



TOWN OF LEDYARD

Administration Committee

Meeting Minutes

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

Chairman S. Naomi
Rodriguez

Special Meeting Please Note Time 5:00 p.m.

Wednesday, May 14, 2025

5:00 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/87239085981?pwd=IPf4cHKCrvdmpuNI4ftkMTaW7CYUIr.1>

Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 872 3908 5981; Passcode: 659490

I CALL TO ORDER

the Meeting was called to order by Councilor Buhle at 5:08 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

Present: Kevin Dombrowski
Jessica Buhle

Excused: April Brunelle

S. Naomi Rodriguez Town Council Chairman
Deborah Edwards Resident
Roxanne Maher Administrative Assistant

III. APPROVAL OF MINUTES

MOTION to approve the Administration Committee Minutes of April 9, 2025

Moved by Councilor Dombrowski, seconded by Councilor Buhle

VOTE: 2- 0 Approved and so declared

RESULT: APPROVED AND SO DECLARED

MOVER: Kevin Dombrowski

SECONDER: Jessica Buhle

IV. BUSINESS OF THE MEETING

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

Councilor Buhle stated the purpose of tonight's meeting was to focus on reviewing and editing the proposed "*Ordinance to Establish an Ethics Commission for the Town of Ledyard*". She stated that she and Councilor Dombrowski each independently reviewed the proposed Ordinance that Councilor Garcia-Irizarry spent many hours working to draft.

- **Confidentiality** - Councilor Dombrowski stated that his biggest concern with the September 9, 2024 draft Ordinance was the confidentiality aspect; and how the complaints would be handled. He stated as currently written "*All hearings shall be open to the public and recorded*", as determined by the Ethics Commission. He stated that he would assume the hearing would be conducted after the "*Investigation of Probable Cause*" had been completed. However, he stated the proposed Ordinance stated that the Commission would determine if a "*violation of the code occurred*". However, he stated that this should still be at the confidentiality level but that the initial draft ordinance said that "*it shall be open to the public*".

Councilor Dombrowski went on to state that his objection was not the Ethics Commission, noting that it was the way the proposed Ethics Commission Ordinance was worded. He stated that it looked like it was finger pointing, because it did not keep matters confidential. He addressed the importance for the members of the Ethics Commission to feel safe in discussing the claims and in making their determinations based on the facts; without having every meeting open to the public.

Councilor Buhle stated that she understood Councilor Dombrowski's concerns and that she agreed with comments regarding confidentiality, and the importance to review claims and to hear evidence in executive session, noting that there may be some false claims. She stated you know how word of mouth goes, and that she did not want people getting tried in the court public opinion, just because somebody made an accusation. She noted in the past year and a half that she has served on the Town Council that she had heard comments that was misinformation and that she has told people that they had misinformation.

Chairman Rodriguez stated that she has heard comments about the Town Council paying for things that the Town Council did not pay for, noting that they of that it was paid by out of our pocket. Therefore, she stated if a false accusation comes, then

confidentially, they could provide a bank statement or other source to prove that the accusation was false.

Councilor Buhle stated that she understood their determination to make sure that the work of the Ethics Commission does not result in the misinformation that they discussed this evening. However, she stated that she also wanted to make sure they were setting up a process that would protect the town for decades to come, with perhaps some changes in the future, because she could not know where they would be 1- years from now. She went on to state that the biggest deterrent in establishing and Ethics Commission was trusting that the volunteer Commission Members would make the right choices. She stated what they do not need was a group of people making comments, or coming to the meetings to snicker in the background, or make comments such as “*Oh, that's a lie*”. She stated that she did not know whether they had residents that would do that. However, she stated the proposed Ordinance needed to be written to make sure they were following ethical procedures and making sure that what they were doing would not destroy someone’s reputation over a complaint. She stated that they could watch people go through an entire trial and be found not guilty, but that some people would say “*yeah, okay*”. She stated that she did not want to destroy somebody's livelihood or somebody's business or career over an ethical complaint.

