CITY OF NORWALK

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BOARD OF ETHICS

Thursday, June 30, 2016 at 6:30 pm
Room 101

Norwalk City Hall
125 East Avenue
Norwalk, CT

AGENDA

1. ROLL CALL

2. PUBLIC PARTICIPATION

3. ACCEPTANCE OF MINUTES: **February 11, 2016**
April 28, 2016
May 26, 2016

4. OLD BUSINESS: **Questions/recommendations of changes to Code.**

Draft of Board expectations for 2016-1017 calendar

5. NEW BUSINESS:

6. EXECUTIVE SESSION

7. ADJOURNMENT

CITY OF NORWALK
BOARD OF ETHICS
REGULAR MEETING
FEBRUARY 11, 2016

ATTENDANCE: Elizabeth Broncati, Chair; Michael Church, Vice Chair: Antoinette Williams, Haroldo Williams

ABSENT: Mikolos Koleszar, Eric Benitez

OTHERS: None

CALL TO ORDER

Ms. Broncati called the meeting to order at 6:35 p.m.

ROLL CALL

Ms. Broncati called the roll. A quorum was present.

PUBLIC PARTICIPATION

There was no one present from the public.

ACCEPTANCE OF THE MINUTES

**** MR. CHURCH MOVED TO ACCEPT THE MEETING MINUTES OF JANUARY 28, 2016.**

Ms. Williams noted that during the Common Council meeting when the appointments were being made, none of the Council Members spoke about the new members of the Ethics Committee.

**** MR. WILLIAMS SECONDED.**
**** THE MOTION TO APPROVE THE MINUTES OF THE JANUARY 28, 2016 AS SUBMITTED PASSED UNANIMOUSLY.**

Ms. Broncati said that she would like to submit a calendar of meeting dates.

**** MR. WILLIAMS MOVED TO ACCEPT PROPOSED SCHEDULE OF MEETINGS.**
**** MR. CHURCH SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

OLD BUSINESS

Ms. Williams said that based on her experience at the last meeting, she was trying to understand what was available publicly. She said that there were only two sets of minutes on the website. She said that she had requested a follow up on the minutes from the meetings from 2015. Ms. Broncati said that the Code of Ethics had been approved in 2009. Ms. Williams said that it would be important to track the minutes. Discussion followed.

NEW BUSINESS

Ms. Williams said that she had reviewed the code and that it would be helpful to have a conversation around what the course of actions would be when a complaint is filed. She also said that she would like to understand the confidentiality issues involved with the complaint, along with the potential recommendations to Ordinance. She added that she wondered how they would prevent abuse of the system.

Ms. Broncati directed everyone's attention to page 14, which outlines the consequences of an action. She then reviewed the process for a hearing. Ms. Broncati said that the code does not indicate who carries out the consequences. Ms. Williams said that she thought that the Common Council would be responsible for that.

Mr. Church said that he would like to come up with some improvements in the Code of Ethics. He encouraged everyone to review the Code and make notes of items that they thought could be improved. The Board can recommend a change to Corporation Counsel. Ms. Broncati said that in 2007 one suggestion was to offer some training, but cautioned everyone that often things can be stirred up.

Mr. Williams said that he had not only read the Norwalk Code but also had read the State's Code and found the State's Code to be simpler. He pointed out that there was a prohibition against gifts over $50.00 but there is no time period associated with that prohibition. Discussion followed.

Ms. Williams asked what the goal was for the Board. Ms. Broncati said that she would like to review the Code and help the new Board members understand the Code. Ms. Williams said that it would be important to be clear about who they were and what they were about. She said that she thought the Code of Ethics was great but was wondering how to make other residents aware of this.

Mr. Williams pointed out that when there is a new Council or Board of Ed, the new Board members should be presented with information from the Ethics Board.

Mr. Church gave out a document and said that it was from the November 6, 2014 public presentation of the Citizen's Guides. Mr. Church said that one of the reasons for the presentation was to make people aware of this, and all the City employees were notified, along with having notices posted in the paper. He said that he would like to see something like this event in the fall.

