

To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at www.norwalkct.org/meetings.



Members of the public can call in and listen to a meeting. They will not be able to speak or see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. Please find the information using the link above.



Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called on by the host of the meeting during the public comment section. Please find the information using the link above.



Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Brian Candela at bcandela@norwalkct.org to provide written public comment prior to the meeting.

REGULAR MEETING

BOARD OF ETHICS

Thursday, October 22, 2020 at 7:00 p.m.

Teleconference/Videoconference

AGENDA

1. ROLL CALL:
2. New Introduction:
3. Public Participation:
4. ACCEPTANCE OF MINUTES:

- August 27, 2020

5. OLD BUSINESS:

Review Code of Ethics Section 32-4.

Review Code of Ethics and the Citizen's Guide to Norwalk's Code of Ethics. Discuss and vote on potential changes to both documents.

6. NEW BUSINESS:

7. EXECUTIVE SESSION:

8. ADJOURNMENT:

Draft Meeting Minutes from the 8/27/2020

Board of Ethics Meeting

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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time to: bcandela@norwalkct.org to provide written public comment prior to the meeting.

**SPECIAL MEETING
BOARD OF ETHICS
AUGUST 27, 2020
BY VIDEO CONFERENCE AND TELECONFERENCE**

ATTENDANCE: Michael Church, Chair; Miklos Koleszar; Tony Lopez; Heraldo Williams; Nora Niedzielski-Eichner; Lori Torrano

STAFF: Brian Candela, Corporation Counsel

ROLL CALL

Mr. Church called the meeting to order at 7:05 p.m. and called the Roll as indicated above.

NEW INTRODUCTION

There were no new introductions this evening.

Board of Ethics
Special Meeting
August 27, 2020

Page 1

By video conference and teleconference

PUBLIC PARTICIPATION

There were no public comments this evening.

ACCEPTANCE OF MINUTES: July 23, 2020

** MR. KOLESZAR MOVED TO APPROVE THE MINUTES AS PRESENTED
** MR. LOPEZ SECONDED
** MOTION PASSED UNANIMOUSLY

OLD BUSINESS

Review Code of Ethics Section 32-4

Mr. Candela reported that this item was approved by the Ordinance Committee followed by the Common Council. He said he will submit a clean version of what was approved for the City Code.

Mr. Candela said the Ordinance Committee meeting went well and the Committee had minor grammatical suggestions. He said that their feedback was that the section was too vague; however, when he went through the section and related it to other sections of the Code, they saw it was easier to understand.

Mr. Candela said the Ordinance Committee wanted the location of the definition of a conflict of interest moved under Prohibited Actions and Transactions. The Board agreed to this change.

The Board continued their discussion on Section 32-4 A5 & A6 and made various suggestions.

Mr. Candela will send the new copy of this Ordinance to the Board and they will be able to see the changes that were made to Section 32-4-5.

Ms. Nora Niedzielski-Eichner left the meeting at 8:20 p.m.

Mr. Candela said the Ordinance Committee requested that Section 32-4-A-6 be more specific. The Board reviewed this Section. The last sentence in 32-A-6 was separated and became 32-4-A-9. The Board agreed to the changes as discussed.

Mr. Candela noted this is the last Section of the Ordinance that needs to be approved and then the Citizens Guide can be finalized.

The Board discussed Section C – Exceptions, and removed the last sentence from numbers two and three.

Board of Ethics
Special Meeting
August 27, 2020

Page 2

By video conference and teleconference

NEW BUSINESS

There was no new business discussed.

EXECUTIVE SESSION

The Board did not go into Executive Session.

ADJOURNMENT

**** MS. TORANO MOVED TO ADJOURN**
**** MR. WILLAIMS SECONDED**
**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:44 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

**Review of
Code of Ethics
Section 32-4**

Code of Ethics Revisions

Chapter 32. Code of Ethics

§ 32-4. Conflicts of interests; interference with duties; prohibited interests; exceptions.

A. Conflict of interest means any of the following:

1. A conflict of interest arises when there is a direct or indirect personal or financial interest of an Officer or Employee, or a person or group closely tied with the Officer or Employee, including someone from his or her Immediate Family or a business associate, in the outcome of an official act or action, or any other matter pending before the Officer or Employee or before the public body in which the Officer or Employee holds office or is employed. A conflict of interest may include, but not be limited to, the following forms:
 - a. A direct financial conflict of interest arises when an Officer or Employee acts on a matter that he or she derives a Financial Benefit.
 - b. An indirect financial conflict of interest arises when an Officer or Employee acts on a matter that his or her Immediate Family or business associate derives a Financial Benefit.
 - c. A direct personal conflict of interest arises when an Officer or Employee acts on a matter that has a direct impact on the Officer or Employee in a non-financial way but is of significant importance to the Officer or Employee.
 - d. An indirect personal conflict of interest arises when an Immediate Family member or business or personal associate of an Officer or Employee, or an organization in which an Officer or Employee is affiliated, receives an improper benefit as a result of an act or decision by the Officer or Employee.
2. A situation where an Officer or Employee has not disclosed ex parte communication(s) related to an administrative proceeding that is before the body to which that Officer or Employee belongs or is employed.

