



# 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, June 12, 2024**

**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/83300373420?pwd=ho9awR9rKroWzRSumyJWFO5TpSJ6Kz.1>**

**Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 833 0037 3420; Passcode: 047912**

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

MOTION to approve the administration Committee Minutes of May 8, 2024

**Attachments:** [ADMIN-MIN-2024-05-08.pdf](#)

VI. OLD BUSINESS

- 1. Discussion and possible action to amend Ordinance #100-015 “An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard” as presented in the draft dated June 4, 2024.

**Attachments:** [ORD-#100-015-An Ordinance Establishing PMBC-DRAFT-2024-06-04.doc](#)

- 2. Any other Old Business proper to come before the Committee

VII. NEW BUSINESS

- 1. MOTION to reappoint Ms. Loretta Kent (U) 1363 Baldwin Hill Road, Gales Ferry, to the Parks, Recreation & Senior Citizens Commission, to complete a three (3) year term ending June 28, 2027.

**Attachments:** [Re-Appointment Endorsement-Parks Recreation & Senior Citizens ltr-2024-05-28.pdf](#)

2. Discussion and possible action on a proposed “An Ordinance Providing Tax Relief For Gold Star Families in the Town of Ledyard” as presented in the draft dated May 14, 2024.

**Attachments:** [ORD-GOLD STAR FAMILY TAX RELIEF-DRAFT-2024-05-14.docx](#)  
[Gold Star Family Tax Relief Application Form-2024-05-14.docx](#)  
[Summary Gold Star Family Tax Relief PA 17-65.docx](#)  
[PA-17-65-Gold Star Tax Exemption.pdf](#)

3. Discussion and possible action to amend Ordinance #100-011, “An Ordinance Establishing a Youth & Social Services Board for the Town of Ledyard” as presented in the draft dated June 4, 2024.

**Attachments:** [ORD#100-011 \(rev 2\) An Ordinance Establishing a Youth & Social Services Board 6.4.2024 Ordinance](#)

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

**Attachments:** [Ordinance Establishing a Ledyard Code of Ethics-2019-03-05.docx](#)  
[Acknowledgement Form-Code of Ethics-DRAFT.docx](#)  
[Attorney Diette Review-Ethics Ordinance email-2018-10-23.pdf](#)  
[ACC Municipal Ethics - Minimum Provisions \(2019\).docx](#)  
[Representative France-Code of Ethics E-mail 2019-03-04.pdf](#)  
[CGS - CHAPTER 10-ETHICS PUBLIC EMPLOYEES.docx](#)  
[House of Representatives HB 6502 Ethics Reform 2008-07-09.pdf](#)

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

#### IV 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

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**File #:** 24-0482

**Agenda Date:** 6/12/2024

**Agenda #:**

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## MINUTES

**Minutes:**

MOTION to approve the administration Committee Minutes of May 8, 2024



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, May 8, 2024

5:30 PM

Town Hall Annex Building

**DRAFT**

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

Councilor Garcia-Irizarry 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
April Brunelle	Town Councilor	Present	In-Person	5:30 pm	6:11 pm
Kevin Dombrowski	Town Councilor	Late	In-Person	5:42 pm	6:11 pm
Carmen Garcia-Irizarry	Committee Chairman	Present	In-Person	5:30 pm	6:11 pm
S. Naomi Rodriguez	Town Council Chairman	Present	In-Person	5:30 pm	6:11 pm
Gary St. Vil	Town Councilor	Present	In-Person	5:30 pm	6:11 pm
Fred Allyn, III	Mayor	Present	In-Person	5:30 pm	6:11 pm
Earl Lamb	Board of Education Member	Present	In-Person	5:30 pm	6:11 pm
Gary Schneider	Permanent Municipal Building Cmt Chairman	Present	In-Person	5:30 pm	6:11 pm
Kate DiPalma-Herb	Permanent Municipal Building Cmt	Present	In-Person	5:30 pm	6:11 pm
Ann Roberts-Pierson	Resident	Present	In-Person	5:30 pm	6:11 pm
Carol Schneider	Resident	Present	Remote	5:30 pm	6:11 pm
David Harned	Resident	Present	Remote	5:30 pm	6:11 pm
Ryan Allen	Resident	Present	In-Person	5:30 pm	6:11 pm
Roxanne Maher	Administrative Assistant	Present	In-Person	5:30 pm	6:11 pm

III. CITIZENS COMMENTS

*Ms. Ann Roberts-Pierson*, 4 Anderson Drive, Gales Ferry, thanked the members of the Administration Committee for their service to the Town. She stated the reason for attending tonight’s Administration Committee’s meeting was because the Town Council was not meeting this evening and she wanted to address the firing of Director of Planning Juliet Hodge on April 25, 2024. She stated on May 2, 2024 she filed an FOIA Request to the town to obtain a copy noting that she did not see anything in the letter for cause. She asked the following questions:

- Whether the Mayor consulted with the Town Council or the Planning & Zoning Commission prior to the firing.
- Whether the Mayor acquired any legal advice prior to the firing.

Ms. Roberts-Pierson stated the LUPPW Committee stated that the Mayor had not consulted with them. She went on to state that it was unknown whether the Mayor had contacted the Planning & Zoning Commission prior to the firing of Ms. Hodge. She stated the LUPPW Committee also did not know whether the Mayor acquired any legal advice prior to the firing of Ms. Hodge. She stated that the LUPPW Committee explained that the Town Council's job did not include the hiring or firing of the Planner or anyone else in Town Hall.

Ms. Roberts-Pierson continued by stating the workload for the Planning & Zoning Commission was large and quite burdensome, noting the Commission's May 9, 2024 Agenda, noting that they had two Public Hearings scheduled as well as the recently submitted Quarry Application.

Ms. Roberts-Pierson stated the town fired a Planner who was knowledgeable about the Zoning Regulations and was interested in upholding those Regulations, and was up-to-speed about their Regulations. She stated with Land Use Assistant Makenna Perry moving to another town Department that the Land Use Department was already under staffed; and with letting the Planning Director go abruptly, with no reason seemed ludicrous. She stated Ledyard needed a Planner in-place working full-time on what was probably the most complex Application the Town has ever received, that being the proposed Quarry Application in Gales Ferry.

Ms. Roberts-Pierson continued by stating in speaking with Ms. Hodge since the beginning of the year that it was her understanding that there were some big Applications coming along and that the Planning & Zoning Commission was going to be very busy in the upcoming summer months. Ms. Roberts-Pierson stated that the Town needed to have a Planner who was up-to-speed with the Zoning Regulations. She stated the town needed a full-time Planning and a fully staffed Department to work on what was probably the most complex applications the town has ever received, that being the proposed Quarry Application in Gales Ferry. She stated the Exhibit Record for the first Public Hearing on the Quarry Application that was withdrawn was extensive. She went on to state the recently submitted Re-Application was even larger. She stated Juliet Hodge worked to uphold Ledyard's Zoning Regulations for all of us, commenting that the timing to fire this person from this position was inappropriate. She recommended the following be done for the greater good of the entire Town of Ledyard:

- (1) Rehire Juliet Hodge immediately.
- (2) An investigation into the why Ms. Hodge let go in the first place, needed to be taken up by the Town Council immediately.
- (3) A Moratorium on all Land Use Application should be put into place until the Land Use Office was fully staffed and up-to-speed.

Ms. Roberts-Pierson stated that the Town Council was part of the checks and balances of keeping a leader of the town such as the Mayor in balance, and that it was also the role of the citizenry to apply checks and balances. She stated the abrupt firing of the Town Planner put all of their employees at a disadvantage. She asked that the Town Council take up her suggestions.

Councilor Garcia-Irizarry thanked Ms. Roberts-Pierson for her comments.

**Mr. Earl (Ty) Lamb**, 95 Lambtown Road, Ledyard, Board of Education Member, stated that he supported the proposed amendments to Ordinance #100-015 “*An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard* that the Administration Committee would be discussing later this evening. He stated based on the delays, costs, and planning issues he felt that Ordinance #100-015 needed to be looked at to improve the system and process. He noted that he has heard that they were going to miss another season in getting the Board of Education Facilities Projects which included the Roof Replacement Projects, HVAC System and Solar Array’s done this year. He questioned if this was the case, whether the costs would be impacted once again.

Councilor Garcia-Irizarry thanked Mr. Lamb for his comments.

IV. PRESENTATIONS/INFORMATIONAL ITEMS – None.

V. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of March 13, 2024  
Moved by Councilor Brunelle, seconded by Councilor Garcia-Irizarry

**VOTE: 2 – 0 Approved and so declared**

VI. OLD BUSINESS

1. Any Old Business proper to come before the Committee. – None.

VII. NEW BUSINESS

1. MOTION to recommend the Town Council appoint a new member to the Library Commission to complete a two (2) year term ending November 7, 2024 filling a vacancy left by Ms. Gantz.

- Mr. Peter Diette (U) 15 Hyde Park Drive, Gales Ferry
- Ms. Cynthia Wright (D) 6 Laurel Leaf Drive, Gales Ferry

Moved by Councilor Brunelle, seconded by Councilor Garcia-Irizarry

Discussion: Councilor Garcia-Irizarry stated that the Town Council received four applications to fill one vacancy on the Commission. She stated that all of the candidates offered an extensive educational background and experience. She continued by noting that she personally knew Mr. Diette and that she believed he would be a good addition to the Library Commission.

Councilor Brunelle stated that she also knew Mr. Diette and agreed that he would be a good addition to the Library Commission.

The Committee agreed to vote on each of the Candidates as follows:

- Mr. Peter Diette (U) 15 Hyde Park Drive, Gales Ferry
- VOTE: 2 – 0 Approved and so declared**

- Ms. Cynthia Wright (D) 6 Laurel Leaf Drive, Gales Ferry
- VOTE: 0 – 2 Failed**

Councilor Garcia-Irizarry noted that the Administration Committee would forward Mr. Diette to the Town Council for appointment to the Library Commission.

**RESULT: 2– 0 APPROVED TO RECOMMEND**  
**MOVER:** April Brunelle, Committee Member  
**SECONDER:** Carmen Garcia-Irizarry, Committee Member  
**AYES:** April Brunelle, Carmen Garcia-Irizarry  
**LATE:** Kevin Dombrowski

2. MOTION to recommend the Town Council appoint Ms. Beth Ribe (U) 129 Rose Hill Road, Ledyard to the Planning & Zoning Commission as an alternate member, to complete a three (3) year term ending December 31, 2026 filling a vacancy left by Ms. Cobb.

Moved by Councilor Brunelle, seconded by Councilor Garcia-Irizarry  
Discussion: None.

- VOTE: 2 – 0 Approved and so declared**

**RESULT: 2– 0 APPROVED TO RECOMMEND**  
**MOVER:** April Brunelle, Committee Member  
**SECONDER:** Kevin Dombrowski, Committee Member  
**AYES:** April Brunelle, Carmen Garcia-Irizarry  
**LATE:** Kevin Dombrowski

3. MOTION to recommend the Town Council appoint Ms. Lauren Hawes (U) 8 Warbler Way, Gales Ferry, to the Ledyard Beautification Committee, to complete a three (3) year term ending October 26, 2026 filling a vacancy left by Ms. Vincent.

Moved by Councilor Brunelle, seconded by Councilor Garcia-Irizarry  
Discussion: None.

- VOTE: 2 – 0 Approved and so declared**

**RESULT:** 2– 0 APPROVED TO RECOMMEND  
**MOVER:** April Brunelle, Committee Member  
**SECONDER:** Carmen Garcia-Irizarry, Committee Member  
**AYES:** April Brunelle, Carmen Garcia-Irizarry  
**LATE:** Kevin Dombrowski

4. MOTION to recommend the Town Council make the following appointment adjustments to the Cemetery Committee:

- Appoint Ms. Martha Reynolds (R) 1684 Center Groton Road, as a Regular Member, to complete a three (3) year term ending April 26, 2026 filling a vacancy left by Ms. Sheila Godino.
- Appoint Ms. Vincent Godino (D) 1906 Center Groton Road, Ledyard, as an Alternate Member, to complete a three (3) year term ending April 26, 2025 filling a vacancy left by Ms. Reynolds.

Moved by Councilor Brunelle, seconded by Councilor Garcia-Irizarry

Discussion: Background: Mr. Godino and Ms. Reynolds have both been serving on the Cemetery Committee for a number of years. Based on Mr. Godino's request that he be moved to an Alternative Member status, in an email dated April 23, 2024 Committee Chairman William Bidal, III, requested that these two members be switched; making Mr. Godino an Alternate Member and Ms. Reynolds a Regular Member.

**VOTE:** 2 – 0 Approved and so declared

**RESULT:** 2– 0 APPROVED TO RECOMMEND  
**MOVER:** April Brunelle, Committee Member  
**SECONDER:** Carmen Garcia-Irizarry, Committee Member  
**AYES:** April Brunelle, Carmen Garcia-Irizarry  
**LATE:** Kevin Dombrowski

5. MOTION to recommend the Town Council appoint Ms. Kristie Gardiner-Lundgren (U) 70 Iron Street, Ledyard, to the Cemetery Committee, as a Regular Member, to complete a three (3) year term ending April 26, 2026 filling a vacancy left by Mr. Godino.

Moved by Councilor Brunelle, seconded by Councilor Dombrowski

Discussion: Background: Ms. Kristie Gardiner-Lundgren enjoys working to maintain abandoned cemeteries. Her family has been an active participant in the *Adopt a Cemetery Program* through the Cemetery Committee. She has also been attending the Cemetery Committee Meetings noting that she was interested in volunteering more time and to take on more responsibility in caring for the town's cemeteries. With Mrs. Shelia Godino's February 13, 2024 resignation, the Cemetery Committee endorsed the appointment of Ms. Gardiner-Lundgren to fill the vacancy.

**VOTE:** 3 – 0 Approved and so declared



**RESULT:** 3– 0 APPROVED TO RECOMMEND  
**MOVER:** April Brunelle, Committee Member  
**SECONDER:** Carmen Garcia-Irizarry, Committee Member  
**AYES:** April Brunelle, Kevin Dombrowski, Carmen Garcia-Irizarry

6. MOTION to recommend the Town Council appoint Ms. Lauren Hawes (U) 8 Warbler Way, Gales Ferry, to the Parks, Recreation & Senior Citizens Commission, as an Alternate Member, to complete a three (3) year term ending June 28, 2027 filling a vacancy left by Mr. Gallagher.

Moved by Councilor Brunelle, seconded by Councilor Garcia-Irizarry

Discussion: Background: Ms. Hawes has been an active member of the community serving as a member of the Ledyard Soccer Club and she been involved with coaching Youth Athletic Programs in town. She has Certifications in a number of areas with included Personal Trainer Corrective Exercise Specialist, Youth Exercise Specialist, Coaching Kids Certifications, and was employed as a Service Trainer US Navy’s MWR Fitness Department at the New London Subbase.

In a recent request for reappointment endorsements the Parks, Recreation, & Senior Citizens Commission noted that Mr. Gallagher was not interested in continuing to serve.

**VOTE:** 3 – 0 Approved and so declared

**RESULT:** 3– 0 APPROVED TO RECOMMEND  
**MOVER:** April Brunelle, Committee Member  
**SECONDER:** Carmen Garcia-Irizarry, Committee Member  
**AYES:** April Brunelle, Kevin Dombrowski, Carmen Garcia-Irizarry

7. Discuss Amending Ordinance #100-015 “*An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard*” as presented in the draft dated April 29, 2024.

Mayor Allyn, III, explained this originated with construction of the Police Headquarters Facility which cost about \$7 million; and continued with the School(s) Consolidation/Improvement Projects (Middle School & Gallup Hill School) cost about \$60 - \$65 million. He stated that these were tremendous projects for the Town of Ledyard noting that they ask a lot of the volunteers who serve on the Permanent Municipal Building Committee to manage these massive projects. Therefore, he stated the thought was to break it up into two project classifications, as follows: (1) Under \$500,000; and (2) Over \$500,000. He explained for projects that were over \$500,000 that a either a Consultant Engineer or a Project Manager to oversee the process, in conjunction with the Permanent Municipal Building Committee (PMBC).

Mayor Allyn went on to note in speaking to the School Superintendent Mr. Hartling that he recommended “*Projects eligible for State Funding through the Board of Education shall have a Building Committee of no less than three-persons appointed by the Board*”.

Mayor Allyn noted that currently Ordinance #100-015 called for five Regular Members and for each Project they could have two temporary representative members serve on the PMB. He stated for the language also stated for Board of Education Projects that at least one of the two temporary members for School Projects was required to be a Board of Education Member. Therefore, he stated that Mr. Harting was looking to have three Board of Education Members.

Mayor Allyn went on to explain because some of the projects were substantial that they needed people to review the actives on a daily basis. He noted as an example for the Multi-Use Pathway and Sewer Line Extension Projects going from Ledyard Center to the High School, that they have people on the job every day witnessing the burial and bedding of the pipe and the blasting as needed. He stated that this was a critical component for the Permanent Municipal Building Committee (PMBC) explaining that the people on the job could bring the information to the PMBC would be helpful. He stated that the same would be true for the School Roof Projects, noting that a lot of progress could happen. He stated that they could not expect a volunteer member of the PMBC to know about methods were used for torched down roofing opposed to a tar and gravel roof, etc.

Councilor Dombrowski stated that he agreed with the proposal to break the projects out into two classifications and to hire Consultant Engineer or a Project Manager to oversee the process, in conjunction with the Permanent Municipal Building Committee (PMBC) for the reasons the Mayor presented; and because they often run up against deadlines for Grant Applications; or do not receive the required number of bids, etc.

