



Ethics (entirely new)

We prepared the following alternatives for consideration. The first proposal is based on the Commission's discussions regarding ethics/conflicts. The Commission requested language for a potential amendment adding a provision similar to the conflicts provision from Rocky Hill's charter, which is contained in Proposal 1. As discussed at the meeting, this provision may be deemed to conflict with Wethersfield's existing Ethics Code (as contained in § 10-64 et seq. of the Code of Ordinances). Further, any proposed amendment will be considered by (among others) the Council prior to its approval, and the Council currently has the power to amend the ethics code.

We would suggest the Commission's consideration of Proposal 2. This proposal seems simple and, in fact, it is. But, it does at least two things. First, it would make even clearer that the Town has an established ethics board to field complaints - i.e. the ethics board could not then be abolished absent another charter amendment, where currently this possibility exists through a mere ordinance. Second, because C.G.S. § 7-148h(a) specifically grants an ethics board subpoena power, but currently the ordinance does not, a charter amendment expressly adopting § 7-148h would help clarify this issue. We have also included language based upon the Commission's request at the last meeting regarding a violation as determined by the ethics board.

Proposal 1:

§ _____. Conflict of Interest

Any elected or appointed officer, any member or individual appointed by the Council including the Manager and an individual appointed to any board, commission, committee, or agency, who has a financial interest in any matter to be acted upon or coming before his board, commission, committee, or agency, shall make full record disclosure in writing of that interest, which shall be incorporated into the minutes of such board, commission, committee, or agency, and a full copy of such minutes shall be filed in the office of the Town Clerk, and he or she shall be disqualified to act in any way upon such matter. Violation of this section with knowledge, express or implied, of any person or corporation participating in such matter or decision shall be an additional ground for appeal, which shall nullify the action of such board, commission, committee, or agency upon appeal to the appropriate court.

An individual who violates this section shall be publically censured and encouraged by the Council to resign from his or her position.

Proposal 2:

§ _____. Board of Ethics

- (a) There shall be a Board of Ethics, consisting five resident electors and three alternates, appointed by the Council, pursuant to § 7-148h of the Connecticut General Statutes. The Board of Ethics shall have all the powers and duties now or hereafter conferred by the General Statutes, or otherwise conferred by the Council, including but not limited to responding to requests for advisory opinions regarding potential violations of the Town of Wethersfield Code of Ethics, receipt of complaints, holding hearings as necessary, and the determination whether a violation of the Code of Ethics occurred.
- (b) If the Board of Ethics determines an individual has violated the Code of Ethics, such individual shall be publically censured and encouraged by the Board and the Council to resign from his or her position.