- ***Governing State Statutes*** - Chairman Rodriguez requested clarification regarding the state statute Councilor Dombrowski was referring to. Councilor Dombrowski stated that CGS Chapter 10; Section 7-148(c)(10)(B) “*Investigation Conducted Prior to Probable Cause, Finding Shall be Confidential, except at the Request of the Respondent*”. He stated although he was paraphrasing that it essentially stated: “*If the investigation is confidential, the allegation is blatant. Any information supplied to or received from the office of State ethics will not be disclosed during the investigation to any third party*” He stated that this was the State Statute they should be following. He also noted that the CGS Chapter 90 “*Municipal Powers*” Section 7- 1-148 was also helpful.

Councilor Buhle stated in reading other town’s Ethic Commission Ordinances that she found Middlebury’s Code of Ethic easy to read. She suggested using the language from Middlebury for their definition of “*Financial Interest*”. She stated that they all own property in this town and they all have things going on. Therefore, she stated it was hard to find the balance between what was overstepping; or what was just running a business, etc. She noted the following language:

- ***Financial Interest:*** *No member of the Board of Selectmen or any other officer or employee of the Town shall be financially interested, directly or indirectly, either as principal, surety, officer, partner or otherwise, except as a minority stockholder or except as a director in a corporation, in any contract with sales to or purchases from the Town. The provisions of this section shall not apply to any contract awarded to the lowest responsible bidder after public advertisement.*

- ***Disclosure of Interest*** - Councilor Buhle noted in reading another town's Ethics Commission that their *Disclosure of Interest* stated the following: Any officer, official, or employee who has a private financial interest in any action, legislative or otherwise, by any town agency, or who is a member of, or participates in discussion with, or gives an official. Gives an official opinion to such town agencies, shall disclose, on the written records of such agency, the true nature and extent of such interest. This section shall not apply to contracts awarded to the lowest responsible bidder. After public advertisement, unpaid appointed officials, during a declared state of emergency. Matters requiring disclosure to or approval by a court, the town attorney, town engineer, or similar official, who is participating in the offering. An opinion on behalf of said agency, and whose financial interest is merely being paid for such services.

Councilor Buhle went on to note that it also included a Part B that stated the following: Every elected official, including justices of the peace, shall on or before January 1st each year file a *Disclosure of Interest Form* to be prepared by the town attorney, a statement under oath containing the following information:

- ✓ All real estate, located within the town of Ledyard, owned by such elected official, are held under release for a term exceeding 5 years, excluding power of his or her principal residence.
- ✓ The names of any firm proprietorship, proprietorship, partnership, or corporation, which such elective official is an employee, or which such elected official holds at least a 5% interest in which firm proprietorship, furniture, corporation, or limited liability corporation has sold or supplied goods in its for services in excess of \$10,000 per year, to the town of Ledyard, during the 2-years immediately preceding such an official election in office.
- ✓ Declare any income, fee, salary, or wages, directly or indirectly received by such elected official from the town or its political subdivisions during the 2-years immediately preceding such an election.

Councilor Buhle stated that there were more things listed; and that these were just ideas that the Committee would discuss. She noted that she would forward the language to the Administrative Assistant Roxanne Maher.

Councilor Dombrowski explained that currently under the Town Charter; Chapter III; Section 1 states the following:

“No member of the Town Council shall, during his term of office, except as provided in Section 2 of this chapter, hold or accept any position, office or employment under the government of the Town of Ledyard or any political subdivision thereof which is filled by appointment by the Mayor, Town Council, or any board or commission created by ordinance, Charter, or statute. No person holding any elected office under this Charter or provisions of any ordinance or of the General Statutes shall, except as provided in Section 2 of this chapter, be a member of the Town Council during his continuance in such office.”