Ms. Williams asked if everyone had participated in the Connecticut Conference Of Municipalities (CCM) training. Ms. Williams said that she understood that there were new members and suggested that everyone participate in the CCM training. She added that it was also important to remember that the new Board may not follow in the steps of the previous members. Mr. Williams said that it would be good to have the discussions before issues arise so all the Commissioners are in agreement about what the Code means. Discussion followed about the timeline and the various strategies along with the intricacies of the $50.00 limit on gifts.

The discussion then moved to areas of conflicts of interest, gift giving and avoiding the appearance of political advocacy. The confidentiality code supersedes the FOI requirements.

Mr. Church then reviewed the legal ramifications for slander. He also reviewed the requirements for filing a complaint. Ms. Williams asked how an organization would file a complaint. There was also a question about the nullifying the confidentiality by going to the press.

The discussion moved to the Investigation process, and the hearing board. Ms. Williams asked how the Norwalk Code on the hearing Board lined up with the State's code. Ms. Broncati said that the Citizen's Guide had copies of the forms attached to the document.

Mr. Church said that this information had been presented to the public in the Community Room in 2014 and only one person had attended the presentation.

Ms. Broncati recommended that everyone review the Code and write down questions, their comments and other areas for clarification. Ms. Williams asked if there was a method to interact between meetings. Ms. Broncati suggested that the best method would be paper and pencil. She added that when the Corporation Counsel is present, he can often fill in the back stories on certain items. Ms. Broncati also suggested that the Board members look at the State site. Mr. Williams said that he would forward the documents that he discovered to the other Board members. Ms. Williams asked if there was a record of past recommendations that the Board members had made. Ms. Broncati said that they would get a copy of those to Ms. Williams also.

EXECUTIVE SESSION

There were no items requiring an executive session at this time.

ADJOURNMENT

**** MS. WILLIAMS MOVED TO ADJOURN.**
**** MR. CHURCH SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:00 p.m.

Respectfully submitted

S. L. Soltes
Telesco Secretarial Service

CITY OF NORWALK
BOARD OF ETHICS
APRIL 28, 2016

ATTENDANCE:	Michael Church, Chair; Kara Murphy, Haroldo Williams
STAFF:	None
ABSENT:	Mikolos Koleszar, Antoinette Williams

Call to Order

Mr. Church called the meeting to order at 6:38 p.m. and stated that the above members were in attendance and there was a quorum present.

Public Participation - none

Approve Minutes - Meeting of December 2, 2015

Mr. Church announced that the approval of the minutes would be tabled as there was not a quorum of those that were in attendance for the February meeting.

Old Business

Mr. Church introduced himself, provided an overview of his background and asked members in attendance to do the same. Ms. Murphy and Mr. Williams both gave an overview of their experience and background. He then spoke on how the meetings would be conducted, asked members to be mindful of time and to refrain from the use of cell phones during the meeting.

Mr. Church acknowledged former Chair, Ms. Elizabeth Broncati for her work on Board with her role and involvement on the Board, in particular for writing the Citizens Guide and education efforts in communication of the Board's role and purview.

New Business

There was discussion on the purview of the Board and the role of members. Mr. Church suggested that the next step would be for members to review the Code of ethics, come up with questions and recommendation for any changes to present to Corporation Council There was discussion on interpretations and how constructive criticism should be established.

Mr. Church then provided a summary of the history of the Board of Ethics from its inception and how the Code of Ethics and Citizens Guide were developed and created.

Mr. Williams suggested there be identification of gaps in the code and where there needs to be greater clarity on the roles and responsibilities of the Board. He highlighted the area of gifts as an example and explained that there is no time or frequency of the $50 limit and it should be clarified.

Mr. Church suggested a strategy and timing of April-May-June as the period to get acquainted with the code and to schedule a presentation in the fall to City Departments and elected officials. Mr. Williams added that he would like for all City Officials to be made aware of how they are bound by the code and to have a document that is signed that they have received the Code of Ethics.