Councilor Dombrowski stated although he was not opposed to having three Board of Education Members serve on the Permanent Municipal Building Committee; he was interested in why the number was three. Therefore, he questioned whether it was a State Statute or other requirement related to receiving State Grant Funding; or was it just because the Superintendent wanted three Board of Education Members on the Permanent Municipal Building Committee. Mayor Allyn explained that he did not believe it was a State Statue requirement, however, he stated that he would follow-up with School Superintendent Mr. Hartling to obtain more clarification.

Councilor Garcia-Irizarry stated the current language stated the following:

*“For Board of Education projects, **at least one** of their two temporary members shall be a Board of Education member. Board of Education Temporary Members shall be appointed by the Town Council. “*

Councilor Garcia-Irizarry noted that because the language stated “*at least one*” that they could have more than one Board of Education Member. Councilor Dombrowski stated if it was a State requirement that they have three Board of Education Members serving on the PMBC then they would need to update Ordinance #100-015 to call for three Board of Education Members.

**\*\*POST MEETING NOTE: 5/20/2024\*\*** Mayor Allyn, III, provided clarification, noting that School Superintendent Mr. Hartling was referring to a separate Building Committee appointed by the Board of Education.

Councilor Garcia-Irizarry noted throughout Ordinance #100-015 the approvals were required by the Town Council except for in the following paragraph and she questioned the reason it was the Mayor and not the Town Council:

*“Where external funding sources are used to fund the project, such requirements of the funding authority shall apply to the selection process as well. Where conflicts occur between this ordinance and the funding authority’s requirements, the most stringent requirement(s) shall be applicable as determined by **Mayor** or their designee.”*

Mayor Allyn explained for Grant Funding that he was required to be the signer, and that some require the School Superintendent be the signer and for some that both he and Superintendent Hartling were required to sign.

**Mr. Gary Schneider**, 101 Inchcliffe Drive, Gales Ferry, Permanent Municipal Building Committee Chairman, stated that he only had a short time to review the proposed amendments to Ordinance #100-015 *“An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard”* and that he wanted to provide some general comments as follows:

- **Large Projects** – Mr. Schneider stated that he agreed with the Mayor regarding the large projects, noting that they need either a Consulting Engineer or a Project Manager under the guidance of town government, or in this case the Permanent Municipal Building Committee. He stated this was a must noting that the projects were too critical, and time driven.
- **School Roof Projects** – Mr. Schneider stated for the School Roof Projects the PMBC hired STV who was helping them with the bid documents, noting that the three Roofing Projects would be done during the 2024 summer break. He stated that there may be some Punch List Items that would go into the fall, noting that they would all be done within the Regulations of working with school children and working overhead.
- **HVAC Design** – Mr. Schneider stated that STV was also helping the PMBC with the HVAC Design which would be done in 2025. He stated that he does not believe that Ledyard has received notification that their Grant Application has been approved yet.

- **Proposed Ordinance Amendments:**

- ✓ **Project Classifications:** Mr. Schneider stated whether the project classification threshold was: (1) Under \$500,000; (2) Over \$500,000; (3) \$250,000; or (4) \$750,000 that he did not have an opinion. He stated in some instances that they may be purchasing two Wastewater Treatment Plant Pumps that would cost over that amount; rhetorically questioning whether they would need a Project Manager Engineer for that, stating probably not. However, he stated the \$500,000 limit was probably good for most of their building projects.

Councilor Garcia-Irizarry suggested for projects such as the purchase two Wastewater Treatment Plant Pumps that language be added to provide for a “waiver”

- ✓ **Document** – Mr. Schneider stated there were some editorials corrections needed noting that some paragraphs that did not match another. Mr. Schneider noted Section 5 “Powers and Duties” stated “ *When an Owner’s Representative is required for the project, the Permanent Building Committee shall **hire** the Owner’s Representative prior to selecting the architect...*” He note that the PMBC does not hire, noting that they made recommendations on who should be hired.
- ✓ **Ex-Officio Members-** Mr. Schneider suggested adding the Board of Education Director of Facilities and Ground and the Public Works Director. He noted for the School Projects that Director of Facilities and Grounds Wayne Donaldson attended the PMBC Meetings and participated in the discussions.

Councilor Dombrowski explained that the Administration Committee was just beginning its work to Ordinance #100-015 “*An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard*” noting that they would not be acting on the draft they were reviewing this evening. He suggested the Administration Committee forward the proposal to the Permanent Municipal Building Committee for their review and recommendations.

**Ms. Kate DiPalma-Herb**, 20 August Meadows Drive, Gales Ferry, Board of Education Representative on the Permanent Municipal Building Committee addressed the proposal to have three Board of Education Members serve on the PMBC. She explained in some informal brainstorming about how to handle Board of Education Projects going forward that there may have been some thoughts of having a separate committee of three members, not to increase the number of Board of Education Representatives under the current model. However, she stated that they may want to get some clarity from the Board of Education regarding this information.

<b>RESULT: CONTINUED</b>	<b>Next Meeting:06/12/2024 5:30 p.m.</b>
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8. Any other Business proper to come before the Committee. – None.

VIII. ADJOURNMENT

**VOTE:** Councilor Garcia-Irizarry moved the meeting be adjourned, seconded by Councilor Brunelle.  
**3 - 0 Approved and so declared**, the meeting was adjourned at 6:11 p.m.

Respectfully submitted,

Carmen Garcia-Irizarry  
Committee Chairman  
Administration Committee



**File #:** 24-0367

**Agenda Date:** 6/12/2024

**Agenda #:** 3.

## ORDINANCE

### **Motion/Request:**

Discussion and possible action to amend Ordinance #100-015 “*An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard*” as presented in the draft dated June 4, 2024.

### **Background:**

Based on the size of select Municipal Projects, it would be prudent to provide the volunteers serving on the Permanent Municipal Building Committee (PMBC) with assistance from professionals.

The proposed Amendments to the Ordinance as presented in the draft dated April 29, 2024 includes provisions for the hiring of professional support.

#### ➤ Section 2 - Purpose:

- Established a Project Cost threshold estimated to exceed \$500,000.
- Provides for professional assistance from a Owner’s Representative or Consulting Engineer.
- Requires the PMBC to provide written recommendations regarding their selection to include a summary of proposers, a weighted ranking sheet and reasons to support their recommendation.
- Places the final decision regarding the selection of Owner’s Representative or Consulting Engineer with the with the Town Council.

#### ➤ Section 5: Powers and Duties

- Updated to more clearly define PMBC powers and duties.
- Includes language for when Owner’s Representative or Consulting Engineer is required
- Names the Superintendent of School to be the responsible party for School Construction Grants Applications.

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

(type text here)

**Mayor Comment/Recommendation:**

(type text here)

**Body:**

(type text here)

AN ORDINANCE ESTABLISHING  
A PERMANENT MUNICIPAL BUILDING COMMITTEE  
FOR THE TOWN OF LEDYARD

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

Section 1. Authority

Pursuant to Chapter IV, Section 7 of the Town Charter, a Permanent Municipal Building Committee is hereby established.

Section 2. Purpose

The Permanent Municipal Building Committee shall have continued responsibility for the execution of ~~major~~ *select* construction and maintenance projects for the Town of Ledyard *as assigned by the Town Council*. The Permanent Municipal Building Committee will oversee and supervise the design, construction, renovation, demolition and removal of Town and Board of Education buildings *that fall within the cost estimated threshold*, as well as any significant installation, renovation or upgrade of service equipment and major systems as provided herein.

The Permanent Municipal Building Committee may have responsibility for the execution of buildings or infrastructure projects associated with the provisions of water and sewer, if deemed appropriate by the Town Council.

*For projects whose total project cost is estimated to exceed \$500,000, an Owner's Representative and/or Consulting Engineer shall be hired through a quality-based selection process to assist the Permanent Municipal Building Committee with management and oversight of such project(s). The Owner's Representative or Consulting Engineer shall not have authority to make decisions, approvals, or otherwise act on behalf of the Permanent Building Committee unless specifically designated to do so by contract. The Owner's Representative or Consulting Engineer shall be required to have the requisite experience, knowledge, qualifications, personnel and capacity necessary to manage such a project.*

*The selection of an Owner's Representative or Consulting Engineer shall be publicly advertised through a Request for Proposal to solicit proposals from interested parties. The Request for Proposal shall provide a clear scope of services that specifies the roles and responsibilities of the Owner's Representative or Consulting Engineer. Where possible, it shall clearly specify the level of oversight during construction so that proposals from multiple firms can be clearly leveled during the evaluation process.*

*The selection of the Owner's Representative or Consulting Engineer shall be awarded to the firm that provides the best value to the Town of Ledyard. The best value is defined as the firm providing the highest quality, expertise, and knowledge for the proposed project. This shall also include the quality of referrals from a minimum of three references provided by the proposers. It shall also consider the fee for the work; however, the fee shall not be the sole basis for award.*

*When a project involved the purchase of replacement equipment costing more than \$500,000, a waiver to bypass the solicitation of bids for the engagement of an Owner's Representative or Consulting Engineer may be approved by the Town Council; and shall be requested by the Permanent Municipal Building Committee prior to purchase and installation of the equipment.*



*The Permanent Municipal Building Committee shall comply with provisions provided in Ordinance 200-001 (rev.1) (An Ordinance for Purchasing) with regard to the competitive bid process; and shall interview a minimum of two firms prior to selection. Should only one firm be determined qualified to perform such work, the Permanent Municipal Building Committee may request a waiver for such a requirement should the firm's proposal be reasonable for the proposed scope of work.*

*The Permanent Municipal Building Committee shall make a written recommendation to the Town Council for the award of such services. The recommendation shall include a summary of proposers, a weighed ranking sheet for the selection, and reasons why the Permanent Municipal Building Committee is recommending such a firm. The final decision of award will lie with the Town Council. The Town Council possesses the authority to award to a different firm if it deems that such a firm is in the best interest of the Town of Ledyard.*

*Where external funding sources are used to fund the project, such requirements of the funding authority shall apply to the selection process as well. Where conflicts occur between this ordinance and the funding authority's requirements, the most stringent requirement(s) shall be applicable as determined by Mayor or their designee.*

*The Requests for Proposals for Owner's Representatives or Consulting Engineers is subject to review by the Town Director of Finance. The Director of Finance is responsible for ensuring that all required local and state purchasing requirements are met and that all insurance requirements are included in the Request for Proposal.*

From time to time, the Permanent Municipal Building Committee may be asked to undertake certain studies or projects by the Town Council. In case of multiple projects, the Town Council may form a separate building committee for a particular project.

### Section 3. Membership

The Permanent Municipal Building Committee shall consist of the following members appointed by the Town Council:

Regular Members: Five (5). These members, to the extent possible, shall include those with experience in finance, engineering, architecture, project management, or the building trades. They shall be appointed *by the Town Council* for a term of three (3) years.

Temporary Members: For each municipal project, up to two (2) temporary members who are a member or representative of the Proposing Body shall be appointed by the Town Council.

For Board of Education projects, at least one *of their two* temporary members shall be a Board of Education member. *Board of Education Temporary Members shall be appointed by the Town Council.*

Temporary members shall have the right to vote on the activities of the Permanent Municipal Building Committee only with respect to the particular project for which such members were appointed.

Ex-Officio Members: The Town Finance Director, *Public Works Director*, Board of Education Business Manager and/or his designee, *Board of Education Director of Facilities and Grounds*, Town Engineering Technician, Town Planner and the Permanent Municipal Building Committee's Town Council Liaison shall be non-voting ex-officio members. ~~The Board of Education member and the Board of Education Business Manager may be excused from participating in non-Board of Education related matters.~~

Quorum: A quorum shall consist of a majority of voting members.

#### Section 4. Terms of appointment

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

Any vacancy in the Permanent Municipal Building Committee other than by expiration of term shall be filled for the unexpired portion of the term by the Town Council. The Town Council may remove members for cause and fill the vacancy per Chapter IV, Section 6 of the Town Charter.

Cause for removal shall include, but is not limited to, unexcused absence from three (3) consecutive regular meetings and any intervening duly called special meeting.

Any member of the Permanent Municipal Building Committee who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Permanent Municipal Building Committee. The vacancy shall be filled as herein before provided. Additionally, the Permanent Municipal Building Committee may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this action.

It shall be the responsibility of the Chairman of the Permanent Municipal Building Committee to notify the Town Council when a member has not properly performed his duties.

Annually, the regular members of the Permanent Municipal Building Committee shall elect a Chairman, Vice Chairman and Secretary. Any vacancy in any such office shall be filled by the Permanent Municipal Building Committee from its regular membership.

#### Section 5. Powers and Duties

The Permanent Municipal Building Committee is authorized to develop design plans and drawings for municipal building projects directed by the Town Council, primarily in accordance with the Town's Capital Improvements Projects List.

*The Permanent Municipal Building Committee is authorized to recommend to the Mayor to retain the services of architects and/or engineers for the purpose of planning, designing, building and administrating major capital projects. The process shall utilize a quality-based selection similar to that outlined in Section 2 for the Owner's Representative or Consulting Engineer. Such selection shall be based on experience, knowledge, capacity and expertise as well as the fee for performing such work.*

*When an Owner's Representative is required for the project, the Permanent Building Committee shall provide a recommendation for the hiring of an Owner's Representative prior to selecting the architect and/or engineer so that the Owner's Representative may assist with the development of the Request for Proposal, the selection process, project control budgets, project schedules, contracts and other material necessary to properly solicit comprehensive proposals by interested firms. ~~The Permanent Municipal Building Committee is authorized to interview architects and/or engineers for the purpose of planning, designing, building and completing municipal building projects, and based on said interviews and cost estimates, to hire suitable candidates.~~*

The Permanent Municipal Building Committee is authorized to develop schedules and ~~budgets cost estimates~~ for municipal building projects. *However, when an Owner's Representative is required, the Owner's Representative shall be responsible for drafting such schedules and budgets. The Owner's Representative shall also be responsible for developing a project cash flow projection for review by the Town Director of Finance.*

The Permanent Municipal Building Committee is authorized to recommend to the Mayor the execution of municipal building project contracts as may be approved by the Town Council.

The Permanent Municipal Building Committee shall have authority over all change order requests. The Permanent Municipal Building Committee shall also coordinate all applications for grants and other financial assistance documents *except for school construction grants through the Department of Education. Such grant applications are the responsibility of the Superintendent of Schools and the Board of Education.* The Permanent Municipal Building Committee shall submit change orders and grants/financial assistance documentation to the appropriate authority in a timely manner and with timely notification to the Town Council. The Town Council is the authority to modify or change the scope of the project.

The Permanent Municipal Building Committee shall at least quarterly report its activity to the Town Council and to the Proposing Body, if applicable; and shall submit a final report upon completion of each project. The Permanent Municipal Building Committee is also authorized to conduct periodic reviews and audits of the physical condition of all municipal and school buildings and grounds, including service equipment and major systems and make recommendations to the Town Council for inclusion into the Town's Capital Improvements Projects List and should work with the Mayor's Office and the appropriate boards and commissions and agencies.

It is understood that the agencies assigned responsibility for specific buildings, grounds, capital, and facilities shall assess, prioritize, seek funding and actively support administration of projects assigned to the Permanent Municipal Building Committee.

The Permanent Municipal Building Committee shall, with assistance from the Proposing Body ensure that projects are completed, including the close-out of required reports, in a timely manner.

#### Section 6. Spending Funds

The Permanent Municipal Building Committee may expend such funds as the Town Council, or if required the Town Meeting, may appropriate to carry out its duties as described herein. There shall be no intermingling of funding between projects.

#### Section 7. Definitions:

For the purpose of this Ordinance, the following definitions shall apply:

- 1) "Major maintenance" shall include capital building/improvement projects and projects that are capital in nature; that is, having a useful life of five or more years.  
  
"Major maintenance" shall not include routine maintenance and upkeep of a building or other structures, or its service equipment, which is performed on a regular basis.
- 2) "Service equipment and major systems" shall include boilers, elevators, generators, HVAC systems, septic systems, fire alarms, electrical service including wiring and fixtures, major plumbing service, building skin (roofs, gutters, masonry, windows, exterior paint, floor covering, etc.) It shall not include information system technology (computers and computer systems).
- 3). "Proposing Body" means the Town of Ledyard appointed or elected board or commission sponsoring or requesting a construction or major maintenance project or for a project initiated by the Permanent Building Committee itself, the board or commission whose facility would be the recipient thereof.

#### Section 7. Severability

If any provision of this Ordinance shall be held invalid by a court having competent jurisdiction, such invalidity shall not affect any of the other provisions of this Ordinance that can

be given effect without the invalid provision and for this purpose the provisions of the Ordinance are hereby declared severable.

Section 8. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Amended, Adopted and Renumbered by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
S. Naomi Rodriguez, Chairman

Approved/Disapproved on: \_\_\_\_\_

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

Published on:

Effective Date:

\_\_\_\_\_  
Patricia A. Riley, Town Clerk

\*\*\*\*\*

Revisions: Ordinance #119 *“An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard”* Adopted March 26, 2008; Ordinance #138 *“An Ordinance Amending an Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard: Adopted June 24, 2015; Effective: July 31, 2015; **Ordinance renumbered from Ordinance #138 to Ordinance #100-015 as part of the Town Council’s 2017-2019 Ordinance Update Initiative; September 25, 2019 .***

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #138 to Ordinance #100-015.