B. Prohibited Actions and Transactions

Unless otherwise provided in Section 32-4, a Municipal Employee or Officer shall not:

1. Take any action, directly or indirectly, to coerce, command or require a Municipal Employee, Officer or Agency to appoint an Immediate Family member to a municipal position, whether paid or unpaid;
2. Have a role, directly or indirectly, in obtaining a Financial Benefit, hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;
3. Take any action, directly or indirectly, to coerce, command or require a Municipal Employee, Officer or Agency to refrain from hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;

4. Provide a Financial Benefit to a third party business or independent contractor, which is owned, operated, and/or controlled by an Immediate Family member;
5. Engage in any business or transaction or have a personal, Immediate Family or business interest, directly or indirectly, that is in material conflict with, influences and/or impairs his or her independence of judgment and action in the proper discharge of his or her official duties.
6. Deliberate or participate in a decision or action by the Agency of which the Individual is a member or is employed if such Individual or any member of his or her Immediate Family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that Agency, unless otherwise provided by law.
7. Grant, by virtue of his or her office or position of employment with the City, any special consideration, treatment or advantage to any Person beyond that which is generally available to the public;
8. Receive by virtue of his or her office or position of employment with the City, any special consideration, treatment or advantage in any activity or business transaction beyond that which is generally available to the public or Officers and Employees of the City.

C. Exceptions:

A "conflict of interest" does not arise in the case of an official act or action in which the Officer or Employee has a personal or financial interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision. In addition, subsections A and B of this section do not prohibit the following:

- (1) The employment of an Officer or Employee by a Person who has or who may enter into a contract with the City that is available to members of the general public through open bidding or other process, if the preparation, procurement or performance of the contract is not before the Officer's or Employee's Agency or the Officer or Employee is not responsible for any aspect of the transaction underlying the contract, and the Officer's or Employee's relationship is disclosed in writing to the City Clerk.
- (2) A purchase, sale, foreclosure or condemnation of property or any interest therein involving the City and an Officer or Employee of the City, if the transaction is conducted according to applicable public procedures. The Officer or Employee must take no part in the transaction on behalf of the City and an independent Officer or Agency must approve the terms of the transaction, in writing.

- (3) A contract or transaction between an Officer or Employee and the City, which contract or transaction does not involve his or her Agency and is available to the general public through open bidding or other process.
- (4) Performance of a contract involving the City and an Officer or Employee or a member of his or her Immediate Family, which was executed or entered prior to the date of hire, appointment or election of such Officer or Employee by the City, when written disclosure of the terms of such contract is filed in accordance with this Code of Ethics with the City Clerk.
- (5) Employment of an Officer or Employee by a media organization that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.
- (6) Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of charitable or nonprofit entities or agencies, provided the Officer or Employee makes written disclosure of the relationship to the City Clerk and the Officer or Employee shall take no action with regard to the City related to such charitable or nonprofit entity or Agency.
- (7) Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of an entity or Agency as a designated representative of the City and in such capacity his or her actions as a representative of the City shall not of itself constitute a conflict of interest under this Code of Ethics.
- (8) An Officer or Employee participating in any program offered by the City to Employees and Officers generally, including such programs as discount purchase programs, health and education programs, and recreational events.
- (9) City's Ordinance List Employees may represent the City's interests in any municipal labor contract negotiation or grievance procedure.

Board-Code of Ethics Revisions

Chapter 32. Code of Ethics

§ 32-4. Conflicts of interests; interference with duties; prohibited interests; exceptions.

A. Conflict of interest means any of the following:

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 - a. A direct financial conflict of interest arises when an Officer or Employee acts on a matter that he or she derives a Financial Benefit.
 - b. An indirect financial conflict of interest arises when an Officer or Employee acts on a matter that his or her Immediate Family or business associate derives a Financial Benefit.
 - c. A direct personal conflict of interest arises when an Officer or Employee acts on a matter that has a direct impact on the Officer or Employee in a non-financial way but is of significant importance to the Officer or Employee.
 - d. An indirect personal conflict of interest arises when an Immediate Family member or business or personal associate of an Officer or Employee, or an organization in which an Officer or Employee is affiliated, receives an improper benefit as a result of an act or decision by the Officer or Employee.
2. A situation where an Officer or Employee has not disclosed ex parte communication(s) related to an administrative proceeding that is before the body to which that Officer or Employee belongs or is employed.

