Call To Order

Alderman John Anglace called the joint meeting of the Board of Aldermen and Board of Ethics to order at 8:29 p.m. in the auditorium at Shelton City Hall. The Pledge of Allegiance was recited at a meeting conducted earlier this evening.

Attendance

Aldermen:  
John Anglace, President  
John “Jack” Finn  
Lynne Farrell  
Stanley Kudej  
Eric McPherson  
Anthony Simonetti  

Board of Ethics:  
Maria Davis, Chairman  
Byron Peterson  
Christine Robinson  

Others:  
Thomas Welch, Corporation Counsel & Counsel for Board of Ethics  
Kenneth Nappi  
Martin Coughlin  
Michele Zuk, Clerk  

President Anglace opened the meeting by explaining that his Ethics Package dates back to 2001/2002 and there has been a lot of discussion over the years regarding ethics. In recent years, the Board of Ethics has spent considerable time putting together a draft of a new Code of Ethics. President Anglace commented that the Board of Ethics has been the longest serving Board of Ethics for the City of Shelton.
President Anglase noted that the State put together a Task Force on Municipal Ethics and worked on it for several years and ended up unsuccessfully doing anything and that was a disappointment. The Board of Aldermen decided to wait and see what the State was going to do and then they did nothing. President Anglase noted he had a personal situation that caused a further delay in getting together with the Board of Ethics.

Everyone in attendance this evening has the current Ethics Ordinance that is in effect and also the proposed ordinance.

President Anglase stated we are here to discuss the new proposed ordinance as submitted by the Board of Ethics. If we are going to accept it as written or modified, we would have to rescind Ordinance #304, which is the current ordinance and the Amendment of #781 and adopt a brand new ordinance as submitted or consequently changed.

Mr. Nappi stated we have been invited to attend, but I am trying to figure out our roles. President Anglase explained this meeting was originally set up between the Board of Aldermen and the Board of Ethics, and I thought it would be a good idea to invite Marty Coughlin, a former Alderman and a member of the Democratic Town Committee, and Ken Nappi, a member of the Republican Town Committee who has participated on a number of committees for the city, to help us provide prospective.

Mr. Coughlin explained that several years ago President Anglase asked Mr. Nappi and I to take a look at this ordinance and make comments. To clarify my position, I was a member of the Democratic Town Committee, but I am not here as a representative of the Democratic Town Committee. Again, I am speaking as myself.

President Anglase said that I asked you to sit here because you and Mr. Nappi over the years have proved to be pretty down-the-middle-of-the-road and you both contribute and people who I have confidence in. Mr. Nappi clarified that I do not speak for the Republican Town Committee.

President Anglase said that he thought as we proceed to review the ordinance, the clerk would note the suggested changes and take notes of the changes and at the end, the Board of Aldermen will be responsible to prepare a final document to be distributed.

President Anglase reviewed the process. He wants to give the members a chance to look it over and make comments. The Board of Aldermen will prepare a final document and submit to the Mayor for his comments.
(Alderman Lynn Farrell left the meeting due to a conference call meeting. President Anglace excused her from the meeting.)

President Anglace said after Mayor Lauretti comments, the Board of Aldermen prepares the ordinance to submit for public hearing and suggest the new ordinance and then the Board of Aldermen votes on the final document.

Mr. Nappi asked if the input of the public will be during the public hearing and not thru any workshop? Attorney Welch explained when the Board of Ethics Committee met, they took an extraordinary in-depth look by paragraph and set their meetings up based upon sections, and it was only after the research from corporate ethic polices to municipal ethic policies did they come up with the proposed version. In the minutes that were taken from those meetings, they were verbatim minutes and rather extensive. My thought is if members of this body were to research them on-line, the rationale for how the Board of Ethics got to their point and made a decision of why they did is actually very well spelled out in their minutes.

Chairman Davis explained we spent an enormous amount of time looking at other communities and their ordinances. We did look at some companies and we did go through each item. It did spell out why we chose to do something. We spent two years doing this and some of the minutes are lengthy. Mr. Peterson added we also discussed the actual intent so that whoever saw it would understand what we mean.

The group proceeded to review the Proposed Ethics Ordinance and President Anglace reads each section out loud.

**1. Declaration of Policy** – there is discussion. Mr. Coughlin notes "set forth" and later in the ordinance it refers to the charter and there is nothing of substance in the charter. A discussion ensued if the matter should be referred to the Board of Aldermen for appropriate action. The Board of Aldermen has no guidelines. Mr. Coughlin feels sending it to the Board of Aldermen makes it political, and putting it to the Board of Aldermen without any guidelines makes it open for a lot of troublesome misunderstanding. Alderman Finn stated there are ethics complaints in front of the Senate. What guidelines are they using? There must be some guidelines they follow.