2015: Removed the project threshold of \$25,000 requiring all capital building/improvement projects and projects that are capital in nature; that is, having a useful life of five or more years be assigned to the Permanent Municipal Building Committee.

2019: Title – Removed *“Ordinance Amending”* – Per Town Attorney not required. Section 4 added language regarding members attendance relative to resignation/replacement. Removed Section 9 *“Cancellation”* - Per Town Attorney the *“Cancellation Section”* was not needed. The *“Revisions”* and *“History”* paragraph indicates that the previous ordinance has been updated and replaced. Added new Section 9 *“Effective Date”* to be consistent with Town Ordinance format

2024:

Section 2 *“Purpose”* Paragraph 1 replaced the word ~~major~~ with *“select” and*  
Added Paragraphs 2 – 6.

*Section 3: “Membership” Added: **Public Works Director, Board of Education Director of Facilities and Grounds.** Also, the following language was added for clarification: **“Board of Education Temporary Members shall be appointed by the Town Council”.***

**Section 5 “Powers and Duties”:**

**Paragraph 2- The following language was replaced: ~~The Permanent Municipal Building Committee is authorized to interview architects and/or engineers for the purpose of planning, designing, building and completing municipal building projects, and based on said interviews and cost estimates, to hire suitable candidates.~~ **“When an Owner’s Representative is required for the project, the Permanent Building Committees shall provide a recommendation for the hiring of an Owner’s Representative prior to selecting the architect and/or engineer so that****

*the Owner's Representative may assist with the development of the Request for Proposal, the selection process, project control budgets, project schedules, contracts and other material necessary to properly solicit comprehensive proposals by interested firms".*

Paragraph 3: Replaced: ~~cost estimates~~ with "budgets" Also added: *"However, when an Owner's Representative is required, the Owner's Representative shall be responsible for drafting such schedules and budgets. The Owner's Representative shall also be responsible for developing a project cash flow projection for review by the Town Director of Finance*

*NEW Paragraph 4*

*Paragraph 5 Added the following language: except for school construction grants through the Department of Education. Such grant applications are the responsibility of the Superintendent of Schools and the Board of Education.*



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 22-089

**Agenda Date:** 6/12/2024

**Agenda #:** 2.

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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)



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

**File #:** 24-0479

**Agenda Date:** 6/12/2024

**Agenda #:** 1.

## APPOINTMENT

### **Motion/Request:**

MOTION to reappoint Ms. Loretta Kent (U) 1363 Baldwin Hill Road, Gales Ferry, to the Parks, Recreation & Senior Citizens Commission, to complete a three (3) year term ending June 28, 2027.

### **Background:**

When Commissioners terms are due to expire the Commission is requested to provide a recommendation regarding the reappointment of Members.

the Parks, Recreation & Senior Citizens Commission has endorsed the reappointment of Ms. Kent

### **Administrative Notes:**

None

### **Nominating Committee Recommendation:**

(type text here)

### **Minority Representation - CGS 9-167a:**

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

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

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

### **Connecticut General Statutes**

Sec. 9-167a. Minority representation. (a) (1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the

state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

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

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

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





# TOWN OF LEDYARD CONNECTICUT

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

Chairman S. Naomi Rodriguez

May 22, 2024

Mr. Kenneth J. DiRico, Chairman  
Parks, Recreation & Senior Citizens Commission  
8 Melanie Lane  
Gales Ferry, Connecticut 06335

Dear Chairman DiRico:

A Member of the Parks, Recreation & Senior Citizens Commission is due for re-appointment as listed below. The Administration Committee of the Town Council would like your recommendations.

Please complete the shaded areas of each Commission members block and kindly return to the Town Council Office at [council@ledyardct.org](mailto:council@ledyardct.org).

Parks, Recreation & Senior Citizens Commission					3 Year Term
Member's Name	Party Affiliation	Term Expiration	Commission Recommendation	Town Committee Endorsement	Attendance
Ms. Loretta Kent 1363 Baldwin Hill Road Gales Ferry, CT 06335	U	6/28/2024	Y N	Y N	{X} Excellent { } Good { } Fair { } Poor

Committee Comments:

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Your assistance is greatly appreciated. Thank you for your attention regarding this request.

Sincerely,  
*Roxanne M. Maher*

Roxanne M. Maher  
Administrative Assistant

## Roxanne Maher

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**From:** kenneth dirico <diricokj@comcast.net>  
**Sent:** Tuesday, May 28, 2024 6:39 PM  
**To:** Roxanne Maher  
**Cc:** Scott Johnson  
**Subject:** Re: Reappointment Endorsement Request - Parks, Rec & Senior Citizens Members - Loretta Kent  
**Attachments:** IMG\_0033.jpeg

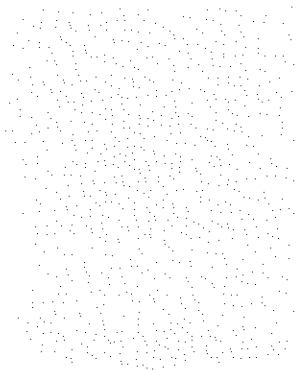
Hi Roxanne,

Attached is jpeg of Mrs. Kent's reappointment document. Let me know if you have any questions.

Best regards,

Ken

On 05/22/2024 7:34 AM EDT Roxanne Maher <council@ledyardct.org> wrote:



Good Morning Chairman DiRico:

In reviewing appointments, I noticed that Loretta Kent was also due for Reappointment.

Please find attach a request for the Parks, Recreation & Senior Citizens

Commission's recommendation regarding the reappointment of this member to the Commission.

Please feel free to contact me if you have any questions.

Thank you,

Roxanne

*Roxanne M. Maher*



*Administrative Assistant to  
the Ledyard Town Council*

[\(860\) 464-3203](tel:8604643203)

[council@ledyardct.org](mailto:council@ledyardct.org)

**Town Hall Hours:**

**Monday - Thursday 7:30 a.m. to 4:45 p.m.**

**CLOSED FRIDAYS**



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**File #:** 24-0480

**Agenda Date:** 6/12/2024

**Agenda #:** 2.

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## ORDINANCE

### **Motion/Request:**

Discussion and possible action on a proposed “*An Ordinance Providing Tax Relief For Gold Star Families in the Town of Ledyard*” as presented in the draft dated May 14, 2024.

### **Background:**

In a letter dated May 10, 2024 State Senator Cathy Osten brought to the Town Council’s attention Public Act 17-65 which was enacted in 2017 “*An Act Concerning a Municipal Option Property Tax Exemption for Gold Star Parents and Spouses*”

This act allows a municipality, with its legislative body's approval, to provide a property tax exemption to any parent or surviving spouse of a service member killed in action while performing active military duty with the U.S. Armed Forces (i.e., “Gold Star” parent or surviving spouse). A municipality may exempt up to \$20,000 or 10% of the property's assessed value.

The Act required the Application include following documentation:

1. At least two affidavits from disinterested persons showing the (a) deceased service member was killed in action while performing active military duty and (b) relationship between the service member and parent or surviving spouse and
2. A copy of the parent's or surviving spouse's federal income tax return or, if a return is not filed, income-related evidence required by the assessor for the tax year immediately before the assessment date for which the exemption is claimed.

Please see attached the following:

- Draft “*An Ordinance Providing Tax Relief For Gold Star Families in the Town of Ledyard*” dated May 14, 2024.
- Draft Application Form dated
- Summary of *An Act Concerning a Municipal Option Property Tax Exemption for Gold Star Parents and Spouses*
- Public Act 19-65 *An Act Concerning a Municipal Option Property Tax Exemption for Gold Star Parents and Spouses*
- State Senator Cathy Osten letter dated May 10, 2024

- Ms. Meaghan Durocher email dated

**Department Comment/Recommendation:**

(type text here)

**Mayor Comment/Recommendation:**

(type text here)

**Body:**

(type text here)

AN ORDINANCE  
PROVIDING TAX RELIEF FOR GOLD STAR FAMILIES  
IN THE TOWN OF LEDYARD

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

Section 1: Authority

Pursuant to the authority of P.A. 17-65 enacted on October 1, 2017 “*An Act Concerning Municipal Option Property Tax Exemption for Gold Star Parents and Spouses*” there is hereby established “*An Ordinance Providing Tax Relief for Gold Star Families In the Town of Ledyard*”.

Section 2: Purpose

To provide an exemption from property tax for property that is owned by a parent whose child was killed in action, and/or by the surviving spouse of a person who was killed in action, while performing active military duty with the Armed Forces, as such term is defined in Subsection (a) of Section 27-103 of the Connecticut General Statutes, as amended.

Section 3: Eligibility for Exemption

To be eligible any parent or surviving spouse of a service member killed in action while performing active military duty the following conditions must be met:

- (a) Application: Completed application shall be filed with the office of the Tax Assessor.
- (b) Residency: Persons qualified for a benefit under this Ordinance is a parent or surviving spouse who own real property located in the Town of Ledyard, or who are liable for the payment of taxes thereon under Section 12-48 of the General Statutes, and occupy the property as his or her principal residence at least 183 days of each year; and the time the application is made, and at all times during which the parent or surviving spouse is receiving an exemption pursuant to this Ordinance, the parent or surviving spouse shall be living in the Town of Ledyard.
- (c) Qualifying Income: The parent's or surviving spouse's total adjusted gross income, as determined for purposes of the federal income tax, plus any other income not included in such adjusted gross income, shall not exceed the sum of the maximum qualifying income for individuals if unmarried, or jointly with spouse if married, as set forth in Section 12-81I of the Connecticut General Statutes.
- (d) Surviving Spouses: The surviving spouse must have been legally married to the person who was killed in action at the time of such person's death, in accordance with Title 46b; Chapter 815E, of the Connecticut General Statutes, as amended.

- (e) Parents: If both parents of any such child killed in action while performing active military duty with the Armed Forces are domiciled together, only one such parent shall be entitled to the exemption from property tax provided for under this section.

If both parents of any such child killed in action while performing active military service with the Armed Forces are not domiciled together, both parents shall be eligible to receive the exemption provided for under this section.

#### Section 4: Amount of Exemption; Certified List

- (1) The exemption of property shall be in an amount of up-to \$20,000, or 10% of the assessed value of the property owned by the surviving spouse or the parent(s) of a child who was killed in action.
- (2) The exemption provided under this Ordinance shall be in addition to any exemption to which an eligible parent or surviving spouse may be entitled under Section 12-81 of the Connecticut General Statutes, as amended.

No such eligible parent(s) or surviving spouse entitled to exemption under Section 12-81 or 12-8 lg of the Connecticut General Statutes and this section shall receive more than one such exemption.

- (3) The Assessor shall annually make a certified list of all such parents or surviving spouses who are found to be entitled to an exemption, which list shall be filed in the office of the Town Clerk in the Town of Ledyard.

#### Section 5: Application Procedure and Requirements.

- (1) Any parent whose child was killed in action or the surviving spouse of a person who was killed in action (the "applicant") submitting a claim for an exemption of property tax under this Ordinance shall submit an application, on a form prepared by the Tax Assessor, to the Tax Assessor's Office not later than October 1st (the "application").

The application shall include a copy of the two recorded affidavits described in Subsection 2(a)(b) of this Section, and the applicant's federal income tax return, or in the event such a return is not filed, such evidence related to income, as may be required by the Tax Assessor, for the entire calendar year ending immediately prior to the October 1st in which the application for exemption is made.

- (2) The applicant shall also file with the office of the Town Clerk at least two affidavits, in such form as approved by the Tax Assessor, of two (2) different disinterested persons stating the following:

- (a) The deceased child or spouse was killed in action while performing active duty with the Armed Forces, as defined in Section 27-103(a) of the Connecticut General Statutes; and
  - (b) That the applicant is the parent or surviving spouse of the person who was killed in action.
- (4) The affidavits shall be recorded in full in the office of the Town Clerk, free of charge, and such recording shall list the name of such parent or surviving spouse claiming the exemption.

No exemption shall be granted unless the affidavits have been recorded in the office of the Town Clerk; and until the application has been deemed complete by the Assessor's Office.

Section 6: Renewal and Termination of Exemption, Penalties.

- (1) The applicant shall be required to reapply for this exemption on a biennial basis. The failure of the applicant to reapply for this exemption on a biennial basis shall result in the termination of the applicant's exemption.
- (2) When an exemption has been granted, the applicant shall, in the assessment year immediately following the date of approval, be presumed qualified for such exemption.
- (3) On a biennial basis, during the year immediately following the approval of an applicant's exemption, the Tax Assessor may, by August 1st, notify each parent or surviving spouse presumed to be qualified for such exemption in writing, and if any applicant has income in excess of the maximum allowed under Section 3(b) this Ordinance, such applicant shall notify the Assessor on or before the next October 1st and shall be denied the exemption for the assessment year immediately following and for any subsequent year until such applicant has reapplied and again qualified for such exemption.

The failure of the Assessor's Office to send such notice by August 1st shall waive the requirements of this Section for that assessment year, and the applicants presumed to be qualified for the exemption shall continue to receive an exemption for such assessment year.

- (4) Any notice under this section shall be deemed effective if it was mailed by regular mail to the applicant's last known address on file in the office of the Tax Collector.
- (5) If at any time it is determined that the applicant has obtained the exemption set forth in this Ordinance improperly, or was based on any misrepresentation or fraud, then upon discovery of such fact by the office of the Tax Assessor, the exemption shall be terminated immediately and the applicant shall make payment to the Town of Ledyard in the full amount of the property tax loss related to such exemption improperly taken within 30- days of such written demand from the Town of Ledyard.



Section 7. Severability

If any section, or part of a section, of this 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.

Section 8. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

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

\_\_\_\_\_  
S. Naomi Rodriguez, Chairman

Approved / Disapproved on: \_\_\_\_\_

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

Published on:

Effective Date:

\_\_\_\_\_  
Patricia A. Riley, Town Clerk

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History: The State of Connecticut adopted Public Act #17-65 “*An Act Concerning a Municipal Option Property Tax Exemption for Gold Star Parents and Spouses*” in 2017. To provide families who lost a child or spouse in the line of duty with some tax relief the Town Council adopted the “*An Ordinance Providing Tax Relief for Gold Star Families In the Town of Ledyard*” on: \_\_\_\_\_

Town of Ledyard  
 Gold Star Parents and Spouses Exemption Application  
 Application Filing Deadline: October 1<sup>st</sup> (Applicant must re-file every two years)

To be completed by the Property Owner (Applicant)

1	NAME (Last)	(First)	(Middle Initial)
2	SPOUSE'S NAME (Last)	(First)	(Middle Initial)
3	MAILING ADDRESS- Street	(City)	(State) (Zip)
4	PROPERTYADDRESS (Only if different than mailing)		
5	FILING STATUS (Check one):                      Gold Star Parent: _____      Gold Star Spouse: _____		
6	The applicant must provide at least two affidavits of disinterested persons showing that the deceased child or person was killed in action while performing military duty, and the relationship of the deceased person to the applicant Please attach your affidavits to this application. Please place a check mark below to indicate that each affidavit is being provided:  Affidavit #1 _____                      Affidavit #2 _____		
7	Did you or will you file a Federal Income Tax Return for the tax year preceding the year of this application? Yes: _____      No: _____	_____ Grand List	
8	<b>This application must be re-filed every two-years</b>		
	INCOME DURING THE 20 _____ CALENDAR YEAR		
	(a) TAXABLE INCOME - Examples: Wages, Bonuses, Commissions, Fees, Lottery Winnings, Taxable Portion of Annuities and Pensions, Interest, Dividends, Net Rent or proceeds from the sale of a property, etc. <b>* If you are required to file a Federal Income Tax Return, enter the amount of adjusted gross income plus any other income and attach a copy of the return to this application. *</b>		a. \$ _____
	(b) NON-TAXABLE INTEREST - Example: Interest from tax exempt Government Bonds <b>* Please include any available documentation. *</b>		b. \$ _____
	(c) SOCIAL SECURITY OR RAILROAD RETIREMENT INCOME (GROSS AMOUNT) <b>* Include a copy of most recent 1099 or statement showing annual benefits, *</b>		c. \$ _____
	(d) ANY INCOME NOT REFLECTED IN THE ABOVE - Examples: Supplemental Security income, Public Assistance payments, Veteran Pensions and Disability payments, etc. <b>* Please include any available documentation. *</b>		d. \$ _____
	(e) TOTAL	Add lines 8a through 8d	TOTAL e. \$ _____

**The Applicant hereby applies for a property tax exemption for Gold Star parents and spouse pursuant to Town of Ledyard Code of Ordinances #200- \_\_\_\_\_ and applicable Connecticut General Statutes.**

1. The address of the real property for this application as requested is (The \_\_\_\_\_ Property")
2. The applicant(s) certifies that they meet the requirements of a) residency, b) qualifying income, c) all other terms as included in the attached ordinance in order to qualify for this exemption.
3. The applicant(s) hereby agree(s) that the affidavits provided in Item #6 above [Section (c)(1) of the ordinance ] will be recorded with the Ledyard Town Clerk's Office.
4. The applicant(s) hereby agree(s) to remain in compliance with all the other terms of the attached ordinance, and to notify the Town of Ledyard Assessor's Office if the applicant(s) does not remain in compliance with all the other terms of the Ordinance.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Phone: # \_\_\_\_\_  
 (If authorized agent, please print name also and indicate relationship to applicant)

Assessor's Office Use Only: (Staff Signature): \_\_\_\_\_ Date: \_\_\_\_\_

## DIRECTIONS FOR COMPLETING THIS TAX EXEMPTION APPLICATION

---

### PLEASE REVIEW THE APPLICATION BEFORE YOU START TO FILL OUT THE APPLICATION. PRINT OR TYPE ALL ENTRIES (EXCEPT SIGNATURE).