~~Conflicts of Interest~~^(KM1):

~~In the event an officer or employee of the City has a known conflict of interest, he or she shall disclose it in writing to their supervisor, and the supervisor shall file the written disclosure statement with the City Clerk. , and if If such conflict is material, the Officer or Employee with the declared conflict he or she shall recuse himself or herself from taking any action, with regard to the City, related to the conflicting transaction, business or interest, including but not limited to, participating in discussions, meetings, or votes involving the conflicting interest, except as otherwise provided.~~

A. B. A. Prohibited Actions and Transactions

Unless otherwise provided in Section 32-4, a Municipal Employee or Officer shall not:

- (1) ~~Not-t~~Take any action, directly or indirectly, to coerce, command or require a Municipal Employee, Officer or Agency to appoint an Immediate Family member to a municipal position, whether paid or unpaid;
- (2) ~~Not-h~~Have a role, directly or indirectly, in obtaining a ~~f~~Financial ~~b~~Benefit, hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;
- (3) ~~Not-t~~Take any action, directly or indirectly, to coerce, command or require a Municipal Employee, Officer or Agency to refrain from hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;
- (4) ~~Not-p~~Provide a Financial Benefit to a third party business or independent contractor, which is owned, operated, and/or controlled by an Immediate Family member;
- (5) ~~(v) — Officer and employee of the City should avoid Avoid engaging in any business or transaction and should refrain from having an interest, directly or indirectly, which is materially in conflict with or materially incompatible with the proper discharge of his or her official duties for the City or might otherwise influence or impair his or her independence of judgment and action in the performance of said duties for the City;~~ Engage in any business or transaction or have a personal, Immediate Family or business interest, directly or indirectly, that is in material conflict with, influences and/or impairs his or her independence of judgment and action in the proper discharge of his or her official duties.
- (6) ~~Not-d~~Deliberate or participate in a decision or action by the Agency of which the ~~i~~Individual is a member or is employed if such ~~i~~Individual or any member of his or her Immediate Family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that ~~a~~Agency, unless otherwise provided by law. Nothing herein shall prohibit any of the City's ordinance list Employees from representing the City's interests in any municipal labor contract negotiation or grievance procedure, merely because he or she is an ordinance list Employee;
- (7) ~~Not, b~~Grant, by virtue of his or her office or position of employment with the City, ~~grant~~ any special consideration, treatment or advantage to any ~~p~~Person beyond that which is generally available to the public;
- (8) ~~Not, b~~Receive by virtue of his or her office or position of employment with the City, ~~receive~~ any special consideration, treatment or advantage in any activity or business transaction beyond that which is generally available to the public or Officers and Employees of the City. ~~general~~general

~~Conflicts of Interest~~^{KM2}:

~~In the event an officer or employee of the City has a known conflict of interest, he or she shall disclose it in writing to their supervisor, and the supervisor shall file the written disclosure statement with the City Clerk., and if such conflict is material, the Officer or Employee with the declared conflict he or she shall recuse himself or herself from taking any action, with regard to the City, related to the conflicting transaction, business or interest, including but not limited to, participating in discussions, meetings, or votes involving the conflicting interest, except as otherwise provided for herein.~~

B. Exceptions: ~~Subsections A, and B of this section do not prohibit the following:~~

~~A "conflict of interest" does not arise in the case of an official act or action in which the Officer or Employee has a personal or financial interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision. In addition, subsections A and B of this section do not prohibit the following:~~

~~Unless otherwise provided by law, an officer or employee of the City shall not deliberate or participate in a decision or action by the agency of which the individual is a member or is employed if such individual or any member of his or her immediate family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that agency. Nothing herein shall prohibit any of the City's ordinance list employees from representing the City's interests in any municipal labor contract negotiation or grievance procedure, merely because he or she is an ordinance list employee.~~

~~C.~~

~~An officer or employee, in performing in his or her office or position of employment with the City, shall not grant any special consideration, treatment or advantage to any person beyond that which is generally available to the public.~~

~~D.~~

~~An officer or employee shall not by virtue of his or her office or position of employment with the City receive any special consideration, treatment or advantage in any activity or business transaction beyond that which is generally available to the public or officers and employees of the City generally.~~

^{KM2}~~C.E. Exceptions~~

~~Subsections A, and B, C, and D of this section do not prohibit the following:~~

