allyncg@comcast.net | Christian Allyn

Skills & Qualifications

- Management
- Adaptable
- Research
- Customer Service
- Motivated
- Time Management
- Problem Solving
- Communication
- Detail Oriented
- Analytical
- Leadership
- Organized

Technology: Microsoft Office Suite | Google Suite | Adobe Acrobat Pro

Certifications: CT Safe Boating Certificate, OSHA 30 Hour General Industry Certificate

Professional Experience

Assistant Archivist | Ledyard Historical Society | Ledyard, CT 10/2021 - Present

- Uploading images of historical artifacts into cloud-based collections management system.
- Performing data entry of the collection records into Past Perfect Museum software.
- Rehousing artifacts in preparation for upload into collections management system.
- Assisting the Archivist with internet research, record management, and communications.

Project Administrator Nuclear Records | Westinghouse | Waterford, CT 06/2023 – 12/2024

- Scanned calculations and drawings into network folder in preparation for upload.
- Inspected and edited scanned documents using Adobe Acrobat Pro software.
- Transferred document files from Adobe Acrobat Pro to Documentum.
- Entered data from calculations into Documentum for processing to Doctop.
- Confirmed the validity of the calculations using Attachmate Extra document database before processing.

Nuclear Site Access Representative | BHI Energy | Waterford, CT 02/2022 - 04/2022

- Collected and processed background information for supplemental personnel seeking nuclear facility access.
- Fingerprinted supplemental personnel while entering data into nuclear access software.
- Proctored supplemental personnel for psychological testing.
- Prepared files for each contractor before processing according to appropriate clearance level.

Education

Bachelor of Science, Business Administration | GPA 3.9 | 08/2020

Salve Regina University | Newport, RI

- Sigma Beta Delta and multiple Dean's List commendations.

Associate of Science, General Studies | 12/2018

Certificate, Environmental Health and Safety Management | 12/2018

Three Rivers Community College | Norwich, CT

- Phi Theta Kappa and National Society of Leadership and Success.

Volunteering

Archivist | Old Mystic History Center | Old Mystic, CT 08/2021 - Present

- Archiving scrapbook collection into Past Perfect Museum software.

Roxanne Maher

From: William Vidal III <william.vidalii@gmail.com>
Sent: Monday, March 24, 2025 7:06 PM
To: Roxanne Maher
Subject: Cemetery Commission New Member

Mr Godino reached out to me about Christian Allyn's application to the Cemetery commission. I am reaching out to state that we would endorse his application. Please let me know if you need anything from myself or the committee. Thank you.

Will Vidal

CEMETERY COMMITTEE

	Name		Term Expiration
U	Mr. Paul Krug 67 Pheasant Drive Gales Ferry, Connecticut 06335	(Military Veteran)	4/26/2026
U	Ms. Kristie-Gardiner-Lundgren 70 Iron Street Ledyard, Connecticut 06339		4/26/2026
R	Ms. Martha Reynolds 1684 Center Groton Road Ledyard, Connecticut 06339		4/26/2026
D	Mr. William Vidal, III 183 Spicer Hill Road Ledyard, Connecticut 06339	(Military Veteran)	4/26/2028
U	Vacant (Not Reappointed Staley, Jessica) Due to attendance record)	(Military Veteran)	4/26/2025

Alternate Members

D	Mr. Vincent Godino 1906 Center Groton Road Ledyard, Connecticut 06339		4/26/2028
R	(Vacant – Not Reappointed Marshall, Kimlyn) Due to attendance record)		4/26/2025

Town Council Appointment 3 Year Term 5 Regular Members 2 Alternate Members
(2 Military Veterans Required)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-090

Agenda Date: 4/9/2025

Agenda #: 3.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Any other New Business proper to come before the Committee.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)