Please make certain that you:

- ✓ Fill out every item on the application, Items 1 - 8e.
- ✓ Fill out the location of the property where the exemption is to be applied.
- ✓ Sign, and date your application and also provide a phone number.

You are required to submit proof of your income for the prior calendar year to the Tax Assessor before your application can be accepted. This proof may consist of your Federal Income Tax Return, bank statements which show interest earned, statements received from trust accounts, dividend earning statements, statements from the Social Security Administration (Form SSA 1099 is required).

#### *The ordinance enabling this exemption requires that:*

The application shall include at least two affidavits of disinterested persons showing that the deceased child or person was performing such active military duty, that such deceased child or person was killed in action while performing such active military duty and the relationship of such deceased child to such parent, or such deceased person to such surviving spouse, provided that the Tax Assessor may further require such parent or surviving spouse to be examined by such Tax Assessor under oath concerning such facts.

The affidavits required in Section 5 shall be recorded in the Ledyard Town Clerk's Office, free of charge, and such recording shall list the name of such parent or surviving spouse claiming the exemption. No exemption shall be granted unless the affidavits have been recorded in the Town Clerk's Office and until the application has been deemed complete by the Tax Assessor.

Your completed application must be received by October 1<sup>st</sup> in the Tax Assessor's Office. The Tax Assessor's Office and the Town Clerk's Office are located on the first floor of the Ledyard Town Hall at 741 Colonel Ledyard Highway, Ledyard, Connecticut. The Ledyard Town Hall is open Mondays through Thursday, 7:30 a.m. to 4:45 p.m.

#### Our mailing addresses are as follows:

Tax Assessor Office  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard Connecticut 06339  
☎: Telephone: (860) 464-3237

Town Clerk Office  
Town of Ledyard  
741 Colonel Ledyard Highway  
Ledyard Connecticut 06339  
☎: Telephone: (860) 464-3229

**AN ACT CONCERNING A MUNICIPAL OPTION PROPERTY TAX EXEMPTION FOR GOLD STAR PARENTS AND SPOUSES**

**SUMMARY:** This act allows a municipality, with its legislative body's approval, to provide a property tax exemption to any parent or surviving spouse of a service member killed in action while performing active military duty with the U.S. Armed Forces (i.e., “Gold Star” parent or surviving spouse). A municipality may exempt up to \$20,000 or 10% of the property's assessed value.

To be eligible for the exemption, the income of the Gold Star parent or surviving spouse cannot exceed (1) the state's income limit for a single person for other veterans' property tax exemptions annually set by the Office of Policy and Management (\$35,200, including inflation adjustments, in 2017) or (2) an amount the municipality sets, up to \$25,000 more than the state limit. Under the act, if both parents live together only one may receive the exemption.

The act specifies that the Gold Star exemption is in addition to any property tax exemption to which the applicant is entitled. But an applicant cannot receive more than one additional municipal property tax exemption for veterans or their family members (CGS §§ 12-81f & -81g).

Under the act, the “U.S. Armed Forces” means the Army, Navy, Marine Corps, Coast Guard, and Air Force, and any reserve component of these branches, including the Connecticut National Guard performing duty under Title 32 of the U.S. Code (e.g., certain Homeland Security missions).

**EFFECTIVE DATE:** October 1, 2017, and applicable to assessment years beginning on or after that date.

**APPLICATION PROCEDURE**

*Application Submission*

An applicant claiming the Gold Star exemption must (1) notify the town clerk in the municipality where he or she resides and (2) file an application, on a form prepared by the tax assessor, before the assessment date for which the exemption is claimed.

The act requires the application to include the following documentation:

1. at least two affidavits from disinterested persons showing the (a) deceased service member was killed in action while performing active military duty and (b) relationship between the service member and parent or surviving spouse and

2. a copy of the parent's or surviving spouse's federal income tax return or, if a return is not filed, income-related evidence required by the assessor for the tax year immediately before the assessment date for which the exemption is claimed.

Under the act, the assessor may further examine the applicant under oath about the facts in the affidavits.

The town clerk must record, at no charge, each affidavit in full and list the name of the claimant. The act prohibits an assessor, board of assessment appeals, or other official from granting an exemption until all of the required documentation is filed with the town clerk.

The exemption takes effect the day after an application is approved. The parent or surviving spouse must reapply for the exemption every two years.

#### *Annual Certified List*

The act requires the tax assessor to annually prepare a certified list of parents and surviving spouses entitled to the exemption and file it in the town clerk's office. The list is prima facie evidence that the parent or surviving spouse is entitled to the exemption as long as he or she lives in the municipality and the municipality provides the exemption.

#### *Appearance before the Assessor*

Under the act, the assessor may at any time require a parent or surviving spouse to appear to furnish additional evidence. But an individual unable to appear because of a disability may submit to the assessor a statement from an attending physician or advanced practice registered nurse certifying the disability and inability to appear. The assessor may request other evidence of total disability as he or she deems appropriate.

#### *Disqualifying Income*

Under the act, a parent or surviving spouse approved for an exemption in any year is presumed to qualify in the following year. The assessor must notify each such parent or surviving spouse in writing. (Presumably, the notice would inform them that they may claim the exemption that year.)

If the parent's or surviving spouse's income exceeds the amount allowed that tax year, he or she must notify the assessor on or before the next filing date. The assessor must deny the exemption for the year immediately following and any subsequent year, until the parent or surviving spouse reapplies and requalifies for the exemption.

The act requires any parent or surviving spouse who fails to notify the assessor of such income disqualification to pay the municipality for the amount of the property tax exemption that was improperly taken.

**Public Act No. 17-65**

**AN ACT CONCERNING A MUNICIPAL OPTION PROPERTY TAX EXEMPTION  
FOR GOLD STAR PARENTS AND SPOUSES.**

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

Section 1. (NEW) (Effective October 1, 2017, and applicable to assessment years commencing on or after October 1, 2017) (a) (1) Except as provided in subdivision (2) of this subsection, any municipality, upon approval by its legislative body, may provide that any parent whose child was killed in action, or the surviving spouse of a person who was killed in action, while performing active military duty with the armed forces, as defined in subsection (a) of section 27-103 of the general statutes, which parent or surviving spouse is a resident of such municipality, shall be entitled to an exemption from property tax, provided such parent's or surviving spouse's qualifying income does not exceed (A) the maximum amount applicable to an unmarried person as provided under section 12-81l of the general statutes, or (B) an amount established by the municipality, not exceeding the maximum amount under section 12-81l of the general statutes by more than twenty-five thousand dollars. The exemption provided for under this section shall be applied to the assessed value of an eligible parent's or surviving spouse's property and, at the municipality's option, may be in an amount up to twenty thousand dollars or in an amount up to ten per cent of such assessed value.

(2) (A) If both parents of any such child killed in action while performing active military duty with the armed forces are domiciled together, only one such parent shall be entitled to an exemption from property tax provided for under this section.

(B) The exemption provided for under this section shall be in addition to any exemption to which an eligible parent or surviving spouse may be entitled under section 12-81 of the general statutes. No such eligible parent or surviving spouse entitled to exemption under section 12-81f or 12-81g of the general statutes and this section shall receive more than one such exemption.

(b) (1) Any parent whose child was killed in action, or the surviving spouse of a person who was killed in action, while performing active military duty with the armed forces and who claims an exemption from taxation under this section shall give notice to the town clerk of such municipality that he or she is entitled to such exemption.

(2) Any such parent or surviving spouse submitting a claim for such exemption shall be required to file an application, on a form prepared for such purpose by the assessor, not later than the assessment date with respect to which such exemption is claimed, which application shall include at least two affidavits of disinterested persons showing that the deceased child or person was performing such active military duty, that such deceased child or person was killed in action while performing such active military duty and the relationship of such deceased child to such parent, or such deceased person to such surviving spouse, provided the assessor may further require such parent or surviving spouse to be examined by such assessor under oath concerning such facts. Each such application shall include a copy of such parent's or surviving spouse's federal income tax return, or in the event such a return is not filed such evidence related to income as may be required by the assessor, for the tax year of such parent or surviving spouse ending immediately prior to the assessment date with respect to

which such exemption is claimed. Such town clerk shall record each such affidavit in full and shall list the name of such parent or surviving spouse claimant, and such service shall be performed by such town clerk without remuneration. No assessor, board of assessment appeals or other official shall allow any such claim for exemption unless evidence as herein specified has been filed in the office of such town clerk. When any such parent or surviving spouse has filed for such exemption and received approval for the first time, such parent or surviving spouse shall be required to file for such exemption biennially thereafter, subject to the provisions of subsection (c) of this section.

(3) The assessor of such municipality shall annually make a certified list of all such parents or surviving spouses who are found to be entitled to exemption under the provisions of this section, which list shall be filed in the town clerk's office, and shall be prima facie evidence that such parents or surviving spouses whose names appear thereon are entitled to such exemption as long as they continue to reside in such municipality and as long as the legislative body of such municipality continues to provide for such exemption, subject to the provisions of subsection (c) of this section. Such assessor may, at any time, require any such parent or surviving spouse to appear before such assessor for the purpose of furnishing additional evidence, provided, any such parent or surviving spouse who by reason of disability is unable to so appear may furnish such assessor a statement from such parent's or surviving spouse's attending physician or an advanced practice registered nurse certifying that such parent or surviving spouse is totally disabled and is unable to make a personal appearance and such other evidence of total disability as such assessor may deem appropriate.

(4) No such parent or surviving spouse may receive such exemption until such parent or surviving spouse has proven his or her right to such exemption in accordance with the provisions of this section, together with such further proof as may be necessary under said provisions. Exemptions so proven shall take effect on the next succeeding assessment day.

(c) Any such parent or surviving spouse who has submitted an application and been approved in any year for the exemption provided in this section shall, in the year immediately following approval, be presumed to be qualified for such exemption. During the year immediately following such approval, the assessor shall notify, in writing, each parent or surviving spouse presumed to be qualified pursuant to this subsection. If any such parent or surviving spouse has qualifying income in excess of the maximum allowed under subsection (a) of this section, such parent or surviving spouse shall notify the assessor on or before the next filing date for such exemption and shall be denied such exemption for the assessment year immediately following and for any subsequent year until such parent or surviving spouse has reapplied and again qualified for such exemption. Any such parent or surviving spouse who fails to notify the assessor of such disqualification shall make payment to the municipality in the amount of property tax loss related to such exemption improperly taken.

**Signed by the Governor in the Original 6/27/2017**

**Public Act No. 17-99**

**AN ACT CONCERNING COURT OPERATIONS, VICTIM SERVICES, FRAUDULENT FILINGS AND TRANSFERS OF AN INTEREST IN REAL PROPERTY TO A TRUST.**

Sec. 50. Section 47-36bb of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017):

[Any conveyance of an interest in land to a trust rather than the trustee or trustees of the trust shall constitute a valid and enforceable transfer of that interest. Any conveyance by the trust, which conveyance is signed by a duly authorized trustee of such trust, shall be treated as if the conveyance was made by the trustee. ]

(a) Any transfer of an interest in real property to a trust, rather than to the trustee or trustees of the trust, shall constitute a valid and enforceable transfer of such interest.

(b) Any subsequent transfer of such interest in real property, or any portion or part thereof (1) made by the trust and executed by a duly authorized trustee of the trust, shall be treated as if the transfer was made by such duly authorized trustee, or (2) made and executed by a duly authorized trustee of the trust, shall be treated as if the transfer was made by the trust.

(c) Any instrument whose grantor, grantee, releasor, releasee, assignor, assignee, transferor or transferee is a trust shall be indexed by the town clerk in the name of the trust identified in such instrument and also in the name or names of all trustees identified in such instrument.

(d) With respect to any instrument that has been recorded in the land records and whose grantor, releasor, assignor or transferor is a trust, it shall be presumed, in the absence of evidence in the land records indicating otherwise, that the (1) person who executed such instrument on the trust's behalf was duly authorized to so act, and (2) trust on whose behalf such person acted contained a provision conferring upon the trustee or trustees, the power to convey an interest in real property.

**Signed by the Governor 6/30/2017**

#### **Public Act No. 17-105**

### **AN ACT CONCERNING REVISIONS AND TECHNICAL CHANGES TO THE TAX AND RELATED STATUTES, AND CERTAIN EXEMPTIONS FROM THE PROPERTY TAX.**

Sec. 5. Section 12-18d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017):

During the fiscal year ending June 30, 2017, an amount equal to the appropriation from the Municipal Revenue Sharing Fund to the Office of Policy and Management shall be transferred from the General Fund to the Municipal Revenue Sharing Fund and shall be distributed by said office, during [each] such fiscal year, in accordance with the provisions of sections 4-66l, 4-66p and 12-18b.

Sec. 10. Subdivision (33) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017, and applicable to assessment years commencing on or after October 1, 2017):

(33) Musical instruments, [inclusive of] radios, [and] television sets, cellular mobile telephones, computers and mobile electronic devices, as defined in section 10-222d, used by and belonging to any family;

Sec. 11. Section 12-81 of the general statutes is amended by adding subdivision (78) as follows (Effective October 1, 2017, and applicable to assessment years commencing on or after October 1, 2017):



(NEW) (78) Machinery and equipment (A) used in the process of coloring or mixing paint, including, but not limited to, spectrographic color matching machines, automatic colorant dispensers, paint shakers, and computer equipment related to such machinery and equipment, and (B) used by retailers that offer paint for sale at retail in this state.

**Signed by the Governor 7/6/2017**

**Public Act No. 17-126**

**AN ACT CONCERNING MUNICIPAL FORECLOSURE ACTIONS ON TAX LIENS  
AND LIENS ON BLIGHTED REAL ESTATE.**

Section 1. (NEW) (Effective January 1, 2018) An action to foreclose a tax lien pursuant to section 12-181 of the general statutes or a lien on blighted real estate imposed pursuant to section 7-148aa of the general statutes, commenced in the Superior Court by a municipality on or after the effective date of this section, shall be privileged with respect to assignment for trial.

**Signed by the Governor 7/5/2017**

**Public Act No. 17-144**

**AN ACT PROMOTING THE USE OF FUEL CELLS FOR ELECTRIC DISTRIBUTION SYSTEM BENEFITS AND  
RELIABILITY AND AMENDING VARIOUS ENERGY-RELATED PROGRAMS AND REQUIREMENTS.**

Sec. 2. Subdivision (21) of subsection (a) of section 16-1 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(21) "Class II renewable energy source" means [energy] electricity derived from a trash-to-energy facility [ , a biomass facility that began operation before July 1, 1998, provided the average emission rate for such facility is equal to or less than . 2 pounds of nitrogen oxides per million BTU of heat input for the previous calendar quarter, or a run-of-the-river hydropower facility provided such facility has a generating capacity of not more than five megawatts, does not cause an appreciable change in the riverflow, and began operation prior to July 1, 2003] that has obtained a permit pursuant to section 22a-208a and section 22a-174-33 of the regulations of Connecticut state agencies;

**Signed by the Governor 6/27/2017**

**Public Act No. 17-147**

**AN ACT CONCERNING STATE TAXATION AND COLLECTION, TAX GAP COMPLIANCE, TAX PREPARERS  
AND FACILITATORS, CHANGES TO THE TAX AND RELATED STATUTES, A MENTAL HEALTH  
COMMUNITY INVESTMENT ACCOUNT AND MUNICIPAL BONDS.**

Sec. 19. Subsection (b) of section 12-7a of the general statutes is repealed and the following is substituted in lieu thereof (Effective 7/7/2017):

(b) [The commissioner shall annually] If requested by the Secretary of the Office of Policy and Management, the commissioner shall prepare, from the list prepared pursuant to subsection (a) of this section, a list of taxpayers who are delinquent in the payment of the corporation business tax under chapter 208. The list [shall be arranged in sequential order by the] may also include taxpayer

identification [number] numbers assigned by the commissioner. [and shall be provided to the Secretary of the Office of Policy and Management not later than July fifteenth annually, commencing July 15, 1998. ]

Sec. 22. Section 12-80b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) (1) Each taxpayer described in subsection (a) of section 12-80a that owns tangible personal property used both to render telecommunications service subject to tax under chapter 219 and to render community antenna television service or a certified competitive video service subject to tax under [said] chapter 219 [,] shall have part of such property taxed as provided in [said] section 12-80a and part of such property exempt from property tax in accordance with section 12-268j.

(2) The portion of such property to be taxed as provided in section 12-80a and the portion exempt under section 12-268j shall be computed [, as provided in regulations adopted by the Commissioner of Revenue Services in accordance with the provisions of chapter 54] on the basis of the taxpayer's gross receipts from rendering telecommunications service or a certified competitive video service, as defined in chapter 219, and from rendering community antenna television service, as defined in [said] chapter 219, or on some other basis permitted under [such] regulations the commissioner may adopt in accordance with the provisions of chapter 54.

(b) (1) Each taxpayer not described in subsection (a) of section 12-80a that owns tangible personal property used both to render telecommunications service subject to tax under chapter 219 and to render community antenna television service or a certified competitive video service subject to tax under [said] chapter 219 shall have part of such property taxed as provided in this chapter, without regard to [said] section 12-80a, and part of such property exempt from property tax in accordance with section 12-268j.

