

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

Q&A as written by Jessica Buhle

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

Q: Doesn't the Town Charter cover us in these situations? Why do we need an Ordinance and a Commission?

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

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

Q: Will this result in political weaponization to attack people anyone disagrees with politically?

A: I believe this Code of Ethics is specific enough to outline what does and does not constitute a breach of the Code of Ethics, and Complaints are filed under penalty of false statement, so I do not believe frivolous complaints will be filed to weaponize the Commission against anyone politically.

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

Q: The Town Attorney recommended a different version. Why are you supporting this version?

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

Q: Will this cost us any money?

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

Q: Who does this Ordinance apply to?

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

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

Q: I am a volunteer or employee for the town. Should I be worried about someone filing a false complaint against me?

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

Q: We don't need this. Why waste any time creating a commission?

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

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