

Town of Newtown
Board of Ethics
Regular Meeting
June 7, 2018, 7:35PM
Newtown Municipal Center – Meeting Room #3
3 Primrose Street, Newtown, CT

Present: Tim Echeverria, Jackie Villa, Glen Swanson, David Camputo, Joyce Murty(by phone)

Absent: Tom Fuchs

Also Present: Bob Bowen, Maria Zanfini, Reginal Heard

Approval of the minutes – J. Murty moved to approve the minutes of 12/6/17, T. Camputo seconded, motion unanimously approved.

Correspondence – None

NEW BUSINESS

Vote for candidates to fill the two vacant alternate positions, one Democrat/Unaffiliated and one Republican/Unaffiliated – J. Villa explained that there are two alternate positions are open. One is designated for Democrat/Unaffiliated and one Republican/Unaffiliated. The Unaffiliated can fill either position. The two Unaffiliated candidates will be voted on to fill the Republican position and the two Democrat and one Unaffiliated will be voted on for the Democrat position. She then asked each of them to introduce themselves.

Reginald Heard introduced himself first. He has lived in Newtown for 8 years. Currently he is an active den leader for boy scouts pack 270, coaches youth basketball and served two full terms as a Funding Allocation Committee Member for the United Way of Hartford and Springfield. He has a 30 year background in banking and owns his own national franchise finance business. He is unaffiliated.

J. Murty explained that the board can be very active and then go through a stretch with very little agenda items. The down turn, serving on the Board of Ethics is that you are not able to serve on other boards for a length of time. They are looking for people that are engaged and new idea's. The last year they have put in some procedures in place.

Maria Zanfini introduced herself next. She is an attorney, practicing over 30 years. Currently works for Mastercard and does internal investigations and resolutions process to the Code of Conduct and Whistleblower policy. The Board of Ethics is a good fit for her. She also manages violations of the code, done code training and worked with her team to refresh guidelines for code of conduct. She is Unaffiliated.

J. Murty explained that she found that rules and regulations related to regulatory frame work in a municipality is similar and also very different.

Bob Bowen introduced himself next. He has lived in Newtown for 9 months. He worked for a private aviation company which is a highly regulated industry. He is now a Senior Account Manager and works with the energy team which is also highly regulated. He does compliance through telemarketing and audits as well which makes him a good fit for the Board of Ethics. He is a Democrat.

Desiree Lee was not present to introduce herself, but the board reviewed her resume. She is a Democrat.

D. Camputo moved to appoint Maria Zanfini to the to the Republican/Unaffiliated alternate seat. G. Swanson seconded. Motion passes 3 yes (Murty, Camputo, Swanson) to 2 No (Villa, Echeverria).

T. Echeverria moved to appoint Reginald Heard to the Democrat/Unaffiliated alternate seat. G. Swanson seconded, motion unanimously approved.

Discuss three suggestions as potential additions to the code - G. Swanson explained that he has been reading the code of ethics from other towns and provided copies of Danbury and Bethels which are similar (Attachment A). He has also found that Guilford and Norwalk have Whistleblower protection (Attachment B). The Board will review the code of Ethics from the other town and discuss at the next meeting. J. Murty also suggested reviewing the CT state statute because that is the overlay for our Code of Ethics.

G. Swanson would also like to introduce Timeliness Standards. He finds the town inconsistent how it responds to the residents or if they are responded to at all. It is frustrating to have an issue with the town and not get a response from the town. Any correspondence from a resident deserves a response. It would be helpful to have time limits regarding response. J. Murty moved to further discuss G. Swanson's proposal at the August 2, 2018 meeting. G. Swanson seconded, motion unanimously approved.

Having no further business, the meeting was adjourned at 9:03pm

Respectfully submitted,
Arlene Miles, Clerk

Attachment A

Town of Bethel, CT
Tuesday, March 6, 2018

Chapter 8. Ethics, Code of

§ 8-8. Cooperation of Town boards; power to administer oaths.

The Ethics Commission shall have the cooperation of all boards, departments, commissions, agencies, officers and employees in the performance of its duties hereunder. The Commission shall be authorized to obtain the assistance of the Police Department of the Town of Bethel in pursuing any investigation hereunder. For purposes of investigation, the Ethics Commission shall have the power to administer oaths, compel attendance of witnesses and require the production of books and papers.