(2) The portion of such property to be taxed as provided in this chapter, without regard to section 12-80a and the portion exempt under section 12-268j, shall be computed [, as provided in regulations adopted by the Commissioner of Revenue Services in accordance with the provisions of chapter 54,] on the basis of the taxpayer's gross receipts from rendering telecommunications service, as defined in chapter 219, and from rendering community antenna television service or a certified competitive video service, as defined in [said] chapter 219, or on some other basis permitted under [such] regulations the commissioner may adopt in accordance with the provisions of chapter 54.

(c) For purposes of this section, "assessment year" means the assessment year under this chapter.

(d) For purposes of this section, "community antenna television service" shall include service provided by a holder of a certificate of cable franchise authority pursuant to section 16-331p.

**Signed by the Governor 7/7/2017**

#### **Public Act No. 17-176**

#### **AN ACT CONCERNING THE CLOSURE OF CERTAIN BUILDING PERMITS.**

Section 1. Section 29-265 of the general statutes is amended by adding subsection (c) as follows (Effective October 1, 2017):

(NEW) (c) Nine years from the date of issuance of a building permit issued pursuant to section 29-263 for construction or alteration of a one-family dwelling, two-family dwelling or structure located on the same parcel as a one-family dwelling or two-family dwelling, for which construction or alteration a certificate of occupancy, as defined in the regulations adopted pursuant to section 29-252, has not been issued by the building official, such building permit shall be deemed closed. Following such nine-year period, no enforcement action based upon work commenced or completed pursuant to an open building permit shall be commenced. No municipality or officer or employee of any such municipality shall be liable concerning any claim relating to the closure of a building permit pursuant to this section. For the purposes of this section, "structure" has the same meaning as in the zoning regulations for the municipality in which the building permit was issued, or if undefined by such regulations, "structure" means any combination of materials that is affixed to the land, including, but not limited to, a shed, garage, sign, fence, wall, pool, patio, tennis court or deck.

**Signed by the Governor 7/10/2017**

**Public Act No. 17-183**

**AN ACT ESTABLISHING A MUNICIPAL GRANT PORTAL.**

Section 1. (NEW) (Effective July 10, 2017) (a) The Secretary of the Office of Policy and Management shall, within available appropriations, establish and maintain a single electronic portal available on the Internet and located on the Office of Policy and Management's Internet web site for the purpose of posting all state funded municipal grant applications. Such electronic portal shall be known as the Municipal Grant Portal.

(b) The Municipal Grant Portal shall include, but not be limited to: (1) All state-funded municipal grant applications and municipal reimbursement request forms, (2) a searchable database for locating information regarding state-funded municipal grants, and (3) features to encourage the active recruitment and participation of municipalities in the state-funded municipal grant application process.

**Signed by the Governor 7/10/2017**

**Public Act No. 17-189**

**AN ACT CONCERNING AMERICAN LEGION STATE FUND COMMISSION TRANSPARENCY AND MUNICIPAL OPTION PROPERTY TAX EXEMPTIONS FOR CERTAIN VETERANS.**

Section 1. (NEW) (Effective July 10, 2017) (a) As used in this section, (1) "personal information" means information capable of being associated with a particular individual through one or more identifiers, including, but not limited to, an individual's first name or first initial and last name, a Social Security number, a driver's license number, a state identification card number, an account number, a credit card or debit card number, a financial record, a passport number, an alien registration number, a health insurance identification number or any military identification information, and does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media, and (2) "military identification information" means information identifying a person as a member of the armed forces, as defined in section 27-103 of the general statutes, or a veteran, as defined in said section, including, but not limited to, a selective

service number, military identification number, discharge document, military identification card or military retiree identification card.

(b) (1) Except as provided in subsection (c) of this section, any record of the American Legion related to the administration of the Soldiers, Sailors and Marines Fund, which fund is described in sections 27-138 to 27-140, inclusive, of the general statutes, shall be deemed a public record, as defined in section 1-200 of the general statutes, and disclosed to the extent required of any such public record under the Freedom of Information Act, as defined in said section.

(2) The Treasurer, as custodian and trustee of the Soldiers, Sailors and Marines Fund under section 27-138 of the general statutes, may access any such record and shall be the public agency for purposes of any request made for any such record pursuant to the Freedom of Information Act.

(c) The Treasurer shall not disclose the personal information of any individual who (1) makes a gift, bequest or donation to the fund, or (2) is an applicant for, or a recipient of, aid from the fund unless any such disclosure is for purposes of (A) administering aid from the fund, (B) assisting any such applicant or recipient in obtaining aid from any other government or private program, or (C) complying with a court order.

Sec. 2. Subsection (b) of section 12-81g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017, and applicable to assessment years commencing on or after October 1, 2017):

(b) (1) Effective for the assessment year commencing October 1, 2013, and each assessment year thereafter, any municipality may, upon approval by its legislative body or, in any town in which the legislative body is a town meeting, by the board of selectmen, provide that, in lieu of the additional exemption prescribed under subsection (a) of this section, any person entitled to an exemption from property tax in accordance with subdivision (20) of section 12-81, reflecting any increase made pursuant to the provisions of section 12-62g, who has a disability rating of one hundred per cent, as determined by the United States Department of Veterans Affairs, shall be entitled to an additional exemption from such tax in an amount equal to three times the amount of the exemption provided for such person pursuant to subdivision (20) of section 12-81, provided such person's total adjusted gross income as determined for purposes of the federal income tax, plus any other income not included in such adjusted income, excluding veterans' disability payments, individually if unmarried, or jointly with spouse if married, during the calendar year ending immediately preceding the filing of a claim for any such exemption, is not more than ~~twenty-one~~ twenty-four thousand dollars if such person is married or not more than ~~eighteen~~ twenty-one thousand dollars if such person is not married.

(2) The provisions of this subsection shall not limit the applicability of the provisions of subsection (a) of this section for persons not eligible for the property tax exemption provided by this subsection.

Sec. 3. (NEW) (Effective October 1, 2017, and applicable to assessment years commencing on or after October 1, 2017) (a) Any municipality, upon approval by its legislative body, may provide that any veteran, as defined in subsection (a) of section 27-103 of the general statutes, which veteran is a resident of such municipality and ineligible for an exemption from property tax under subdivisions (19) to (21), inclusive, of section 12-81 of the general statutes, shall be entitled to an exemption from property tax, provided such veteran's qualifying income does not exceed (1) the maximum amount

applicable to an unmarried person, as provided under section 12-81I of the general statutes, as amended by this act, or (2) an amount established by the municipality, not exceeding the maximum amount under section 12-81I of the general statutes, as amended by this act, by more than twenty-five thousand dollars. The exemption provided for under this section shall be applied to the assessed value of any such veteran's property and, at the municipality's option, may be in an amount up to five thousand dollars or in an amount up to five per cent of such assessed value.

(b) (1) Any veteran described in subsection (a) of this section who claims an exemption from taxation under this section shall give notice to the town clerk of such municipality that he or she is entitled to such exemption.

(2) Any such veteran submitting a claim for such exemption shall be required to file an application, on a form prepared for such purpose by the assessor, not later than the assessment date with respect to which such exemption is claimed, which application shall include (A) a certified copy of such veteran's military discharge document, as defined in section 1-219 of the general statutes, or (B) in the absence of such certified copy, at least two affidavits of disinterested persons showing that the claimant was honorably discharged from, or released under honorable conditions from active service in, the armed forces, as defined in section 27-103 of the general statutes, provided the assessor may further require such claimant to be examined by such assessor under oath concerning such facts. Each such application shall include a copy of such veteran's federal income tax return, or in the event such a return is not filed such evidence related to income as may be required by the assessor, for the tax year of such veteran ending immediately prior to the assessment date with respect to which such exemption is claimed. Such town clerk shall record each such affidavit in full and shall list the name of such veteran, and such service shall be performed by such town clerk without remuneration. No assessor, board of assessment appeals or other official shall allow any such claim for exemption unless evidence as specified in this section has been filed in the office of such town clerk. Any such veteran who has filed for such exemption and received approval for the first time shall be required to file for such exemption biennially thereafter, subject to the provisions of subsection (c) of this section.

(3) The assessor of such municipality shall annually make a certified list of all such veterans who are found to be entitled to exemption under the provisions of this section, which list shall be filed in the town clerk's office and shall be prima facie evidence that any such veteran whose name appears on such list is entitled to such exemption, subject to the provisions of subsection (c) of this section, as long as he or she continues to reside in such municipality and as long as the legislative body of such municipality continues to provide for such exemption. Such assessor may, at any time, require any such veteran to appear before such assessor for the purpose of furnishing additional evidence, provided any such veteran who, by reason of total disability, is unable to so appear may furnish such assessor a statement from such veteran's attending physician or an advanced practice registered nurse certifying that such veteran is totally disabled and unable to make a personal appearance and such other evidence of total disability as such assessor may deem appropriate.

(4) No such veteran may receive such exemption until such veteran has proven his or her right to such exemption in accordance with the provisions of this section, together with such further proof as may be required under such provisions. Exemptions so proven shall take effect on the next succeeding assessment day.

(c) Any such veteran who has submitted an application and been approved in any year for the exemption provided in this section shall, in the year immediately following approval, be presumed to be qualified for such exemption. During the year immediately following such approval, the assessor shall notify, in writing, each veteran presumed to be qualified pursuant to this subsection. If any such veteran has qualifying income in excess of the maximum allowed under subsection (a) of this section, such veteran shall notify the assessor on or before the next filing date for such exemption and shall be denied such exemption for the assessment year immediately following and for any subsequent year until such veteran has reapplied and again qualified for such exemption. Any such veteran who fails to notify the assessor of such disqualification shall make payment to the municipality in the amount of property tax loss related to such exemption improperly taken.

Sec. 4. Section 12-81/ of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017, and applicable to assessment years commencing on or after October 1, 2017):

Whenever used in sections 12-81f, 12-81g, as amended by this act, 12-81i, [and] 12-81j and section 3 of this act, "qualifying income" means, with respect to any person making application for exemption from property tax as provided under any of said sections, such person's total adjusted gross income as determined for purposes of the federal income tax plus any other income not included in such adjusted gross income, individually if unmarried, or jointly with spouse if married, during the calendar year ending immediately preceding the filing of a claim for any such exemption, but does not include veterans' disability payments. For purposes of determining eligibility for any of such exemptions, such qualifying income may not exceed fourteen thousand dollars, if unmarried, or sixteen thousand dollars, jointly with spouse, if married, provided in no event shall such maximum amounts of qualifying income with respect to any such person be less than the maximum amount of such qualifying income in the case of a married or unmarried person, whichever is applicable, under subsection (b) of section 12-170aa, and in the event that such maximum qualifying income under this section is less than the comparable amount under said subsection (b) of section 12-170aa for any assessment year, such amount under this section shall be made equivalent to that under said subsection (b) of section 12-170aa for purposes of determining eligibility under this section for such assessment year.

**Signed by the Governor 7/10/2017**

**Public Act No. 17-199**

**AN ACT EXEMPTING LEASED MUNICIPAL PROPERTY FROM TAXATION.**

Section 1. Subdivision (4) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017):

(4) (A) Except as otherwise provided by law, personal property belonging to, [or] held in trust for, or leased to, a municipal corporation of this state and used for a public purpose, including [real and] personal property used for cemetery purposes, and (B) real property belonging to, held in trust for, or leased to, a municipal corporation of this state and used for a public purpose, including real property used for cemetery purposes, provided any such leased personal property, including, but not limited to, motor vehicles subject to the provisions of section 12-71 and any such leased real property is located within the boundaries of such municipal corporation;

**Signed by the Governor 7/10/2017**

**Public Act No. 17-201**

**AN ACT CONCERNING THE COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM.**

Section 1. Section 16a-40g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017):

(a) As used in this section:

- (1) "Energy improvements" means (A) participation in a district heating and cooling system by qualifying commercial real property, (B) participation in a microgrid, as defined in section 16-243y, including any related infrastructure for such microgrid, by qualifying commercial real property, provided such microgrid and any related infrastructure incorporate clean energy, as defined in section 16-245n, (C) any improvement, renovation or retrofitting of qualifying commercial real property to reduce energy consumption or improve energy efficiency, (D) installation of a renewable energy system to service qualifying commercial real property, or (E) installation of a solar thermal or geothermal system to service qualifying commercial real property, provided such renovation, retrofit or installation described in subparagraph (C), (D) or (E) of this subdivision is permanently fixed to such qualifying commercial real property;
- (2) "District heating and cooling system" means a local system consisting of a pipeline or network providing hot water, chilled water or steam from one or more sources to multiple buildings;
- (3) "Qualifying commercial real property" means any commercial or industrial property, regardless of ownership, that meets the qualifications established for the commercial sustainable energy program;
- (4) "Commercial or industrial property" means any real property other than a residential dwelling containing less than five dwelling units;
- (5) "Benefited property owner" means an owner of qualifying commercial real property who desires to install energy improvements and provides free and willing consent to the benefit assessment against the qualifying commercial real property;
- (6) "Commercial sustainable energy program" means a program that facilitates energy improvements and utilizes the benefit assessments authorized by this section as security for the financing of the energy improvements;
- (7) "Municipality" means a municipality, as defined in section 7-369;
- (8) "Benefit assessment" means the assessment authorized by this section;
- (9) "Participating municipality" means a municipality that has entered into a written agreement, as approved by its legislative body, with the bank pursuant to which the municipality has agreed to assess, collect, remit and assign, benefit assessments to the bank in return for energy improvements for benefited property owners within such municipality and costs reasonably incurred in performing such duties;
- (10) "Bank" means the Connecticut Green Bank; and

(11) "Third-party capital provider" means an entity, other than the bank, that provides **[loans]** financing, leases or power purchase agreements directly to benefited property owners for energy improvements.

(b) (1) The bank shall establish a commercial sustainable energy program in the state, and in furtherance thereof, is authorized to make appropriations for and issue bonds, notes or other obligations for the purpose of financing, (A) energy improvements; (B) related energy audits; (C) renewable energy system feasibility studies; and (D) verification reports of the installation and effectiveness of such improvements. The bonds, notes or other obligations shall be issued in accordance with legislation authorizing the bank to issue bonds, notes or other obligations generally. Such bonds, notes or other obligations may be secured as to both principal and interest by a pledge of revenues to be derived from the commercial sustainable energy program, including revenues from benefit assessments on qualifying commercial real property, as authorized in this section.

(2) When the bank has made appropriations for energy improvements for qualifying commercial real property or other costs of the commercial sustainable energy program, including interest costs and other costs related to the issuance of bonds, notes or other obligations to finance the appropriation, the bank may require the participating municipality in which the qualifying commercial real property is located to levy a benefit assessment against the qualifying commercial real property especially benefited thereby.

(3) The bank (A) shall develop program guidelines governing the terms and conditions under which state and third-party financing may be made available to the commercial sustainable energy program, including, in consultation with representatives from the banking industry, municipalities and property owners, developing the parameters for consent by existing mortgage holders and may serve as an aggregating entity for the purpose of securing state or private third-party financing for energy improvements pursuant to this section, (B) shall establish the position of commercial sustainable energy program liaison within the bank, (C) may establish a loan loss reserve or other credit enhancement program for qualifying commercial real property, (D) may use the services of one or more private, public or quasi-public third-party administrators to administer, provide support or obtain financing for the commercial sustainable energy program, (E) shall adopt standards to ensure that the energy cost savings of the energy improvements over the useful life of such improvements exceed the costs of such improvements, and (F) may encourage third-party capital providers to provide **[loans]** financing, leases and power purchase agreements directly to benefited property owners in lieu of or in addition to the bank providing such loans.

(c) Before establishing a commercial sustainable energy program under this section, the bank shall provide notice to the electric distribution company, as defined in section 16-1, that services the participating municipality.

(d) If a benefited property owner requests financing from the bank or a third-party capital provider for energy improvements under this section, the bank shall:

(1) Require performance of an energy audit or renewable energy system feasibility analysis on the qualifying commercial real property that assesses the expected energy cost savings of the energy improvements over the useful life of such improvements before approving such financing;



(2) If financing is approved, either by the bank or the third-party capital provider, require the participating municipality to levy a benefit assessment on the qualifying commercial real property with the property owner in a principal amount sufficient to pay the costs of the energy improvements and any associated costs the bank or the third-party capital provider determines will benefit the qualifying commercial real property;

(3) Impose requirements and criteria to ensure that the proposed energy improvements are consistent with the purpose of the commercial sustainable energy program;

(4) Impose requirements and conditions on the financing to ensure timely repayment, including, but not limited to, procedures for placing a benefit assessment lien on a property as security for the repayment of the benefit assessment; and

(5) Require that the property owner provide written notice, not less than thirty days prior to the recording of any benefit assessment lien securing a benefit assessment for energy improvements for such property, to any existing mortgage holder of such property, of the property owner's intent to finance such energy improvements pursuant to this section.

(e) (1) The bank or the third-party capital provider may enter into a financing agreement with the property owner of qualifying commercial real property. After such agreement is entered into, and upon notice from the bank, the participating municipality shall (A) place a caveat on the land records indicating that a benefit assessment and a benefit assessment lien are anticipated upon completion of energy improvements for such property, or (B) at the direction of the bank, levy the benefit assessment and file a benefit assessment lien on the land records based on the estimated costs of the energy improvements prior to the completion or upon the completion of such improvements.