- (1) The employment of an ~~officer~~Officer or ~~employee~~Employee by a ~~p~~Person who has or who may enter into a contract with the City that is available to members of the general public through open bidding or other process, if the preparation, procurement or performance of the contract is not before the ~~officer~~Officer's or ~~employee~~Employee's ~~a~~Agency or the ~~officer~~Officer or ~~employee~~Employee is not responsible for any aspect of the transaction underlying the contract, and the ~~employee~~Employee's- or ~~officer~~Officer's or ~~Employee's~~ relationship is disclosed in writing to the City Clerk.
- (2) A purchase, sale, foreclosure or condemnation of property or any interest therein involving the City and an ~~officer~~Officer or ~~employee~~Employee of the City, if the transaction is conducted according to applicable public procedures. The ~~officer~~Officer or ~~employee~~Employee must take no part in the transaction on behalf of the City and an independent ~~officer~~Officer or ~~a~~Agency must approve the terms of the transaction, in writing. ~~Where appropriate and in accordance with this Code of Ethics, the officerOfficer or employeeEmployee should make written disclosure of the transaction to the City Clerk.~~
- (3) A contract or transaction between an ~~officer~~Officer or ~~employee~~Employee and the City, which contract or transaction does not involve his or her ~~a~~Agency and is available to the general public through open bidding or other process. ~~Where appropriate and in accordance with this Code of Ethics, the Officer or Employee shall make written disclosure of the transaction to the City Clerk.~~
- (4) Performance of a contract involving the City and an ~~officer~~Officer or ~~employee~~Employee or a member of his or her ~~immediate family~~Immediate Family, which was executed or entered prior to the date of hire, ~~appointment or election~~ of such ~~officer~~Officer or ~~employee~~Employee by the City, when written disclosure of the terms of such contract is filed in accordance with this Code of Ethics with the City Clerk.
- (5) Employment of an ~~officer~~Officer or ~~employee~~Employee by a ~~media organization newspaper~~ that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.
- ~~(6) Employment of an officerOfficer or employeeEmployee by a public utility regulated by the Public Utilities Regulatory Authority. Public Utilities Commission.~~
- (6) ~~Unless otherwise prohibited by law, nothing~~ ^[KM4]~~Nothing~~ herein shall preclude an ~~officer~~Officer or ~~employee~~Employee of the City from serving on the board of charitable or nonprofit entities or agencies, provided the ~~officer~~Officer or ~~employee~~Employee makes written disclosure of the relationship to the City Clerk and the ~~officer~~Officer or ~~employee~~Employee shall take no action with regard to the City related to such charitable or nonprofit entity or ~~a~~Agency.
- (7) ~~Unless otherwise prohibited by law, nothing~~ ^[KM5]~~Nothing~~ herein shall preclude an ~~officer~~Officer or ~~employee~~Employee of the City from serving on the board of an entity or

~~a~~Agency as a designated representative of the City and in such capacity his or her actions as a representative of the City shall not of itself constitute a conflict of interest under this Code of Ethics.

- (8) An ~~officer~~Officer or ~~employee~~Employee participating in any program offered by the City to ~~employee~~Employees and ~~officer~~Officers generally, including such programs as discount purchase programs, health and education programs, and recreational events.

(9) City's Ordinance List Employees may represent the City's interests in any municipal labor contract negotiation or grievance procedure.

**Code of Ethics and Citizen's Guide
to the Code of Ethics**

City of Norwalk, Connecticut

Board of Ethics

Citizen's Guide to the Norwalk Code of Ethics

July 22, 2020

Citizen's Guide to the Norwalk Code of Ethics

Contents:

1. Introduction
2. Guidelines for Ethical Behavior

Key Aspect of Ethical Behavior for Employees and Officers

- Conflicts of interest; influence or interference of duties
- Gifts
- Employment
- Examples
- Procurement
- Use of Public Property
- Use of Influence and Information

Requirements for Filing a Complaint:

- What is expected?
- Who files a Complaint?
- Who is the subject of the Complaint?
- How does a citizen file a Complaint?

Complaint Process

- City of Norwalk Code of Ethics Complaint Process
- Process Explanation - Investigation and Hearing Processes

3. Complaint Form
4. Code of Ethics

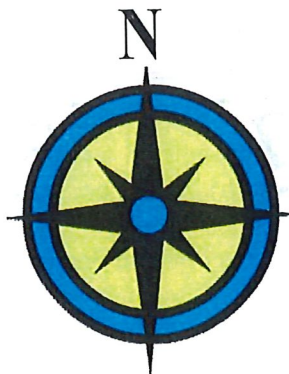
1. Introduction:

The City of Norwalk Board of Ethics is an independent commission charged with administering and enforcing the City of Norwalk's Ethics Complaint Process. This Guide provides general information to the public and to the City of Norwalk's employees, contractors, and officials, both appointed and elected.