Danbury Code

Sec. 2-169. - Cooperation of city boards, departments, commissions, etc.; power to administer oaths.

The board of ethics shall have the cooperation of all boards, departments, commissions, agencies, officers and employees in the performance of its duties hereunder. The board shall be authorized to obtain the assistance of the police department of the City of Danbury in pursuing any investigation hereunder. For purposes of investigation the board of ethics shall have the power to administer oaths, compel attendance of witnesses and require the production of books and papers.

(Ord. No. 281, § 5, 3-2-82)

Chapter 31. Ethics, Code of

§ 31-5. Prohibited activity.

- A. **Conflict of interest.** No official shall accept any employment or have any substantial financial interest in, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of such official's duties on behalf of the Town or which will tend to impair such official's independence of judgment or action in the performance of official duties. "Substantial financial interest," as used in this Code, shall mean an interest of a greater than nominal value that is not common to the general public or a large segment thereof.
- B. **Use of Town assets, services or property.** No official shall use or permit the use of Town funds, accounts, services, property, equipment, owned or leased vehicles or materials for personal convenience or profit, except when such uses or services are available to the public generally or are provided in conformance with established Town policies or written agreement with respect to such official.
- C. **Impartiality.** No official shall grant any exceptional consideration, treatment or advantage to any person beyond that which is available to every other person in a similar situation.
- D. **Confidentiality.** No official shall willfully disclose any confidential information obtained in an official capacity to any person, except when required in the performance of such official's official duties, or use any such confidential information for the purpose of advancing the financial or personal interest of such official or others. This obligation shall continue for as long as the information remains confidential.
- E. **Prohibited gifts and compensation.** No official or member of such official's immediate family shall solicit or accept any gift having a greater-than-nominal value, whether in the form of service, cash, loan, thing, promise or any other form, except for campaign contributions as regulated by state or federal law, from any person who, to such official's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the board, commission, authority or committee on which such official is then serving or, if such official is an employee of the Town, with the Town.
- F. **Prohibited business solicitation.** No official shall solicit any business, directly or indirectly, from another official over whom such official has any direct or indirect control or influence with respect to tenure, compensation or duties.
- G. **Whistleblower protection.** No official shall take or threaten to take official or personal action, directly or indirectly, against any person (or member of his family), including but not limited to discharge, discipline, personal attack, harassment, intimidation or change in job, salary or responsibilities, because that person, or a person acting on his behalf files a complaint with the Board.
- H. **Use of influence.**
 - (1) No official shall use his position or personal influence to effect favoritism, nepotism or cronyism.
 - (2) No official shall use his position or personal influence to obtain a personal advantage for himself, a friend, or family member (hereinafter "personal advantage") in an effort to obtain employment with the Town.

§ 32-9

Specific violations.

A.

Ordinances. It shall be a violation of the Code of Ethics for any officer or employee to willfully violate any provisions of the Code of the City of Norwalk concerning the purchasing of supplies, materials, equipment and services.

B.

Removal of original records. It shall be a violation of the Code of Ethics for any officer or employee or former officer or employee to take for personal or other non-City use any original records, files or documents belonging to the City. With appropriate authorization, officers and employees may take copies of nonconfidential documents to the same extent such documents would be available to the public.

C.

Access to information by Board of Ethics. It shall be a violation of the Code of Ethics for any officer or employee to intentionally deny access to information requested by the Board of Ethics or a duly appointed investigating panel in the course of an investigation or a public hearing, except to the extent that such information is exempt from disclosure or otherwise privileged under relevant federal, state or local law.

D.

Whistle blower protection. It shall be a violation of the Code of Ethics for any officer, employee, or agency to retaliate against an individual in employment, benefits or contracting as result of that individual making an ethics complaint or providing truthful information as part of any investigation of or hearing on an ethics complaint.

E.

Violation of confidentiality. It shall be a violation of the Ethics Code for any officer, employee or agency to intentionally violate any confidentiality requirement provided for under the Ethics Code.

F.

Additional specific violations. The Common Council may, from time to time, pass ordinances with the specific intent that said ordinances are to be incorporated into and enforced through the ethics process.

G.

Examples only. Violations of the Code of Ethics are not limited to the specific examples listed herein and may include other circumstances and actions that contravene the purpose and Intent of the Code.