(2) The bank or the third-party capital provider shall disclose to the property owner the costs and risks associated with participating in the commercial sustainable energy program established by this section, including risks related to the failure of the property owner to pay the benefit assessment. The bank or the third-party capital provider shall disclose to the property owner the effective interest rate of the benefit assessment, including fees charged by the bank or the third-party capital provider to administer the program, and the risks associated with variable interest rate financing. The bank or the third-party capital provider shall notify the property owner that such owner may rescind any financing agreement entered into pursuant to this section not later than three business days after such agreement.

(f) The bank or the third-party capital provider shall set a fixed or variable rate of interest for the repayment of the benefit assessment amount at the time the benefit assessment is made. Such interest rate, as may be supplemented with state or federal funding as may become available, shall be sufficient to pay the bank's financing and administrative costs of the commercial sustainable energy program, including delinquencies.

(g) Benefit assessments levied and filed pursuant to this section and the interest, fees and any penalties thereon shall constitute a lien against the qualifying commercial real property on which they are made until they are paid. Such benefit assessment lien, [or if the financing agreement provides that the benefit assessments] shall be paid in installments [then] and each installment payment [,] shall be collected in the same manner as the property taxes of the participating municipality on real property,

including, in the event of default or delinquency, with respect to any penalties, fees and remedies. Each such benefit assessment lien may be recorded and released in the manner provided for property tax liens and shall take precedence over all other liens or encumbrances except a lien for taxes of the municipality on real property, which lien for taxes shall have priority over such benefit assessment lien, and provided that the precedence of such benefit assessment lien over any lien held by an existing mortgage holder shall be subject to the written consent of such existing mortgage holder. To the extent **[benefit assessments are paid in installments and any such]** any benefit assessment lien installment is not paid when due, the benefit assessment lien may be foreclosed to the extent of any unpaid installment payments due and owing and any penalties, interest and fees related thereto. In the event **[such]** a benefit assessment lien is foreclosed **[, such]** or a lien for taxes of the municipality on real property is foreclosed or enforced by levy and sale in accordance with chapter 204, the benefit assessment lien shall be extinguished solely with regard to any installments that were due and owing on the date of the judgment of such foreclosure or levy and sale and the benefit assessment lien shall otherwise survive [the] such judgment [of foreclosure] or levy and sale to the extent of any unpaid installment payments of the benefit assessment secured by such benefit assessment lien that [were not the subject] are due after the date of such judgment or levy and sale.

(h) Any participating municipality may assign to the bank any and all benefit assessment liens filed by the **[tax collector]** participating municipality, as provided in the written agreement between the participating municipality and the bank. The bank may sell or assign, for consideration, any and all benefit assessment liens received from the participating municipality. The consideration received by the bank shall be negotiated between the bank and the assignee. The assignee or assignees of such benefit assessment liens shall have and possess the same powers and rights at law or in equity as the bank and the participating municipality and its tax collector would have had if the benefit assessment lien had not been assigned with regard to the precedence and priority of such benefit assessment lien, the accrual of interest and the fees and expenses of collection. The assignee shall have the same rights to enforce such benefit assessment liens as any private party holding a lien on real property, including, but not limited to, foreclosure and a suit on the debt. Costs and reasonable attorneys' fees incurred by the assignee as a result of any foreclosure action or other legal proceeding brought pursuant to this section and directly related to the proceeding shall be taxed in any such proceeding against each person having title to any property subject to the proceedings. Such costs and fees may be collected by the assignee at any time after demand for payment has been made by the assignee.

**Signed by the Governor 7/10/2017**

**Public Act No. 17-214**

**AN ACT CONCERNING THE CREATION OF CONNECTICUT BROWNFIELD LAND BANKS, REVISIONS TO THE BROWNFIELD REMEDIATION AND REVITALIZATION PROGRAM AND AUTHORIZING BONDS OF THE STATE FOR BROWNFIELD REMEDIATION AND DEVELOPMENT PROGRAMS.**

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

Section 1. Section 32-760 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

As used in this [\[section and sections 32-761 to 32-769, inclusive\]](#) chapter and sections 2 to 6, inclusive, of this act:

(1) "Bona fide prospective purchaser" means a person who acquires ownership of a property after July 1, 2011, and establishes by a preponderance of the evidence that:

(A) All disposal of regulated substances at the property occurred before such person acquired the property;

(B) Such person made all appropriate inquiries, as set forth in 40 CFR Part 312, into the previous ownership and uses of the property in accordance with generally accepted good commercial and customary standards and practices, including, but not limited to, the standards and practices set forth in the ASTM Standard Practice for Environmental Site Assessments, Phase I Environmental Site Assessment Process, in effect on the date such person acquired the property. In the case of property in residential or other similar use at the time of purchase by a nongovernmental or noncommercial entity, a property inspection and a title search that reveal no basis for further investigation shall be considered to satisfy the requirements of this subparagraph;

(C) Such person provides all legally required notices with respect to the discovery or release of any regulated substances at the property;

(D) Such person exercises appropriate care with respect to regulated substances found at the property by taking reasonable steps to (i) stop any continuing release, (ii) prevent any threatened future release, and (iii) prevent or limit human, environmental or natural resource exposure to any previously released regulated substance;

(E) Such person provides full cooperation, assistance and access to persons authorized to conduct response actions or natural resource restoration at the property, including, but not limited to, the cooperation and access necessary for the installation, integrity, operation and maintenance of any complete or partial response actions or natural resource restoration at the property;

(F) Such person complies with any land use restrictions established or relied on in connection with the response action at the property and does not impede the effectiveness or integrity of any institutional control employed at the property in connection with a response action; and

(G) Such person complies with any request for information from the Commissioner of Energy and Environmental Protection;

(2) "Brownfield" means any abandoned or underutilized site where redevelopment, reuse or expansion has not occurred due to the presence or potential presence of pollution in the buildings, soil or groundwater that requires investigation or remediation before or in conjunction with the redevelopment, reuse or expansion of the property;

(3) "Commissioner" means the Commissioner of Economic and Community Development;

(4) "Contiguous property owner" means a person who owns real property contiguous to or otherwise similarly situated with respect to, and that is or may be contaminated by a release or threatened release of a regulated substance from, real property that is not owned by that person, provided:

(A) With respect to the property owned by such person, such person takes reasonable steps to (i) stop any continuing release of any regulated substance released on or from the property, (ii) prevent any threatened future release of any regulated substance released on or from the property, and (iii) prevent or limit human, environmental or natural resource exposure to any regulated substance released on or from the property;

(B) Such person provides full cooperation, assistance and access to persons authorized to conduct response actions or natural resource restoration at the property from which there has been a release or threatened release, including, but not limited to, the cooperation and access necessary for the installation, integrity, operation and maintenance of any complete or partial response action or natural resource restoration at the property;

(C) Such person complies with any land use restrictions established or relied on in connection with the response action at the property and does not impede the effectiveness or integrity of any institutional control employed in connection with a response action;

(D) Such person complies with any request for information from the Commissioner of Energy and Environmental Protection; and

(E) Such person provides all legally required notices with respect to the discovery or release of any hazardous substances at the property;

(5) "Department" means the Department of Economic and Community Development;

(6) "Economic development agency" means (A) a municipal economic development agency or entity created or operating under chapter 130 or 132; (B) a nonprofit economic development corporation formed to promote the common good, general welfare and economic development of a municipality or a region that is funded, either directly or through in-kind services, in part by one or more municipalities; (C) a nonstock corporation or limited liability company established or controlled by a municipality, municipal economic development agency or an entity created or operating under chapter 130 or 132; or (D) an agency, as defined in section 32-327;

(7) "Eligible costs" means the costs associated with the investigation, assessment, remediation and development of a brownfield, including, but not limited to, (A) soil, groundwater and infrastructure investigation, (B) assessment, (C) remediation, (D) abatement, (E) hazardous materials or waste disposal, (F) long-term groundwater or natural attenuation monitoring, (G) (i) environmental land use restrictions, (ii) activity and use limitations, or (iii) other forms of institutional control, (H) attorneys' fees, (I) planning, engineering and environmental consulting, and (J) building and structural issues, including demolition, asbestos abatement, polychlorinated biphenyls removal, contaminated wood or paint removal, and other infrastructure remedial activities;

(8) "Financial assistance" means grants, loans or loan guarantees, or any combination thereof;

- (9) "Innocent landowner" has the same meaning as provided in section 22a-452d;
- (10) "Interim verification" has the same meaning as provided in section 22a-134, as amended by this act;
- (11) "Manufacturing facility" means a business establishment classified under sector 31, 32 or 33 of the North American Industrial Classification System;
- (12) "Municipality" means a town, city, consolidated town and city or consolidated town and borough. For purposes of sections 2 to 6, inclusive, of this act, "municipality" includes a district, as defined in section 7-324, a metropolitan area, as defined in section 7-333, and any political subdivision of the state that has the power to levy taxes and to issue bonds, notes or other obligations;
- (13) "PCB regulations" means the polychlorinated biphenyls manufacturing, processing, distribution in commerce and use prohibitions found at 40 CFR Part 761;
- (14) "Person" means any individual, firm, partnership, association, syndicate, company, trust, corporation, nonstock corporation, limited liability company, municipality, economic development agency, agency or political or administrative subdivision of the state or any other legal entity;
- (15) "Real property" means land, buildings and other structures and improvements thereto, subterranean or subsurface rights, any and all easements, air rights and franchises of any kind or nature;
- (16) "Regulated substance" has the same meaning as provided in section 22a-134g;
- (17) "Release" means any discharge, spillage, uncontrolled loss, seepage, filtration, leakage, injection, escape, dumping, pumping, pouring, emitting, emptying or disposal of a substance;
- (18) "Remediation standards" has the same meaning as provided in section 22a-134, as amended by this act;
- (19) "State" means the state of Connecticut;
- (20) "UST regulations" means the regulations adopted pursuant to subsection (d) of section 22a-449; **[and]**
- (21) "Verification" has the same meaning as provided in section 22a-134, as amended by this act; and
- (22) "Connecticut brownfield land bank" means a Connecticut nonstock corporation, certified by the Commissioner of Economic and Community Development pursuant to section 2 of this act, established for the purposes of (A) acquiring, retaining, remediating and selling brownfields in the state for the benefit of municipalities, (B) educating government officials, community leaders, economic development agencies and nonprofit organizations on best practices for redeveloping brownfields, and (C) engaging in all other activities in accordance with sections 2 to 6, inclusive, of this act.

Sec. 5. (NEW) (*Effective July 1, 2017*) The exercise of the powers granted by sections 2 to 6, inclusive, of this act, shall be in all respects for the benefit of the people of the state, for the increase of their commerce, welfare and prosperity, and as the exercise of such powers shall constitute the performance of an essential public function, a Connecticut brownfield land bank shall not be required to pay any taxes or assessments upon or in respect of any revenues or property received, acquired, transferred or used by such Connecticut brownfield land bank, or upon or in respect of the income from such revenues or property.

Sec. 6. (NEW) (*Effective July 1, 2017*) (a) A Connecticut brownfield land bank shall hold in its own name all real property acquired by such land bank irrespective of the identity of the transferor of such property.

(b) A Connecticut brownfield land bank shall acquire only brownfield sites and other real property, located adjacent or in close proximity to brownfield sites to be acquired, that are identified in a land banking agreement between such Connecticut brownfield land bank and the municipality in which such properties are located.

(c) A Connecticut brownfield land bank shall maintain and make available for public review and inspection an inventory of all real property held by such land bank.

(d) A Connecticut brownfield land bank shall determine and set forth in policies and procedures the general terms and conditions for consideration to be received by such land bank for the transfer to such land bank of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants and conditions related to the present and future use of such real property, contractual commitments of the transferee, and such other forms of consideration as determined by the board of directors to be in the best interest of such land bank.

(e) A Connecticut brownfield land bank may convey, exchange, sell, transfer, lease as lessee, grant, release and demise, pledge and hypothecate any and all interests in, upon or to real property of the brownfield land bank, provided such land bank may only convey, exchange, transfer or sell real property with the approval of the municipality in which such real property is located pursuant to the terms of a land banking agreement entered into with such municipality.

Sec. 7. Subsection (a) of section 12-81r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) Any municipality may (1) enter into an agreement with the owner of any real property to abate the property tax due as of the date of the agreement for a period not to exceed seven years if the property has been subject to a spill, as defined in section 22a-452c, and the owner agrees to conduct any environmental site assessment, demolition and remediation of the spill necessary to redevelop the property. Any such tax abatement shall only be for the period of remediation and redevelopment and shall be contingent upon the continuation and completion of the remediation and redevelopment process with respect to the purposes specified in the agreement. The abatement shall cease upon the sale or transfer of the property for any other purpose unless the municipality consents to its continuation. The municipality may also establish a recapture provision in the event of sale provided

such recapture shall not exceed the original amount of taxes abated and may not go back further than the date of the agreement; (2) forgive all or a portion of the principal balance and interest due on delinquent property taxes for the benefit of any prospective purchaser who has obtained an environmental investigation or remediation plan approved by the Commissioner of Energy and Environmental Protection or a licensed environmental professional under section 22a-133w, 22a-133x or 22a-133y and completes such remediation plan for an establishment, as defined in section 22a-134, as amended by this act, deemed by the municipality to be abandoned or a brownfield, as defined in section 32-760, as amended by this act; **[or]** (3) enter into an agreement with the owner of any real property to fix the assessment of the property as of the last assessment date prior to commencement of remediation activities for a period not to exceed seven years, provided the property has been the subject of a remediation approved by the Commissioner of Energy and Environmental Protection or verified by a licensed environmental professional pursuant to section 22a-133w, 22a-133x, 22a-133y or 22a-134, as amended by this act; or (4) forgive all or a portion of the principal balance and interest due on delinquent property taxes for the benefit of any Connecticut brownfield land bank, as defined in section 32-760, as amended by this act, that has acquired or will acquire any real property within the municipality.

**Signed by the Governor 7/5/2017**

**Public Act No. 17-222**

**AN ACT CONCERNING MINOR REVISIONS TO THE RENTERS REBATE PROGRAM.**

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

Section 1. Section 12-170f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) Any renter, believing himself or herself to be entitled to a grant under section 12-170d for any calendar year, shall apply for such grant to the assessor of the municipality in which the renter resides or to the duly authorized agent of such assessor or municipality on or after April first and not later than October first of each year with respect to such grant for the calendar year preceding each such year, on a form prescribed and furnished by the Secretary of the Office of Policy and Management to the assessor. A renter may apply to the secretary prior to December fifteenth of the claim year for an extension of the application period. The secretary may grant such extension in the case of extenuating circumstance due to illness or incapacitation as evidenced by a certificate signed by a physician or an advanced practice registered nurse to that extent, or if the secretary determines there is good cause for doing so. A renter making such application shall present to such assessor or agent, in substantiation of the renter's application, a copy of the renter's federal income tax return, and if not required to file a federal income tax return, such other evidence of qualifying income, receipts for money received, or cancelled checks, or copies thereof, and any other evidence the assessor or such agent may require. When the assessor or agent is satisfied that the applying renter is entitled to a grant, such assessor or agent shall issue a certificate of grant **[, in triplicate,]** in such form as the secretary may prescribe and supply showing the amount of the grant due. The assessor or agent shall forward the **[original copy and attached]** application to the secretary not later than the last day of the month following the month in which the renter has made application. Any municipality that neglects to transmit to the secretary the **[claim and supporting applications]** application as required by this section shall forfeit two hundred

fifty dollars to the state, provided the secretary may waive such forfeiture in accordance with procedures and standards adopted by regulation in accordance with chapter 54. [A duplicate of such] The certificate [with a copy of the application attached] of grant shall be delivered to the renter and the assessor or agent shall keep [the third copy] copies of such certificate and [a copy of the] application. After the secretary's review of each claim, pursuant to section 12-120b, and verification of the amount of the grant, the secretary shall make a determination of any per cent reduction to all claims that will be necessary to keep within available appropriations and, not later than [September thirtieth] October fifteenth of each year prepare a list of certificates approved for payment, and shall thereafter supplement such list monthly. Such list and any supplements thereto shall be approved for payment by the secretary and shall be forwarded by the secretary to the Comptroller, along with a notice of any necessary per cent reduction in claim amounts, [not later than one hundred twenty days after receipt of such applications and certificates of grant from the assessor or agent,] and the Comptroller shall draw an order on the Treasurer, not later than fifteen days following, in favor of each person on such list and on supplements to such list in the amount of such person's claim, minus any per cent reduction noticed by the secretary pursuant to this subsection, and the Treasurer shall pay such amount to such person, not later than fifteen days following. If the Secretary of the Office of Policy and Management determines a renter was overpaid for such grant, the amount of any subsequent grant paid to the renter under section 12-170d after such determination shall be reduced by the amount of overpayment until the overpayment has been recouped. Any claimant aggrieved by the results of the secretary's review or determination shall have the rights of appeal as set forth in section 12-120b. Applications filed under this section shall not be open for public inspection. Any person who, for the purpose of obtaining a grant under section 12-170d, wilfully fails to disclose all matters related thereto or with intent to defraud makes false statement shall be fined not more than five hundred dollars.

(b) Any municipality may provide, upon approval by its legislative body, that the duties and responsibilities of the assessor, as required under this section and section 12-170g, shall be transferred to (1) the officer in such municipality having responsibility for the administration of social services, or (2) the coordinator or agent for the elderly in such municipality.

**Signed by the Governor 7/11/2017**

**Public Act No. 17-224**

**AN ACT CONCERNING REVISIONS TO VARIOUS PROVISIONS OF THE GENERAL STATUTES.**

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

Sec. 2. Subsection (e) of section 12-107f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(e) Failure to file an application for exemption within the time limit prescribed in subsection (c) of this section and in the manner and form prescribed in subsection (d) of this section shall be considered a waiver of the right to such exemption with respect to the current such assessment.

