

***New Canaan, CT Ethics Board
2017 Annual Report***

2017, the first full year of the Town's Ethics Board, was busy. Eleven monthly meetings and one public hearing were held, with all five of the Board members attending each of those sessions, save one.

In accordance with the Town Council's July 20, 2016 Ordinance establishing the Board, the Board undertook a review, analysis and update of the Town's then-existing Ethics Code and accompanying procedures. As part of that effort, members of the Ethics Board:

- reviewed and studied dozens of other Town's codes, various model codes promulgated by the Connecticut Conference of Municipalities (CCM), and the CT State Code of Ethics for Public Officials;*
- consulted with Town officials (Human Resources, Board of Education, Fire Commission, Police) and current and former board members from other communities;*
- attended a half-day CCM training in Vernon, CT in March, 2017 on Ethics, Accountability and Conflicts of Interest;*
- researched various aspects of Connecticut State law; and*
- discussed these matters at public Board meetings.*

Following this research, the Ethics Board drafted and proposed, in July of 2017, an updated and revised Ethics Code and accompanying procedures for consideration by the Town Council, the Board of Selectmen and the Board of Education. Among the highlights of the proposed revised Code and procedures were:

- the elimination of the requirement of filing ethics complaints with the Town Attorney. Instead, complaints would be filed directly with the Ethics Board via a Town Post Office box monitored by the Board;*
- the elimination of certain duplicative certification requirements for parties bidding for or entering into contracts with the Town;*
- the revision of the Code's gift policies to conform with those of other communities and model codes' provisions and to recognize and accept as valid the gift exceptions found in the Police Department's manual of conduct, State municipal law, and the Board of Education's gift policies. The Board did recommend that it retain the power to find an otherwise permissible gift to be unethical if such gift influenced a Town official or employee in the performance of his or her duties;*
- the elimination of the provision for the anonymous filing of ethics complaints; and*
- a recommendation for term limits (of two successive 3-year terms) for Board membership.*

The proposed revised Code and procedures were presented to the Board of Selectmen, Town Council and the Board of Education in July of 2017, and thereafter to Town residents at a joint public hearing in October of 2017 with the Town Council. Following that hearing, the Town Council met and unanimously approved the new Code and procedures.

In conjunction with the revised Code and procedures, the Board developed a Complaint Form, a Request for Advisory Opinion form and a web page from which the forms can be obtained.

Two complaints alleging violations of the then-existing Ethics Code had been carried over from 2016, a third from one of the 2016 complainants was received in early 2017 and a fourth Ethics complaint was received late in 2017. The first three complaints were discussed, investigated and researched by the Ethics Board in executive sessions and, after due consideration, dismissed as reflected in resolutions unanimously adopted by the Ethics Board. The fourth complaint was withdrawn by the complainant prior to any action being required of the Ethics Board.

Following the dismissal of one of the complaints, the Ethics Board received a FOIA request from the affected complainant. The Ethics Board researched and responded to that request in accordance with State law.

Finally, one of our members, Peggy Jay, who had been initially appointed for a one-year term, appeared before Town Council in December of 2017 and was re-appointed to a full 3-year term.

At the Board's final 2017 meeting, a 2018 Meeting Schedule was proposed and adopted. Pursuant thereto, the Ethics Board will continue to meet on the second Monday of each month at 7 PM in Town Hall.

In the year ahead the Board plans to consider its role in the promulgation of the Town's whistleblower policy and discuss whether improvements can be made thereto. The Board also intends to examine the issues presented by the Board's appellate responsibilities for certain Town personnel decisions.

Respectfully submitted,

The Town of New Canaan Ethics Board

Patricia Calanca

Thomas F. Clauss, Jr. (Chair)

Tammie Garner (Secretary)

Margaret Jay

Steven Simon

Cc: New Canaan Board of Selectmen

New Canaan Town Council

New Canaan Board of Education

New Canaan Town Clerk

February 12, 2018