Ms. Murphy stated that a statement of acknowledgement and receipt of the Code is customary and there should be an annual questionnaire system that updates members and officials. There was discussion on the practices with personnel and if there are packets created by Human Resources.

Mr. Church suggested hat the Board should have proactive approach to educate City personnel and elected officials on issues such as conflict of interest, recusal of votes, nepotism, etc. He further recommended an open dialogue be established to make them aware of the Board's role and to develop relationships for the Board not just wait around for complaints to react. He added that he will check if there is a data base of City employees and officials and what the acceptable uses are. He will see how the Board can utilize existing technology to send e-mails or communications.

There was further discussion on the confidentiality factor and that a 'cannot speak on that' response to questions in conjecture nature regarding claims or questions. Mr. Williams suggested that if an advisory opinion is requested by an employee it should be clear that the Board is not in the capacity to advise, as that can be implied as conjecture.

There was further discussion on ways to avoid Board member liability and to bring awareness to make people knowledgeable about the Code of Ethics

Mr. Church suggested to come back to the next meeting with notes and questions or suggested changes for a recommendation to Corporation Counsel. He added that he will prepare a draft of the Board expectations of an execution plan for the 2016-17 strategy and calendar of timelines for the tasks of communication and education.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Marilyn Knox,
Telesco Secretarial Services

CITY OF NORWALK
BOARD OF ETHICS
REGULAR MEETING
MAY 26, 2016

ATTENDANCE: Mr. Michael Church, Chair; Atty. Kara Murphy, Ms. Antoinette Williams, Mr. Haroldo Williams, Rev. Henry G. Floyd

ABSENT: Mr. Mikolos Koeszar

CALL TO ORDER.

Mr. Church called the meeting to order at 6:32 p.m. A quorum was present.

Mr. Church then introduced himself and gave a brief background. He welcomed Rev. Floyd to the Board. The other members present also introduced themselves at this time and gave brief summaries of their backgrounds.

PUBLIC PARTICIPATION.

There was no one present from the public.

ACCEPTANCE OF THE MINUTES

February 11, 2016
April 28, 2016

Mr. Church said that there was not a quorum present to pass either sets of minutes at this meeting, and therefore both sets would be tabled at this time.

OLD BUSINESS

Mr. Church stated that at the previous meeting, the members had been given an assignment to review the Code of Ethics.

Mr. Church said he would like to re-engage the community, become comfortable with the code and create a strategy in order to make the City employees aware of the Board and the Code of Ethics. Another goal is to make sure that the City was operating ethically.

Mr. Church said he would like to review any recommendations that Atty. Murphy and Mr. Williams made.

Ms. Williams explained that she was not able to attend the last meeting due to a conflict in scheduling and wanted to know if there was a way to find out what happened at the meeting and any assignments.

**** MR. WILLIAM MOVED TO RECOMMEND THAT WHENEVER THERE WAS ANY ASSIGNMENT, THE MEMBERS ARE NOTIFIED BY EMAIL.**

Atty. Murphy said that she was open to this. Ms. Williams pointed out that it would be important to be transparent and maximize the talent on the Board.

**** MS. WILLIAMS SECONDED.**

Ms. William stated for the record that she would be willing to meet for a working session. Mr. Williams and Atty. Murphy agreed.

**** THE MOTION PASSED UNANIMOUSLY.**

Atty. Murphy said she had reviewed the Code to see if there were items that should be clarified or made more user-friendly. She pointed out that both the First and Second Taxing District have their own separate code of Ethics and their own municipal charters. Atty. Murphy gave a brief overview of the boundaries for the First and Second Taxing District. She explained that the Taxing Districts were similar to the boroughs in New York City. The Commissioners for the First, Second, Third, and Sixth District are elected by the residents of their respective districts. She also noted that before any changes are made to the City Code of Ethics, it would have to be submitted to the Corporation Counsel.

