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MINUTES
LEGISLATION & ADMINISTRATION COMMITTEE
Dec. 2, 2020 Meeting following Public Hearing Zoom Remote Access Only

Members Present: Susan Driscoll, Tim Fioravanti, Richard Morgan, Danielle Steward-Gelinas, Bob Swansen
Also Present: Ethics Commission members Mark Burnham, Betsy Ritter and Laurie Wolfley

1. After public hearing adjourned, Chair called meeting to order at 6:56 p.m.
2. Public Comment: None
3. Consideration/approval of Nov.23, 2020, minutes: Motion by Morgan, second by Swansen, to approve minutes as presented. Voice vote: Unanimous.
4. Consideration/possible action on proposed Ethics Ordinance changes (RTC 8/3/20): Motion by Morgan, second by Swansen, to discuss. Voice vote: Unanimous.
After confirming no further questions or suggestions, consensus to move forward. Motion by Morgan, second by Swansen, to report out this item and recommend that RTM approve the proposed changes, which strengthen the language within the code of ethics, definitions, and purpose; clarify the operating procedures; and make the process more accessible for individuals who wish to file a complaint. Voice vote: Unanimous
5. Motion to adjourn at 7:08 p.m. by Fioravanti; second by Morgan. Voice vote: Unanimous.

PUBLIC HEARING NOTES
Dec. 2, 2020 Meeting 6:30 p.m. Zoom Remote Access Only

Members Present: Susan Driscoll, Tim Fioravanti, Richard Morgan, Bob Swansen
Also Present: Town Attorney Robert Avena, Ethics Commission members Mark Burnham, Betsy Ritter and Laurie Wolfley

Public hearing convened at 6:35 p.m.

Bill Sheehan, author of original ordinances in 1992, was sole member of the public to speak. He summarized his submitted written comments (see attached). Discussion ensued and Attorney Avena weighed in, noting that signatures upon receipt are referenced within the ordinance; the previous \$50 gift limit is suggested but not required under state statute; and that giving hiring/firing authority to the Ethics Commission rather than HR or department heads presented concerns and noted that it wouldn't apply to elected officials or union members.

Hearing adjourned at 6.55 p.m.

Submitted by
Susan Driscoll, L&A Chair

encl: Sheehan comments
Ethics Commission ordinances—Final Dec.2

**Comments on Ethics Ordinance
For L&A Public Hearing**

As the author of the 1992 Ethics Ordinance, I approve the changes that have been proposed in the ordinance under consideration. However, I do have some comments.

I noticed that you reduced the nonpecuniary gift from \$50 to \$25. The \$50 figure was chosen because that is the value in the State's Ethics Statute. FYI – the current value of \$50 in 1992 is \$92.80. By comparison, \$25.00 in 1992 has a current value of \$46.40. The cumulative inflation rate from the inflation calculator is 85.6%.

Some years ago, an organization evaluated various Ethics Ordinances in CT municipalities. Waterford got a C+. I was surprised at the low grade but the major reason was the fact that the results of any Ethics Investigation was sent to the appropriate Board, Department or Agency for final adjudication. The ordinances that got As directed the Ethics Commission to take the final action whether an elected official should be removed from office or an employee was fired, demoted or some other disciplinary action. I apologize but I do not have a copy of the survey anymore.

Also I have new information. The their letter to management attached to the FY2020 Audit, our Auditors made the following recommendation:

During the audit it was noted that employees do not sign off on the Town's conflict of Interest policy or code of ethics. In recent years, issues of conflicts have become more Visible and many governments have elected to have employees sign such policies. These policies identify all business relationships and other dealings between the Town And its board members, key employees, and other such parties with whom the Town Conducts business. They clarify ethical behavior and what is expected of the Town's Employees. As a matter of best practices these policies should be signed by Town Employees acknowledging their understanding and adherence to the policies.

I hope these comments are useful as you make the final considerations on the ordinance change.

Thank you for your attention.

Sent by Bill Sheehan 12/2/20