Councilor Dombrowski stated that other towns may not already have this type of provision. He noted as an example a Ledyard Police Officer could not serve on the Town Council or on any other Town Committee/Commission/Board. Councilor Buhle stated that there may be parts from other towns Ethics Ordinances that were reasonable and made sense for Ledyard to include in their Ordinance and that other things may not make sense.

Councilor Buhle noted as an example that she was a small business owner in Ledyard. She stated that her Photography LLC Business does not directly have her name on the business, and for full disclosure that she does not receive any payment from the Town. However, she questioned in accordance with the proposed Ethics Commission Ordinance that if she completed the Disclosure Form on January 1st would she be required to turn down a job for the town to hire her LLC Business to take headshot photos of the whole town, even if she was not the photographer doing the actual photography work. Councilor Dombrowski stated even without the proposed Ethics Ordinance that Councilor Buhle's LLC Photography Business could not take the job. He explained that because she was an elected official that she could not apply for a contract that would be a financial benefit to her because as an elected official that she could not receive payment from the town. She stated that what Councilor Dombrowski explained made sense.

Councilor Dombrowski stated that he would make the grand assumption that everyone who was currently serving on the Town Council was following every ethical guideline 100% regardless if they had an Ethics Commission or not.

- **Gift:** The Administration Committee discussed the definition of "Gift" under Section 3; subparagraph 7 and what would be considered a negligible monetary value. They noted if someone received a baby blanket that was valued at \$45 or a flower arrangement that cost \$125.00 for a death in the family that these types of things would not be considered a "Monetary Gift" because the recipient would not be financially benefiting from the fact that they received flowers. The "Gift" the Ordinance was trying to address was something that would be a "*kick-back or a personal financial gain*" for receiving a government service or favorable outcome from the town. They noted examples of a *Kick-back* would be something such as: (1) If do this for me I will get you Taylor Swift Concert Tickets; or (2) If you approve my development application, I will give you Season Tickets to the Boston Celtics. The Committee agreed that although they were not opposed to the definition of gift with a monetary value of \$100.00; that they would change the value to **\$25.00**.
- **Membership** - The Administration Committee noted that the proposed Ordinance Establishing an Ethics Commission was calling for five Regular Members and two Alternate Members. Councilor Dombrowski suggested that they require that Minority Representation apply separately to each of the subsets: Regular Members and Alternate Members. He stated another words that they have a minority representation

among the five Regular Members and a minority representation among the two Alternate Members. He noted as an example the Planning & Zoning Commission which had both Regular Members and Alternate Members.

Councilor Buhle stated that she agreed with Councilor Dombrowski's idea that the two (Regular Members & Alternate Members) should be treated independently from each other with regard to Minority Representation. She went on to note that Glastonbury's Ethics Commission's Membership required that no more than 2 Regular Members may be affiliated with any one political party and that their Alternate Members may not both be affiliated with the same political party. In addition it required that at all times at least one Regular Member, and one Alternate Member had to be unaffiliated. She stated that this type of minority membership made sense, because by requiring that 2 members be Unaffiliated (1 Regular Member and 1 Alternate Member) that it would take the DTC and RTC out of the nominating process, noting that the unaffiliated applications would go through the Town Council Office. The Committee noted that they agreed with breaking up the party affiliation of the Commission's Members in the way that Glastonbury does it and that counting the minority representation between the regular members and alternate members would be a question for the Town Attorney.

Councilor Buhle suggested including term limits for the Ethics Commission. She stated that Ledyard has been fortunate that they have some dedicated residents who have served on Commissions for 25-years. However, she stated because of the restrictions that she thought that it would be reasonable to include language that stated after their initial 3-year appointment that the members of the Ethics Commission could serve for an additional two-terms which would be a total of 9-years. Councilor Dombrowski stated that he would agree with including a term limit provision.