Atty. Murphy said that another issue was that no one would like their integrity questioned. Each year, the State employees answer a questionnaire about potential conflicts of interest. It is important to remember that people don't know what they don't know and by reviewing it annually, the Board would be more proactive. Mr. Williams agreed and said that the City employees would become more aware of the Code. Mr. Church said that one aspect of this would be contacting the Director of Human Resources regarding having the Ethics Code included in the contracts.

Ms. Williams asked if there were any municipalities that were using the Ethics Board in a proactive manner. Atty. Murphy said that she had looked at Greenwich because she had heard that Board was very pro-active. She said that the State employees have a test they are required to take for reference. Discussion followed.

Mr. Williams said that the Connecticut Conference of Municipalities (CCM) offers training that the Board Members could attend. Ms. Williams suggested creating a binder for the working session.

Atty. Murphy then spoke about Chapter 32-4E subparagraph 8 which addresses situations when City employees are appointed to Boards or Commissions. There was a recent issue that arose regarding the various aspects of this portion of the Code. Atty. Murphy said that sometimes there are State statutes that may supercede the City's Ethics Code.

Under Chapter 32-12, there are "service of process by "sheriffs" and this should be changed to a "State Marshals". The State changed the title of the position and the Code should reflect this.

At the end of 32-12C subparagraph 9 about rules and procedures for public hearing, Atty. Murphy explained that the points H, I, & J have nothing to do with public hearings. Atty. Murphy reviewed them and suggested that they are pulled out of that section and separately numbered. This will make it easier for member of the public to find them rather than having them buried in the section on public hearings.

Atty. Murphy said that Norwalk does have a Board of Ethics page, but it is difficult to find. Once someone did locate it, there could be much more information for the public.

Chapter 32-8 addresses City employees receiving gifts. Mr. Williams noted that there is no time limit, so an employee could receive a gift every day, week, month, year. He also noted that the School employees have a different calendar.

Mr. Williams recommended that at the work session, they should review the Code line by line because it forces everyone to focus. Ms. Williams said that it would be good to learn about the different interactions that other municipalities have. Discussion followed.

Mr. Williams said that he was working to understand what the Code of Ethics were responsible for and referred to 32-1. He said that it does not include any kind of charge or mission statement.

He also referred 32-4 where it includes Ordinance List Employee, but does not identify who those employees might be. Discussion followed about a number of issues, such as the origins of the Board, the appointment of members and related subjects. M.s Williams said that it would be practices, policies and programs. She said that as as means, the the P's would give a map to attain the goal. Knowing what may have happened in the institutional history to prevent this would be valuable. Mr. Church said that crafting the right document that would educate the general public and raise the awareness of the employees. Discussion followed about various situations and how the Three P's might apply.

Ms. Williams pointed out that this is a three part package. The center is the Code, the second part is how it is put in practice and finally, what kind of programs the Board can provide. Mr. Church said that it would be important to have Department heads in the loop so they can give their employees guidance. Discussion followed.

Ms. Williams asked what kind of timeline the Board had. Mr. Church said he would like to have one or two working session between this meeting and the June meeting. Based on the outcome of those sessions, the Board should have a clearer idea of the timeline. He added that he would like to have something ready to present something to the Council by September.

Ms. William said that the Ethics Board had hired Atty. Trowbridge from Quinnipiac to help with the Code. Atty. Murphy said that she hates "legalese" and would like to see the Code written in a manner so that any resident of Norwalk could read the Code and understand the underlying concept. Ms. Williams pointed out that non-profits and major corporations use language for an 8th grader in their marketing. Mr. Church said that he thought the Citizen's Guide would probably need more attention because it is the marketing and educational aspect. Discussion followed.

Ms. Williams encouraged everyone to reach out to the Common Council Members to build a relationship with them.

The Board Members then discussed a date and times for a possible working sessions on June 6th at 3:30-5:30 p.m. and June 15th from 6:00-8:00 p.m.

ADJOURNMENT.

**** ATTY. MURPHY MOVED TO ADJOURN.**
**** REV. FLOYD SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services