Alderman Anglace asked the Board of Ethics what did you have in mind to deal with the disciplinary action? Chairman Davis said in the current ethics ordinance the finding goes to the Board of Aldermen and they are responsible for taking action. The Board of Ethics is just listening to the complaint, making a ruling, and then the Board of Aldermen is the judge. For example, if it was against an alderman, then you would have to find someone else to make that
ruling. But, if it was an employee and the aldermen had no contact with, then there is not an ethical issue with you making a ruling. President Anglace said how about having the Board of Ethics make the ruling and also make a recommendation?

Mr. Nappi asked whether the Board of Aldermen, which is a legislative body, has the right to suspend or discipline employees of the city? Is there an ordinance adopted, any powers or duties where you’ve been empowered to take an action? Mr. Coughlin asked what about a union employee? They would file a grievance. President Anglace said if there is a union grievance, the Mayor is the only one who can defend it. Mr. Nappi stated under the charter, the Board of Aldermen has the power to investigate and hold hearings, I don't see the power to take disciplinary action.

More discussion took place on whether this has come before the Board of Ethics. President Anglace said as a member of the Board of Aldermen, I don't want the burden. In my view, the appropriate person to carry out that action is the Mayor. He has to look at the union aspect of it, contractual considerations. Mr. Coughlin mentioned the last big case before the Ethics Board involved the Mayor. How is that to be resolved if it is the Mayor? More discussion took place.

Mr. Nappi complimented the Board of Ethics and Counsel for the great job they have done. I am not here to nit pick what has been done. I have just been asked to give an opinion on looking at it. I don't know if the Mayor is over the Board of Education. The Code of Ethics covers the Board of Education. Does the Board of Aldermen have authority over the Board of Ed which is set up by State Statute? Also under Declaration of Policy, it mentions former employees and candidates of office. Yet, how do you enforce that to former employees?

Alderman Finn stated that nobody should receive a gift; no matter what office they hold, whether appointed or elected.

Mrs. Robinson said the current ordinance did not seem to cover what we needed to have. It just wasn't tight enough. We were presented with the task if we could look into what everybody has out there and come up with something tighter than what we have now. I do not remember any conversation about how it is going to be enforced. Alderman Simonetti asked if you saw anything in your research of other codes? Mrs. Robinson said I don't remember anything to that extent, only lots of definitions, prohibitive activities, how an ethics complaint should be presented, what recourse do we have to understand it, investigate it. Nowhere did it talk about enforcement. President Anglace commented that more research is needed. Maybe we can research on what other towns have done and maybe the next time we meet have something for us.

Mr. Peterson refers to the current Ethics Ordinance #304, Section 1-6 Board of Ethics where it
says, "The Board of Aldermen shall thereupon take such action as it deems appropriate or take action in accordance with the provisions of the City charter." Alderman Simonetti questioned what if it's an elected official? Alderman McPherson stated I know Congress can expel a member. There is nothing I've seen where there is a tool to remove from office in the Charter. Mr. Coughlin said referring to the charter is the least efficient way of getting it done. Doing things by ordinance can be changed and adjusted to current conditions and you are a lot better off.

2. Definitions –

(1) "Business" - no comments
(2) "Business with which he or she is associated" - What does compensated agent mean? Lobbyist or can be a consultant. Place "or" between employee and compensated agent.
(3) "Candidate for Public Office" - A candidate may never be elected to become a public official. Needs to be further defined.
(4) "Confidential Information" - no comments
(5) "Financial Interest" - no comments
(6) "Gift" – Mr. Nappi noted the following statement: "to the extent that consideration of equal or greater value is not received." What does that mean? Attorney Welch replied same dollar value. Mr. Coughlin refers to interpretation.
   (A) - What do the sections of the general statutes mean?
   (B) – no comments
   (C) – Why loans given by commercial banking institutions excluded? Why not any loan? Needs to be clarified. Suggest take out the word "commercial" and it's fine. Take out the word “banking”. You are not going to get a better rate because of the position you hold.
   (D) - You had no influence before election, but now you do and the situation has changed. Alderman Finn said it should read that a public official should not receive any gifts of any value. Mr. Coughlin said this is just defining what a gift is.
   (E) – no comments
   (F) – Mr. Nappi said an award is earned, not a gift.
   (G) – no comments
   (H) – no comments
   (I) – Attorney Welch noted that Little League gave him a signed baseball. For example, this is not an award of recognition. What do you call that? How do you define it or quantify it? Discussion ensued regarding memorabilia. Attorney Welch said maybe that's the way to define it.
   (J) – Discussion ensued about honorary memberships to golf clubs, playing privileges, accepting an invitation to play golf, golf tournaments to benefit non-profits. Non-profit organizations need to be defined.
The group decided to end the meeting at this point. It was decided that the next meeting should be called a workshop.

**Adjournment**
A motion was made, seconded and passed to adjourn.

The Joint Meeting of the Board of Aldermen and Board of Ethics adjourned at 9:40 p.m.

Respectfully submitted,

Cyndee Burke, Clerk (transcribed the minutes)
Michelle Zuk taped the meeting