- ***Distinguish between an Ethics Matter and Management of Town Employees*** - Councilor Buhle suggested they include language that would state that *"Care will be given to distinguish between concerns of management of town employees, and violations of the public trust. The daily management of employee performance is the responsibility of the mayor or superintendent. In the case of the employees of larger public schools, the personnel policy shall be the first guide in those areas where applicable. Similarly, the routine activities of the Commission shall be governed by its rules and regulations.* Councilor Dombrowski stated that the town has an Employee Handbook - Personal Policies, and other guiding documents.
- ***Findings/Sanctions*** - Councilor Buhle suggested they changes the number of votes regarding the findings of a violation be changed from 5 (unanimous) to 4 (majority). Councilor Dombrowski stated that he would like to research the number of required votes before they changed it.

- ***Conflict of Interest*** - Councilor Buhle noted that the Town Charter, Chapter IX; Section 6 pertained to “*Conflict of Interest*”. However, she stated because the proposed “*Ordinance Establishing a Ethics Committee*” included so much more information than the Town Charter regarding *Conflict of Interest and Disclosure* that she questioned whether the Town Charter would supersede the Ordinance or whether the Ordinance would be in conflict with the Town Charter.

Chapter IX; Section 6 of the Town Charter “*Conflict of Interest*” stated the following:

“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.”

Councilor Dombrowski provided an example of a *Conflict of Interest*, explaining when former Councilor John Marshall was serving that his wife was the Animal Control Officer. Therefore, he stated when the Town Council voted on the Police Labor Contract that Councilor Marshall had to state his *Conflict of Interest* and recuse himself from voting on the Police Contract. Councilor Buhle stated that this was where she had questions especially if people were determining their own conflicts, noting that it could

be hard for some people to determine; noting that some things were very obvious, but other things may not be so obvious. Councilor Dombrowski stated that *Ethics and Conflict of Interest* was about *financial gain*.

The Administration Committee continued by reviewing the proposed Ordinance, discussing each of their suggested changes; and by consensus agreed to the language and formatting changes as noted below in the draft dated May 14, 2024.

Councilor Buhle’s proposed changes were noted in pink italic font
Councilor Dombrowski’s proposed changes were noted in blue italic font

Councilor Buhle thanked Councilor Dombrowski for his input noting that she knew that he had a lot of concerns, but that she felt that they were coming to the table. She stated that she did not want to see the subject of an Ethics Commission to be something that was passed on party lines, noting that she wanted the proposed Ordinance Establishing an Ethics Commission to be something that could all agree with, and that they all felt that it was going to benefit the town in the long run, because that was what they were all here for.

Councilor Buhle continued by stating that she and Councilor Dombrowski would both provide their marked-up drafts to Administrative Assistant Roxanne Maher to incorporate their suggested revisions into the draft Ordinance for discussion and to potentially finalize at their June 11, 2025 meeting. She stated once the Committee believed that they had their best and final draft Ordinance that they would forward the document to the Town Attorney for their review and legal opinion and recommendations to ensure that their Ethics Commission would comply with the Connecticut General State Statutes.

RESULT: CONTINUE

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

Councilor Buhle noted the Administration Committee discussed a draft “*Resolution Supporting the Town’s Continued Participation in the Sustainable CT Municipal Certification Program And Establishing A Sustainable CT Ad Hoc Committee*” at their April 9, 2025 meeting. She stated although Land Use Director/Town Planner Elizabeth Burdick was not able to attend tonight’s meeting that she spoke with Ms. Burdick and with others about the *Sustainable CT Ad Hoc Committee* and its members. She stated that she agreed that the Committee should be comprised of town employees who could meet during the day versus asking our volunteer Commission members to serve on another Committee. She stated that they realize that their town employees were already stretched very thin and this would allow them to meet during their workday. She stated that she would continue to work on the Resolution to make the changes to the membership for their June 11, 2025 meeting.

RESULT: CONTINUE

V ADJOURNMENT

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

VOTE: 2 - 0 Approved and so declared, the meeting was adjourned at 6:01 p.m.

Respectfully submitted,

Jessica Buhle
Committee Chairman
Administration Committee

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