The Board of Ethics is authorized under Chapter 32 of the City of Norwalk Code of Ordinances to uphold the following:

- A. Public service is a trust, and the proper operation of the City of Norwalk requires that all City officers and employees, whether elected or appointed, paid or unpaid, be impartial and responsible to the public. Public office and employment must not be used for unfair personal or financial advantage. The public needs and deserves to have confidence in the integrity of the municipal government of our City.
- B. Officers and employees of the City of Norwalk must refrain from personal, business, and financial activities that adversely affect the individual's fidelity and impartiality, having regard for the nature and scope of their official responsibilities.
- C. In recognition of the aforementioned principles, there is hereby established a Code of Ethics which shall apply for all City of Norwalk officers and employees.

This Guide provides general information only. **The descriptions of the law and the code are not intended to be exhaustive.** A complete copy of the Code of Ethics and the Citizen's Guide are available on the City's website at www.norwalkct.org. For additional information you may also go to the Connecticut Office of State Ethics at www.ct.gov/ethics.



2. Guidelines for Ethical Behavior

Key Aspects of Ethical Behavior for Employees and Officers

What is expected?

The proper operation of the City of Norwalk requires that all City officers and employees: elected, appointed; paid or unpaid, act in an impartial and responsible manner. Public office and employment must not be used for unfair personal or financial advantage. The public needs to be assured of the integrity of the municipal government of Norwalk.

Officers and employees of the City of Norwalk must refrain from personal, business and financial activities that adversely affect the individual's impartiality, within the scope of their official responsibilities.

As you read through this Guide, be aware that the Code of Ethics was enacted to prevent individuals from using their public position or authority for personal gain or benefit. The State of Connecticut and its agencies may also have their own ethics policies, which in some cases differ from what is to follow.

1) Conflicts of interest; influence or interference with duties

Officers and employees of the City of Norwalk should **avoid engaging in any business or transaction or having a personal, immediate family or business interest, directly or indirectly, which is in conflict with or incompatible with the proper discharge of his or her official duties or that by creating a divided loyalty might influence or impair his or her independence of judgment and action in the performance of said duties. A conflict of interest exists whenever an officer or employee will more likely than not benefit, disproportionately from other citizens of the city, directly or indirectly, from a decision over which they have influence.** ~~avoid engaging in any business or transaction and should refrain from having an interest, directly or indirectly, which is materially in conflict with or materially incompatible with the proper discharge of the individual's official duties.~~ If the individual has encountered a conflict, he or she is to disclose this in writing to the Norwalk City Clerk, and if necessary, to recuse himself or herself from taking action. If an individual is uncertain if he or she has a conflict, he or she should ask for an advisory opinion from the Board of Ethics.

An officer or employee of the City of Norwalk shall not deliberate or participate in a decision or action by the agency of which the individual is a member or is employed if he or she or any member of his or her immediate family has any interest that could be construed as benefiting due to the individual's participation.

While in employment of the City of Norwalk, officers and employees shall not grant special consideration, treatment or advantage to any person beyond that which is generally available to the public.

2) Gifts



An officer or employee of the City of Norwalk shall not personally solicit, nor accept any gift, form of service or item of a property value of ~~\$50~~150.00 or more. Not included are:

- o Gifts or social courtesies related to family relationships.
- o Established personal friendships which are not designed to influence judgment or actions.
- o Attendance at events of a charitable, public, governmental, informational or business nature where refreshments may be served and small souvenirs of the event may be distributed, not intended to influence judgment or behavior.
- o Political contributions received within applicable laws, rules and regulations.
- o Loans obtained according to prevailing commercial practices and rates.
- o Customary performance and merit awards or honorariums.
- o Awards, gifts, etc., given as an official employee recognition program.
- o Meals and refreshments not exceeding ~~\$50-150~~ in value and in aggregate over the period of year, not intended to influence judgment or actions.
- o **Goods or services provided to the City.**
- ~~o~~ **Meals and refreshments served in an individual's personal home.**
- o Rebates, discounts obtained on the price of anything sold in the normal course of personal business.
- o Printed or recorded information, photographs and maps related to governmental functions/actions.
- o Certificates, plaques or ceremonial awards having a value of no more than \$200 **given to an employee as part of an official Employee Recognition/Incentive Program.**
 - **Gifts or social courtesies, given to celebrate major life events such as weddings, births, religious milestones or major holidays, given to the officer or employee, or to the officer's or employee's immediate family, from donors, who are: (a) other relatives that are not "immediate family" as defined in Code of Ethics Chapter 32, or (b) close personal friends. Gifts made with a monetary value in excess of \$500.00 must be disclosed in writing within ninety (90) days to the Board of Ethics. In the event of a complaint of a violation of this Section, the officer or employee shall have the burden of proving that the gift is a bona fide gift or social courtesy customarily made for the occasion. Political contributions should not be construed to be a gift and are not subject to this section.**

3) Employment

a) Future Employment:

Officers and employees of the City of Norwalk shall not solicit future employment with anyone who has a substantial matter pending before the agency

for which the officer or employee served or is serving. A matter is "substantial" if it involves a financial value of \$1,000 or more or involves a question of significant public policy for the City.

b) Subsequent Employment:

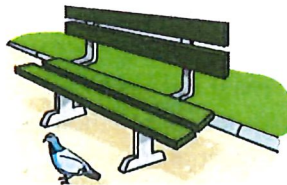
There is a minimum of one year before a terminated employee or officer shall be able to work or assist any individual, person, agency, other than the City, by representing that individual, person or agency in front of his or her former department for monetary or valuable compensation.