**Signed by the Governor 7/10/2017**



**Public Act No. 17-238**

**AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS AND EASEMENTS OF STATE LAND, THE REDEVELOPMENT OF PROPERTY IN THE TOWN OF PRESTON AND A REQUIREMENT TO APPRAISE CERTAIN MUNICIPAL PROPERTY PRIOR TO SALE.**

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

Sec. 13. (NEW) (*Effective July 1, 2017, and applicable to sales occurring on and after September 1, 2017*) For the purposes of this section, "municipality" means any town, consolidated town and city or consolidated town and borough. Prior to the sale of any real property (1) owned by a municipality, (2) with an assessed value of more than two hundred fifty thousand dollars or whose value has not been assessed by the town, and (3) that includes or is part of a watershed or encompasses a well or reservoir, such municipality shall cause an appraisal of the fair market value of such real property to be completed. Not later than sixty days prior to such sale, such municipality shall make such appraisal public on such municipality's Internet web site, or if no such Internet web site exists, through other practicable means as determined by such municipality.

**Signed by the Governor 7/11/2017**

**Public Act No. 17-240**

**AN ACT CONCERNING THE FAILURE TO FILE FOR CERTAIN GRAND LIST EXEMPTIONS, THE COMMUNITY HOUSING LAND BANK AND LAND TRUST PROGRAM AND THE TAX REVALUATION DEADLINE FOR THE TOWN OF ORANGE.**

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

Section 1. (*Effective July 1, 2017*): Notwithstanding the provisions of section 12-89 of the general statutes, any person otherwise eligible for a 2013 grand list exemption and a 2014 grand list exemption, pursuant to subdivision (58) of section 12-81 of the general statutes, in the city of Danbury, except that such person failed to file the required exemption applications within the time periods prescribed, shall be regarded as having filed such applications in a timely manner if such person files such applications not later than thirty days after the effective date of this section. Upon confirmation of the receipt of such applications and verification of the exemption eligibility of the property included in such applications, the assessor shall approve the exemptions for such property. If taxes have been paid on the property for which such exemptions are approved, the city of Danbury shall reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the applications had been filed in a timely manner.

Sec. 2. (*Effective July 1, 2017*) Notwithstanding the provisions of subparagraph (C) of subdivision (59) of section 12-81 of the general statutes, any person otherwise eligible for a 2016 grand list exemption pursuant to said subdivision (59) in the city of New Britain, except that such person failed to file the required exemption application within the time period prescribed, shall be regarded as having filed said application in a timely manner if such person files said application not later than thirty days after the effective date of this section, and pays the late filing fee pursuant to section 12-81k of the general statutes. Upon confirmation of the receipt of such fee and verification of the exemption eligibility of

the machinery and equipment included in such application, the assessor shall approve the exemption for such property. If taxes have been paid on the property for which such exemption is approved, the city of New Britain shall reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the application had been filed in a timely manner.

Sec. 3. (*Effective July 1, 2017*) Notwithstanding the provisions of subdivision (76) of section 12-81 of the general statutes, any person otherwise eligible for a 2016 grand list exemption pursuant to said subdivision (76) in the town of Berlin, except that such person failed to file the required exemption application within the time period prescribed, shall be regarded as having filed said application in a timely manner if such person files said application not later than thirty days after the effective date of this section, and pays the late filing fee pursuant to section 12-81k of the general statutes. Upon confirmation of the receipt of such fee and verification of the exemption eligibility of the machinery and equipment included in such application, the assessor shall approve the exemption for such property. If taxes have been paid on the property for which such exemption is approved, the town of Berlin shall reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the application had been filed in a timely manner.

Sec. 5. (*Effective July 11, 2017*) Notwithstanding the provisions of section 12-62 of the general statutes or any other provision of the general statutes, any municipal charter, special act or home rule ordinance, the town of Orange shall not be required to implement a revaluation prior to the assessment year commencing on October 1, 2017, provided any decision not to implement a revaluation pursuant to this section is approved by the legislative body of such town. The rate maker, as defined in section 12-131 of the general statutes, in such town may prepare new rate bills pursuant to the provisions of chapter 204 of the general statutes in order to carry out the provisions of this section. Any required revaluation subsequent to any delayed implementation of a revaluation pursuant to this section shall be implemented in accordance with the provisions of section 12-62 of the general statutes. Such subsequent revaluation shall recommence at the point in the schedule required pursuant to section 12-62 of the general statutes where such town was prior to such delay.

**Signed by the Governor 7/11/2017**

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**Special Act No. 17-7**

**AN ACT AMENDING THE CHARTER OF THE ODD FELLOWS HOME OF CONNECTICUT.**

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

Section 1. Section 3 of number 119 of the special acts of 1893, as amended by number 460 of the special acts of 1925, number 452 of the special acts of 1943, number 243 of the special acts of 1953, special act 73-28, section 1 of special act 82-35 and section 13 of public act 12-2 of the June special session, is amended to read as follows (Effective June 27, 2017):

The estate, property and fund which may be held by said corporation for the uses and purposes herein before expressed shall, with the rents, income and profits thereof, be exempted from all taxation, provided, that for purposes of property taxation, in the event that the otherwise taxable real and

personal estate held at any one time by said corporation shall, **[not amount to more than]** on or after October 1, 2017, exceed twenty-five million dollars in value, such excess shall not be exempted pursuant to this act. Nothing in this section shall be construed to affect said corporation's right to pursue any exemption from taxation otherwise available pursuant to the Connecticut general statutes.

**Signed by the Governor 6/27/2017**

### **Special Act No. 17-8**

#### **AN ACT AMENDING THE CHARTER OF THE OLD COLONY BEACH CLUB ASSOCIATION IN OLD LYME.**

Sec. 6. Section 9 of number 289 of the special acts of 1935 is amended to read as follows (*Effective June 30, 2017*):

The board of governors shall prepare and submit to said association, at **[each annual]** the June semiannual meeting, a budget and recommend a tax for the purpose of and based on such budget. **[, of not exceeding seven mills on the dollar of the total value of real estate within the limits of said association as shown by the last-completed grand list of the town of Old Lyme which budget and tax rate shall be posted on the signpost of said association not less than five days before such annual meeting. ]** The board of governors will set the mill rate on the dollar of the total value of real estate within the limits of said association as shown by the last-completed grand list of the town of Old Lyme. The recommended tax will be communicated to the members of the board at least ten days before the annual meeting by an approved method of communications as outlined in the association by-laws. Said association shall have the power to decrease such budget and rate of taxation recommended by said board of governors, but in no case shall it have power to increase such budget and rate of taxation. The rate of taxation so recommended by said board of governors shall be final unless decreased by the association at such annual meeting. Said board shall appoint a tax collector to collect such taxes, and a rate book shall be made out and signed by the clerk of said board on or before the third Saturday of July each year, and warrants may be issued for the collection of money due on such rate bills, pursuant to the provisions of section 1208 of the general statutes.

Sec. 7. Section 10 of number 289 of the special acts of 1935, as amended by section 2 of number 303 of the special acts of 1947, is amended to read as follows (*Effective June 30, 2017*):

Written notice of the rate of such tax and of the amount apportioned to each member of the association shall be sent by the tax collector on or before the following July **[fifteenth]** first, and such tax shall be due and payable on **[the fifteenth of the following]** August first, and, if such tax be not paid when due, it shall bear interest **[at the rate of six per cent per annum from the date]** consistent with state tax laws from the date when it was so payable. The tax collector shall have all the powers of collectors of town taxes and shall pay over the taxes as soon as collected to the treasurer of the Association. Each such tax, if not paid when due, shall be a lien upon the property upon which it shall be laid for one year from the time of the laying of such tax. Such lien may be continued by certificate to be recorded in the land records of the town of Old Lyme, pursuant to the provisions of section 1235 of the general statutes.

Sec. 8. Section 12 of number 289 of the special acts of 1935, as amended by section 3 of number 303 of the special acts of 1947, is amended to read as follows (*Effective from passage*):

**[Twelve]** Thirty members of said association shall constitute a quorum for the transaction of business. To the extent lawful, any person entitled to attend and vote at a members meeting may establish his/her presence and cast his/her vote by proxy. A proxy vote may be given by any person entitled to vote, but shall be valid only for the specific meeting for which originally given and any lawful adjournment of that meeting, and no proxy is valid for a period longer than ninety days after the date of the first meeting for which it was given. Every proxy is revocable at the pleasure of the person executing it. To be valid, a proxy must be in writing, dated, signed by a person authorized to cast the vote for the property, and specify the date, time and place of the meeting for which it is given. The signed and dated original must be delivered to the clerk at or before the time of the meeting or continuance thereof. Holders of proxies need not be members. No proxy is valid if it names more than one person as the proxy holder. Any member may designate in writing any person to act as his or her proxy at any meeting of said association, such proxy to be entitled to all privileges of such member.

Members of the association are entitled to only one vote for each parcel within the limits of the association, as identified on the last completed grand list of the Town of Old Lyme. The total number of votes will equal the total number of parcels. If a parcel is owned by multiple individuals, such as a husband and wife, any record owner may vote on behalf of the parcel. If a parcel is owned by a corporation, any officer may vote on behalf of said corporation. If a parcel is owned by a partnership, any general partner may vote on behalf of the partnership. If a parcel is owned in trust, any trustee of a trust shall be entitled to vote. If a parcel is owned by limited liability corporation (LLC), any member or manager may vote on behalf of the LLC.

Sec. 11. Section 19 of number 289 of the special acts of 1935, as amended by section 7 of number 303 of the special acts of 1947, is amended to read as follows (Effective from passage):

This act shall become effective upon its adoption by the majority vote of the members of said association who shall be present at a meeting called for that purpose by the board of governors, which meeting shall be warned as provided in section 13 of said act and held on the **[fourth Saturday of June, 1947]** first Saturday after Labor Day, 2015.

**Signed by the Governor 6/30/2017**



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 24-0472

**Agenda Date:** 6/12/2024

**Agenda #:** 3.

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## ORDINANCE

### **Motion/Request:**

Discussion and possible action to amend Ordinance #100-011, “An Ordinance Establishing a Youth & Social Services Board for the Town of Ledyard” as presented in the draft dated June 4, 2024.

### **Background:**

The Fiscal Year 2024/2025 Budget did not provide funding to support the Youth Services Coordinator position.

The Youth Services office closed mid-April with the resignation of the Youth Services Coordinator and departure of interns.

Outstanding cases were absorbed by the ARPA(American Rescue Plan Act) funded clinician position or referred to the School Based Health Center overseen by Child & Family Agency.

The ordinance has been revised to remove areas of the ordinance specific to Youth Services.

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

(type text here)

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

(type text here)

### **Body:**

(type text here)

AN ORDINANCE  
ESTABLISHING A ~~YOUTH &~~ SOCIAL SERVICES BOARD  
FOR THE TOWN OF LEDYARD

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

Section 1. Authority

Pursuant to ~~Chapter 164, Section 10-19m of~~ the General Statutes of the State of Connecticut, and Chapter IV, Section 9 of the Charter of the Town of Ledyard, there is hereby established a ~~Youth and~~ Social Services Board for the Town of Ledyard.

Section 2. Purpose

The Board shall be responsible for providing outreach and ~~community education,~~ *program direction in the delivery of human services* to meet the needs of ~~youth,~~ families and individuals in the Town of Ledyard.

Section 3. Duties

The Board will be responsible for receiving and reviewing ~~Youth and~~ Social Services Program reports to identify issues and trends and make recommendations. The Board shall perform community outreach and seek potential partnerships for the ~~Youth and~~ Social Services Program. The Board shall distribute ~~Youth and~~ Social Services Program materials to the community and work to identify ~~youth,~~ families and individuals in need.

Section 4. Fiscal Responsibilities

The Board shall annually review the ~~Youth and~~ Social Services Program budget and make recommendations as necessary prior to submission to the Mayor's Office.

*The Board shall make recommendations and promote fundraising efforts for Social Service Programs.*

Section 5. ~~Youth and~~ Social Services Board Membership

The ~~Youth and~~ Social Services Board shall be composed of not less than seven (7) members appointed by the Mayor, who *shall be electors of the Town of Ledyard*. ~~Said appointees shall all be Ledyard electors, and include at least one representative from the school system, police, a private youth-serving agency, a youth currently under the age of twenty one (21) and a Community at large member.~~

The Board shall annually elect a Chairman and Recording Secretary from its membership. Regular meetings shall be held per the by-laws of the ~~Youth and~~ Social Services Board. Special meetings may be called by a majority of the members of the Board.

Membership on any other Board, Commission, or Committee of the Town of Ledyard shall not preclude membership on the ~~Youth and~~ Social Services Board.

*In making the original appointments under this ordinance, the Mayor shall designate (3) member to serve for three (3) years; 2 members to serve for two (2) years members; two (2) members to serve for one (1) year. Thereafter members ~~shall commence to serve their terms immediately upon appointment and~~ shall serve until their successor has qualified or they have been reappointed or removed by the Mayor.*

Any member of the 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 Board. The vacancy shall be filled as herein before provided. Additionally, the Board may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this action.

It shall be the responsibility of the Chairman of the Board to notify the Mayor when a member has not properly performed his/her duties.

Section 6. *Implementation*

*Within two weeks after the adoption date of this ordinance, all current members of the Youth & Social Services Board for the Town of Ledyard shall indicate to the chairman their desire to serve on the Social Services Board.*

*The chairman shall thereafter report to the Mayor the desires of their members. In addition, the chairman shall make recommendations to the Mayor regarding present members to serve on the Social Services Board.*

*The Mayor shall appoint members to the Social Services Board no later than the 90 days from the effective date of the Ordinance.*

Section 7. Severability

If any section, or part of a section, of this 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.

Section 8. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Amended and Adopted by the Town Council on: \_\_\_\_\_

\_\_\_\_\_  
S. Naomi Rodriguez, Chairman

Approved / Disapproved on: \_\_\_\_\_

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

Published on:

Effective Date:

\_\_\_\_\_  
Patricia A. Riley, Town Clerk

\*\*\*\*\*  
Revision: *Ordinance #47 “An Ordinance Establishing Youth Services for the Town of Ledyard”* Adopted: April 17, 1990; Amended and Adopted: on February 14, 2001; Effective: February 15, 2001. Amended and Renumbered on September 25, 2019; Effective: October 23, 2019. ***Amended and Renamed on XXX; Effective: XXX***

**History:**

The Twenty-fourth Town Council (2017-2019) Ordinance Update Initiative: Renumbered *Ordinance #47 “Amendment to Ordinance #47 An Ordinance Establishing Youth Services for the Town of Ledyard”* to Ordinance #100-011.

2019: Removed from Ordinance “*An Ordinance Amending*” per Town Attorney, the History paragraphs indicates that the Ordinance was “amended”. Section 4 “*Youth Advisory Committee*” added language regarding attendance and filling vacancies to be consistent with ordinances establishing committees. Added Section 5 “*Severability*” to be consistent with Town Ordinance format. Added Section 6 “*Effective Date*” to be consistent with Town Ordinance format.

2020: Title: Added “*& Social Services*”.

Section 1 Authority: Removed “an amendment to ordinance #47- Per Town Attorney this language was not needed, as the “History” paragraphs indicates that the document was amended.

Section 2 Purpose: Removed “This agency shall be responsible for providing opportunities and programs for positive youth development as well as evaluating, planning, coordinating, and implementing services for youth referred to it by schools, police, juvenile courts, local



youth serving agencies, parents and self-referrals by youth” and replaced it with the following: *“This Board shall be responsible for providing outreach and community education to meet the needs of youth, families and individuals in the Town of Ledyard.”*

Section 3 Duties: Removed: “The Youth Services of the Town of Ledyard shall be responsible for establishing the overall policy and program direction of youth services. This agency of the Town of Ledyard may provide, but shall not be limited to the delivery of, the following services: individual and family counseling; parent training and group therapy; crisis intervention; drug and alcohol awareness and prevention programs; dial-a-teen job placement; court advocacy; information and referral; and outreach programs to insure participation and planning by the entire community for the development of youth services. Such services shall be designed to meet the needs of youth by collaborating with other systems and agencies such as the justice system and schools as well as by the provision of opportunities for positive youth development”. Replaced it with *“This Board will be responsible for receiving and reviewing Youth and Social Services Program reports to identify issues and trends and make recommendations. The Board shall perform community outreach and seek potential partnerships for the Youth and Social Services Program. The Board shall distribute Youth and Social Services Program materials to the community and work to identify youth, families and individuals in need.”*

Added New Section 4 “Fiscal responsibilities”. Former Section 4 became Section 5. Updated Section Title deleting “Advisory” and adding *“and Social Services Membership”*. Removed “As part of Youth Services, a youth advisory” and replaced it with *“The Youth and Social Services Board shall be”*. Removed; “shall be”. Changed Term from two (2) year to *“three (3) year”*. Added; *“all be Ledyard electors, and”*. Removed “public health nursing agency and”. Added *“and a community-at-large member”*. Removed: “and provided further that one-third of the total membership shall consist of members who earn less than 50 percent of their wages or livelihood by delivering services to youths and their families, and who manifest an interest in youth services”. Added: *“The Board shall annually elect a Chairman and Recording Secretary from its membership. Regular meetings shall be held per the by-laws of the Youth and Social Services Board. Special meetings may be called by a majority of the members of the Board. Membership on any other Board, Commission, or Committee of the Town of Ledyard shall not preclude membership on the Youth and Social Services Board.”*

The word “Department” was replaced with *“Program”* throughout the document.