There are also requirements to prevent the appearance of nepotism that restrict the hiring of family members within the same department for which an officer or employee works or recently worked.

Refer to the Code of Ethics for more detailed information.

4) Procurement

The City of Norwalk has adopted a set of Procurement Guidelines that govern the purchase of goods and services by the City. Vendors and contractors who wish to do business must comply with the Procurement Guidelines, which are available on the Norwalk Purchasing Department's website at <http://www.bid.ci.norwalk.ct.us>.



5) Use of Public Property

The following excerpt from Section 32-6 of the Code of Ethics addresses the prohibited use of City property and facilities:

No officer or employee shall use or authorize others to use City-owned property, including vehicles and facilities, for any purpose other than the conduct of City business, except as follows:

- A. For purposes and on terms generally available to members of the public or other officers and employees of the City generally;
- B. In accordance with such officer's or employee's work or employment with the City in which the use of such property by such officer or employee is an element of his or her compensation, term or employment, or performance for the City;
- C. A minor or incidental use for personal purposes that is without cost to the City or a minor or non-incidental use for personal purposes that is authorized by the City; or
- D. For charitable, professional or volunteer work, provided the use is authorized by the City.

6) Use of influence and information

Section 32-7 of the Code of Ethics addresses the sharing of information or use of influence of and by officers, employees or agencies in the handling of any matter or transaction of any business in which an involved individual would have special interest or could stand to gain or lose based on knowledge of said information that is not commonly shared with the general public. No employee or officer shall disclose confidential City of Norwalk information, other than in accordance with established City procedures or with appropriate authorization from the City. Further detail is available in the Code of Ethics.



Requirements

Who may file a Complaint?

- 1) Any person may file a Complaint with the Norwalk Board of Ethics.
- 2) Anonymous Complaints will not be accepted by the Board of Ethics.
- 3) When filing a Complaint or providing truthful information as part of an investigation you are protected against retaliation under the Code of Ethics.

Who is the subject of the Complaint?

- 1) The subject of your Complaint is the individual (Respondent) who you have alleged to have violated the Code of Ethics.
- 2) If that individual (Respondent) is found to have violated the Code of Ethics, the Respondent may be subject to fines and other potential repercussions.

How does a citizen file a Complaint?

- 1) Complete the enclosed form in the booklet.
- 2) When filing your Complaint, provide documentation to support your claim.
- 3) Certify, by signing your Complaint Form, that all statements are true and accurate.
- 4) Deliver your Complaint and any supporting documentation in a sealed envelope to the City Clerk's Office, marked as "Confidential."
- 5) Faxed or emailed Complaints will not be accepted.

Norwalk City Clerk
Board of Ethics
125 East Avenue
Norwalk, CT 06851

What happens after a Complaint has been filed?

- 1) All Complaints will be handled confidentially.
- 2) Once submitted, you (the Complainant) may not withdraw by the Complaint without the approval of the Board of Ethics.
- 3) You (the Complainant) must keep the Complaint confidential.
- 4) If you (the Complainant) disclose information about the Complaint, the Board of Ethics has discretion to dismiss your Complaint.
- 5) Unless the Board of Ethics advises you (the Complainant) otherwise, the allegations in the Complaint and other information received from the Board of Ethics may not be disclosed to any third party, by you (the Complainant).
- 6) A violation of confidentiality by you (the Complainant), whether direct or indirect, shall be grounds, at the discretion of the Board of Ethics, to dismiss your Complaint.

Additional forms are also available at the City Clerk's Office or online at www.norwalkct.org.

City of Norwalk Code of Ethics Complaint Process

Confidential

- Confidential Complaint filed with City Clerk's Office.
- City Clerk's Office refers Confidential Complaint to Board of Ethics.
- Board of Ethics reviews Complaint to ensure compliance with Ethics Code requirements.
- If Complaint complies with the Ethics Code, Complaint referred to Investigating Panel.
- If Complaint is non-compliant, Board requests compliance and/or dismisses Complaint.