The word “Committee” was replaced with *“Board”* throughout the document to be consistent with the Town Charter.

***2024: Ordinance #100-011 “An Ordinance Establishing a Youth & Social Services Board for the Town of Ledyard” amended to remove ~~and Youth~~ throughout the document.***

*Section 1: “authority” Removed Chapter 164, Section 10-19m of. and updated Chapter IV, Section 9.*

*Section 2: “Purpose” Paragraph 1 Removed community education.; Also added program direction in the delivery of human services.*

*Section 4: “Fiscal Responsibilities” Paragraph 2 added The Board shall make recommendations and promote fundraising efforts for Social Service Programs.*

*Section 5: “Social Services Board Membership”*

*Paragraph 1 Replaced Said appointees shall all be Ledyard electors, and include at least one representative from the school system, police, a private youth serving agency, a youth currently under the age of twenty one (21) and a Community-at-large member. with shall be electors of the Town of Ledyard.*

*Paragraph 4 Added the following language: In making the original appointments under this ordinance, the Mayor shall designate (3) member to serve for three (3) years; 2 members to serve for two (2) years members; two (2) members to serve for one (1) year. Thereafter members; Also removed shall commence to serve their terms immediately upon appointment and.*

*Section 6: “Implementation” Added paragraphs 1-3.*

AN ORDINANCE  
ESTABLISHING A ~~YOUTH &~~ SOCIAL SERVICES BOARD  
FOR THE TOWN OF LEDYARD

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

Section 1. Authority

Pursuant to ~~Chapter 164, Section 10-19m of~~ the General Statutes of the State of Connecticut, and Chapter IV, Section 9 of the Charter of the Town of Ledyard, there is hereby established a ~~Youth and~~ Social Services Board for the Town of Ledyard.

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It shall be the responsibility of the Chairman of the Board to notify the Mayor when a member has not properly performed his/her duties.

#### Section 6. *Implementation*

*Within two weeks after the adoption date of this ordinance, all current members of the Youth & Social Services Board for the Town of Ledyard shall indicate to the chairman their desire to serve on the Social Services Board.*

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#### Section 7. Severability

If any section, or part of a section, of this 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.

#### Section 8. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Amended and Adopted by the Town Council on: \_\_\_\_\_

\_\_\_\_\_  
S. Naomi Rodriguez, Chairman

Approved / Disapproved on: \_\_\_\_\_

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

Published on:

Effective Date:

\_\_\_\_\_  
Patricia A. Riley, Town Clerk

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youth serving agencies, parents and self-referrals by youth” and replaced it with the following: *“This Board shall be responsible for providing outreach and community education to meet the needs of youth, families and individuals in the Town of Ledyard.”*

Section 3 Duties: Removed: “The Youth Services of the Town of Ledyard shall be responsible for establishing the overall policy and program direction of youth services. This agency of the Town of Ledyard may provide, but shall not be limited to the delivery of, the following services: individual and family counseling; parent training and group therapy; crisis intervention; drug and alcohol awareness and prevention programs; dial-a-teen job placement; court advocacy; information and referral; and outreach programs to insure participation and planning by the entire community for the development of youth services. Such services shall be designed to meet the needs of youth by collaborating with other systems and agencies such as the justice system and schools as well as by the provision of opportunities for positive youth development”. Replaced it with *“This Board will be responsible for receiving and reviewing Youth and Social Services Program reports to identify issues and trends and make recommendations. The Board shall perform community outreach and seek potential partnerships for the Youth and Social Services Program. The Board shall distribute Youth and Social Services Program materials to the community and work to identify youth, families and individuals in need.”*

Added New Section 4 “Fiscal responsibilities”. Former Section 4 became Section 5. Updated Section Title deleting “Advisory” and adding *“and Social Services Membership”*. Removed “As part of Youth Services, a youth advisory” and replaced it with *“The Youth and Social Services Board shall be”*. Removed; “shall be”. Changed Term from two (2) year to *“three (3) year”*. Added; *“all be Ledyard electors, and”*. Removed “public health nursing agency and”. Added *“and a community-at-large member”*. Removed: “and provided further that one-third of the total membership shall consist of members who earn less than 50 percent of their wages or livelihood by delivering services to youths and their families, and who manifest an interest in youth services”. Added: *“The Board shall annually elect a Chairman and Recording Secretary from its membership. Regular meetings shall be held per the by-laws of the Youth and Social Services Board. Special meetings may be called by a majority of the members of the Board. Membership on any other Board, Commission, or Committee of the Town of Ledyard shall not preclude membership on the Youth and Social Services Board.”*

The word “Department” was replaced with *“Program”* throughout the document.

The word “Committee” was replaced with *“Board”* throughout the document to be consistent with the Town Charter.

***2024: Ordinance #100-011 “An Ordinance Establishing a Youth & Social Services Board for the Town of Ledyard” amended to remove ~~and Youth~~ throughout the document.***

*Section 1: “authority” Removed Chapter 164, Section 10-19m of. and updated Chapter IV, Section 9.*

*Section 2: “Purpose” Paragraph 1 Removed community education.; Also added program direction in the delivery of human services.*

*Section 4: “Fiscal Responsibilities” Paragraph 2 added The Board shall make recommendations and promote fundraising efforts for Social Service Programs.*

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*Paragraph 4 Added the following language: In making the original appointments under this ordinance, the Mayor shall designate (3) member to serve for three (3) years; 2 members to serve for two (2) years members; two (2) members to serve for one (1) year. Thereafter members; Also removed shall commence to serve their terms immediately upon appointment and.*

*Section 6: “Implementation” Added paragraphs 1-3.*



# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 24-0481

**Agenda Date:** 6/12/2024

**Agenda #:** 4.

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## 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 dated March 5, 2019
- Acknowledgement Form
- 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

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

Section 1. Authority

In accordance with Chapter III, Section 4 of the Town Charter, there is hereby established a Town of Ledyard Code of Ethics.

Section 2. Declaration of Policy and Purpose

Public office is a public trust. The trust of the public is essential for government to function effectively. Therefore, herewith is an established Code of Ethics for all Town officials, officers and employees. The purpose of this code is to establish suitable ethical standards for all such officials, officers and employees by prohibiting acts not in the best interests of the Town of Ledyard.

Section 3. Applicability

The Ethics Code shall apply to all Town officials, officers and employees, whether elected and/or appointed, paid or unpaid.

Specific portions of his Ordinance shall not be applicable if they conflict in whole or in part with any labor agreement, employment contract or state statute.

Section 4. Definitions

1. *“Person”* means an individual, sole proprietorship, trust, corporation, limited liability company, union, association, firm, partnership, committee, club or other organization or group of persons.
2. *“Individual”* means a natural person.
3. *“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.
4. *“Municipal employee”* means a person employed, whether part-time or full-time, by a municipality or a political subdivision thereof.
5. *“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.

6. "*Immediate family*" means spouse, child, parent or dependent relative who resides in the individual's household and grandchild, brother, sister, grandparent, daughter-in-law, son-in-law, mother-in-law, father-in-law, sister-in-law, and brother-in-law.
7. "*Persons governed by this Code*" means All Town officials, officers and employees, whether elected and/or appointed, paid or unpaid.
8. "*Business*" means any entity through which activity is conducted including, but not limited to a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or self-employed individual is conducted for profit or not for profit in which the municipal official or employee of the municipality or member of his/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/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/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.
9. "*Confidential Information*" means information, whether transmitted orally or in writing, in the possession of municipality, a municipal employee, or a municipal official, which is obtained by reason of the public position or office held, that is not, at the time of transmission, a matter of public record or public knowledge, whatever its form:
  - (a) 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
  - (b) 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.
10. "*Financial Interest*" means monetary or material value/benefit of one hundred dollars (\$100.00) or more that generates a financial gain or loss of one hundred dollars (\$100.00) per person in a calendar year to a town official/employee 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.
11. "*Gift*" means anything of value in excess of five hundred dollars (\$500.00) which is directly and personally received, unless consideration of equal or greater value is given in return.

• 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 (10) of subsection (b) of Section 9-601 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 a member of a person's immediate family:
  - a) an individual's spouse, fiancé or fiancée,
  - b) a parent, grandparent,
  - c) a brother or sister of such spouse or such individual, or
  - d) a child of such individual or the spouse of such child;
- 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, available to the general public.
- 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 municipal official or employee participates in his/her official capacity.
- j) A meal provided in the home by a Ledyard resident.
- 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 (\$500.00).

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(\$50.00) 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:
  - a) a municipal official,
  - b) a municipal employee, or

- c) 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

#### Section 5. Municipal Provisions

- (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 official duties in the public interest or would tend to impair that person or persons independent judgment 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 a member, or of which that person or persons is or are an employee(s).

It is further provided, notwithstanding the above, that no member of the Town Council of the Town of Ledyard and no member of the Board of Education of the Town of Ledyard shall 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.

#### Section 6. Conflict of Interest

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, or a member of his/her immediate family, 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. That person (or persons) shall declare on the record that person (or persons) has or have a conflict of interest.

Notwithstanding the prohibition in subsection 11(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.

#### Section 7. Disclosure/Recusal

In accordance with Chapter IX, Section 6 of the Town Charter 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.

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.

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.

#### Section 8. Use of Position

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

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.

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/her own behalf, or on behalf of a member of his/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.

##### (a) Employment Appointment

No municipal official or municipal employee may appoint or hire, or participate in influencing the appointment or hiring of his/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/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.

##### (b) Contracts

No municipal official or municipal employee, or a member of his/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.

(c) Use of Town Property

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/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.

Section 9. Acceptance of Gifts

Persons governed by this Code shall not solicit, accept or receive, directly or indirectly from any person or business who, to his/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 on matters that 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.

If a prohibited gift is offered to a municipal official or municipal employee, he /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.

Section 8. Post Employment

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/her service with the municipality.

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.

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

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/her resignation from municipal office or position if his/her resignation occurs less than one year after the contract is signed.

Section 9. Violations

Willful violation by any such officer or employee of the provisions of this Code shall be grounds for his/her removal in accordance with Chapter IX, Section 6 of the Town Charter. Violation of this Code 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 10. 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.

Section 11. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

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

\_\_\_\_\_  
Chairman

Approved / Disapproved on: \_\_\_\_\_

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

History: Office of State Ethics recommendation for all Municipalities to adopt a municipal code of ethics by October 1, 2020.



# 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



## Roxanne Maher

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**From:** Meredith Diette <mdiette@berchemmoses.com>  
**Sent:** Tuesday, October 23, 2018 8:46 AM  
**To:** Roxanne Maher  
**Cc:** Andra Ingalls  
**Subject:** RE: Town of Ledyard Draft Ordinance Ethics Committee \*\*Status Update\*\*\*

Good morning – I apologize and thought that I had responded to your email. In reviewing the draft I do not see any issues. Were there any particular concerns of the Committee of which I should be aware?



**Meredith G. Diette**  
Berchem Moses PC  
75 Broad Street  
Milford, CT 06460

Tel: (203) 783-1200  
Fax: (203) 882-0045  
[mdiette@berchemmoses.com](mailto:mdiette@berchemmoses.com)  
[www.berchemmoses.com](http://www.berchemmoses.com)  
[My Profile](#)

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**From:** Roxanne Maher [mailto:council@ledyardct.org]  
**Sent:** Tuesday, October 23, 2018 8:04 AM  
**To:** Meredith Diette  
**Cc:** Andra Ingalls; Roxanne Maher  
**Subject:** Town of Ledyard Draft Ordinance Ethics Committee \*\*Status Update\*\*\*

Good Morning Attorney Diette:

The Administration Committee has asked that I follow-up with you regarding the status of your review of the attached draft “*An Ordinance Establishing A Town of Ledyard Code Of Ethics and Ethics Commission*” as contained in the draft dated June 20, 2018.

I look forward to your response.

Thank you,  
Roxanne

*Roxanne M. Maher*



Administrative Assistant to  
the Ledyard Town Council  
(860) 464-3203  
council@ledyardct.org

**Town Hall Hours:**  
**Monday - Thursday 7:30 a.m. to 4:45 p.m.**  
**CLOSED FRIDAYS**

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**From:** Roxanne Maher  
**Sent:** Monday, October 01, 2018 1:40 PM  
**To:** 'Meredith Diette' <mdiette@berchemmoses.com>  
**Cc:** Andra Ingalls-Town E-Mail <aingalls@ledyardct.org>; Roxanne Maher (council@ledyardct.org) <council@ledyardct.org>  
**Subject:** RE: Town of Ledyard Draft Ordinance Ethics Committee

Good Afternoon Attorney Diette:

In preparation for the Administration Committee's October 10, 2018 meeting I am following-up on the status of your legal review of the Committee's "*An Ordinance Establishing A Town of Ledyard Code Of Ethics and Ethics Commission*" as contained in the draft dated June 20, 2018.

Also, I wanted to note that Councilor Eichelberg has stepped down from the Town Council as he has been deployed on Military Active Duty.

Councilor Andra Ingalls has taken on the role of Chairman for the Administration Committee. She can be reached at:  
Telephone: (860) 961-2414  
E-mail: [aigalls@ledyardct.org](mailto:aigalls@ledyardct.org)

Should you have any questions, please do not hesitate to contact either Councilor Ingalls or me.

Thank you,  
Roxanne

*Roxanne M. Maher*



Administrative Assistant to  
the Ledyard Town Council  
(860) 464-3203  
[council@ledyardct.org](mailto:council@ledyardct.org)

**Town Hall Hours:**  
**Monday - Thursday 7:30 a.m. to 4:45 p.m.**  
**CLOSED FRIDAYS**

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**From:** Meredith Diette <[mdiette@berchemmoses.com](mailto:mdiette@berchemmoses.com)>  
**Sent:** Friday, June 29, 2018 7:33 AM  
**To:** Roxanne Maher <[council@ledyardct.org](mailto:council@ledyardct.org)>  
**Cc:** Steve Eichelberg <[SEich@ledyardct.org](mailto:SEich@ledyardct.org)>  
**Subject:** Re: Town of Ledyard Draft Ordinance Ethics Committee

Good morning - I will review the same and provide feedback.

Meredith G. Diette, Esq.  
Berchem Moses PC  
203-783-1200 (office)  
860-235-8533 (cell)

On Jun 29, 2018, at 6:44 AM, Roxanne Maher <[council@ledyardct.org](mailto:council@ledyardct.org)> wrote:

Good Morning Attorney Diette:

The Administration Committee has been working to draft an *"An Ordinance Establishing A Town of Ledyard Code Of Ethics and Ethics Commission"* as Contained in the draft dated June 20, 2018 and asked that I forward the attached to you for your legal review, recommendations and comments.

Should you have any questions, please do not hesitate to contact Councilor Steve Eichelberg at (860) [961-1954seich@ledyard.ct.org](mailto:961-1954seich@ledyard.ct.org) or me.

Thank you,

Roxanne

*Roxanne M. Maher*

<image001.png>  
Administrative Assistant to  
the Ledyard Town Council  
(860) 464-3203

[council@ledyardct.org](mailto:council@ledyardct.org)

**Effective June 11,2018 Town Hall Hours:  
Monday - Thursday 7:30 a.m to 4:45 p.m.  
CLOSED FRIDAYS**

<Ordinance Establishing a Ledyard Code of Ethics Ethics Commission -2018-06-20.-clean copydocx.docx>

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

<b>Document Name</b> 2019 AAC Municipal Ethics	
<b>Agency</b> Office of State Ethics	<b>Agency Priority</b> (See instructions) 1
<b>Contact Person/Unit</b> Carol Carson, Executive Director	<b>Telephone</b> 860-263-2400
Email Address: <a href="mailto:Carol.Carson@ct.gov">Carol.Carson@ct.gov</a>	
<b>Title of Proposal</b> AAC Municipal Ethics	<b>Statutory Reference</b> <b>Proposal Type</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Resubmittal
<b>ATTACH COPY OF FULLY DRAFTED BILL (Required for review)</b>	
<b>APPROVAL OF OTHER AFFECTED AGENCY (Attach additional approvals if necessary)</b>	
<b>Agency</b> N/A	<b>Agency Contact (Name and Title)</b> N/A
<b>Attach Summary of Agency Comments</b>	<b>Contact Date</b> N/A
<b>Summary of Proposal (Include background information)</b>	
<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>	
<b>Reason for Proposal (Include significant policy and programmatic impacts)</b>	
<p><b>Section 1.</b> 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

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**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](http://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](mailto:peter.lewandowski@ct.gov)



# 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.

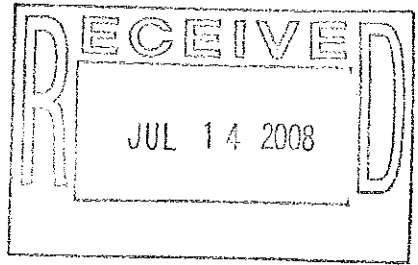
(b) The penalties prescribed in this part or section [1-101nn](#) shall not limit the power of either house of the legislature to discipline its own members or impeach a public official, and shall not limit the power of agencies or commissions to discipline their officials or employees.

(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.



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.





# TOWN OF LEDYARD

741 Colonel Ledyard  
Highway  
Ledyard, CT 06339-1511

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**File #:** 22-090

**Agenda Date:** 6/12/2024

**Agenda #:** 5.

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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)