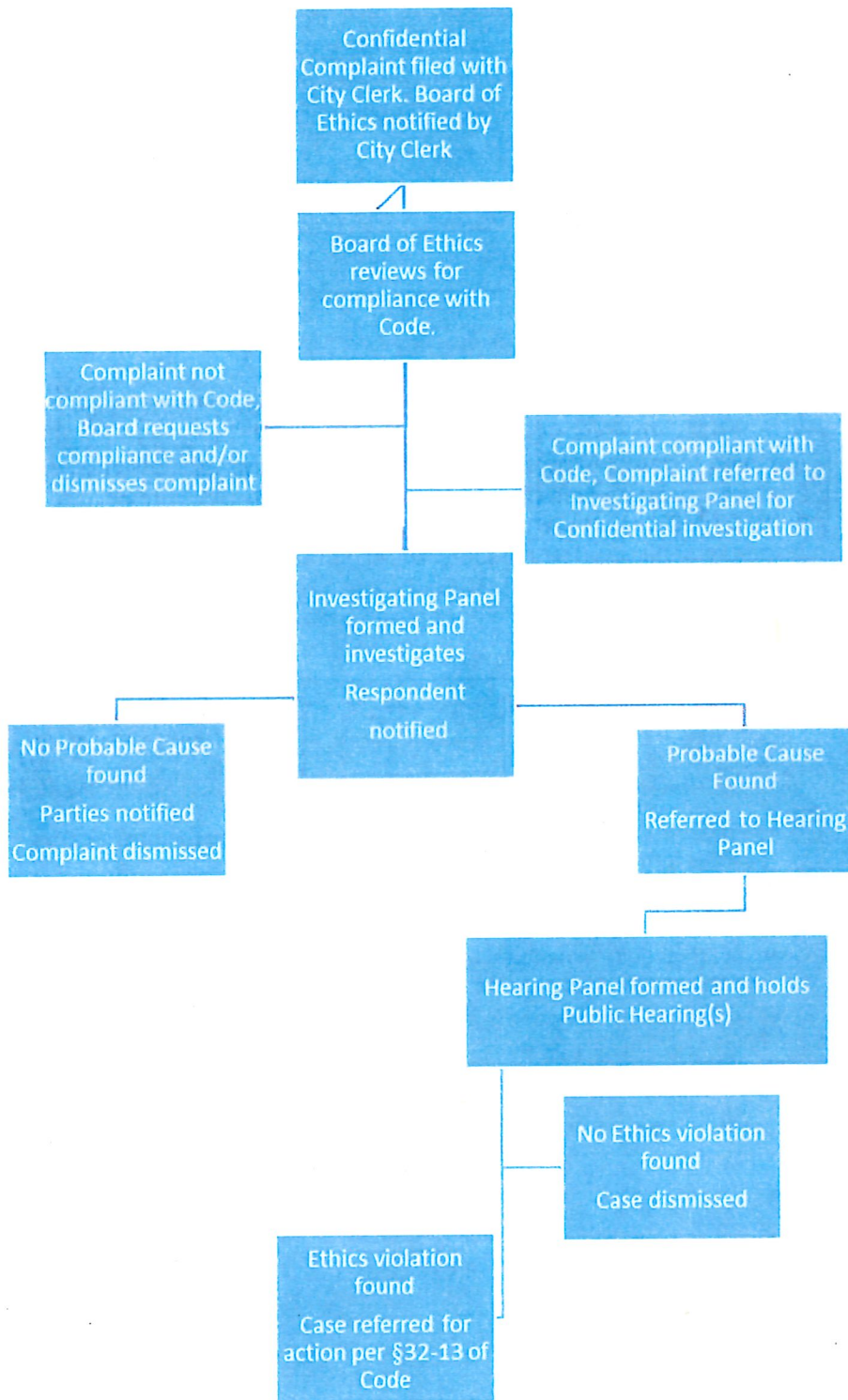
Confidential

- Three Member Investigation Panel assembled & begins investigation.
- Person against whom complaint is made (Respondent) is notified.
- If Investigating Panel finds No Probable Cause, Complaint dismissed, Notice of Dismissal sent to Complainant and Respondent, and file closed.
- If Investigating Panel finds Probable Cause, written report sent to Complainant and Respondent, Hearing Panel is formed.

Public

- If Probable Cause is found by Investigating Panel, Three Member Hearing Board is formed.
- Public Hearing(s) are held.
- Hearing Board issues written determination.
- If an Ethics Code violation is found, a determination of violation made and the matter is referred for further action.
- If an Ethics Code violation is not found, the case is dismissed.

City of Norwalk Code of Ethics Complaint Process





2) Process:

Filing and Review of your Complaint

- 1) Your confidential Complaint is filed with the City Clerk's Office.
- 2) The City Clerk's Office refers your confidential Complaint to the Board of Ethics.
- 3) The Board of Ethics reviews your Complaint to ensure compliance with the Code requirements.
- 4) If your Complaint complies with the Code, your Complaint is referred to an Investigating Panel.
- 5) If your Complaint is not compliant, the Board of Ethics may request compliance and/or dismiss your Complaint.

Investigation Process – Investigating Panel

- 1) Within 21 days of the Board's next regularly scheduled meeting following receipt of your Complaint by the City Clerk's Office, the Board of Ethics will review your Complaint and may establish an Investigating Panel.
- 2) In both an independent and confidential manner, this Panel may seek information, hear testimony, take written statements, and/or retain counsel or investigators to assist in the discovery of information.
- 3) Once an Investigating Panel is formed, it has 60 days to determine Probable Cause.
- 4) An Investigating Panel may request additional time, if necessary, to make a determination on Probable Cause.
- 5) If no Probable Cause is found, the Investigating Panel will dismiss your Complaint and shall report such dismissal to the Board of Ethics. To protect confidentiality, the dismissal will not contain details of the investigation or the reasons for the dismissal.
- 6) If the Investigating Panel finds Probable Cause, a written report will be sent to the Board of Ethics, and upon receipt, the Hearing Board will be appointed.

Hearing Board

- 1) Within 30 days of the Board of Ethics receiving the Investigation Panel's written report, the Hearing Board will initiate a public hearing process to determine whether the Respondent committed a violation of the Code of Ethics.
- 2) The Hearing Board shall hold hearings.
- 3) Upon completion of the hearings before the Hearing Board, the Complainant and Respondent shall be notified in writing of the decision of the Hearing Board, not later than 10 business days after the decision has been made.

3) Complaint Form:

Contact the City of Norwalk Board of Ethics:
Board of Ethics, Norwalk City Clerk, 125 East Avenue, Norwalk, CT 06851

**BOARD OF ETHICS
COMPLAINT**

1. Person filing this Complaint (*the Complainant*):

Name: _____ Date: _____

Address: _____

Telephone Number(s): _____

Email Address: _____

2. Person against whom this Complaint is being filed (*the Respondent*):

____ City employee ____ Elected official ____ Appointed official ____ Other

Name: _____

City Commission, Board, Agency or Department: _____

3. Check the section(s) of the Norwalk Code of Ethics that you believe the Respondent has violated (*Please refer to the Norwalk Code of Ethics, Chapter 32 of the Norwalk Code of Ordinances. The Board of Ethics may find violations of ordinances or statutes not checked above.*):

- | | |
|--|--|
| ☐ Conflict of interest (§32-4) | ☐ Prohibited representation (§32-5) |
| ☐ Prohibited use of City property/facilities (§32-6) | ☐ Prohibited use of influence/information (§32-7) |
| ☐ Prohibited gifts (§32-8) | ☐ Specific violations (§32-9) |
| ☐ Negotiation of future employment (§32-10) | ☐ Subsequent employment (§32-11) |
| ☐ other (Describe & cite ordinance or statute): _____ | |

ETHICS - COMPLAINT

4. State your complaint and describe the circumstances, including dates, that you believe constitute a violation of the Norwalk Code of Ethics *(Use additional sheets if necessary)*:

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a set of legal pads. There is no handwriting or other markings on the page.

CITY OF NORWALK

ETHICS -COMPLAINT

Page 3 of 4

5. Describe or attach copies of any documents that support your Complaint.

6. Provide the names, addresses and telephone numbers of any witnesses to the circumstances described in Item 5 above (*optional*):

7. I hereby certify under penalty of false statement that the foregoing statement describing a possible violation of the Norwalk Code of Ethics is true and accurate to the best of my knowledge and belief. I also certify under penalty of false statement that I will not violate the requirement of confidentiality as stated in the Norwalk Code of Ethics.

Signature: _____ Date: _____

CITY OF NORWALK

ETHICS COMPLAINT

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NOTE:

1. This Complaint will not be considered filed without the name, address, and original signature of the Complainant. Mail or hand-deliver this Complaint in a sealed envelope to:

City of Norwalk
Board of Ethics
City Clerk
125 East Avenue
Norwalk, CT 06851

Complaints will **not** be accepted electronically (email) or by fax.

2. Once filed, this Complaint may not be withdrawn by the Complainant without the approval of the Board of Ethics.
3. The Board of Ethics Investigating Panel's preliminary investigation of a Complaint is confidential unless the Respondent requests that it be open. Unless the Board of Ethics advises you otherwise, the allegations in the Complaint and any information supplied to or received from the Board of Ethics may not be disclosed to any person outside of the investigative process. A violation of the requirement of confidentiality by the Complainant, whether direct or indirect, shall be grounds, at the discretion of the Board of Ethics, to dismiss the Complaint.
4. Complaints shall be deemed to have been received by the members of the Board of Ethics at the first regularly scheduled meeting of the Board following delivery of the Complaint to the Norwalk City Clerk.