

**CITY OF NORWALK
ETHICS COMMISSION
REGULAR MEETING
MARCH 28, 2019**

ATTENDANCE: Michael Church, Chair; Miklos Koleszar, Kara Murphy,
Kelly Straniti, Haroldo Williams (7:09 p.m.)

STAFF: Atty. Brian Candela, Corporation Counsel's Office

CALL TO ORDER

Mr. Church called the meeting to order at 7:03 p.m.

ROLL CALL

Mr. Church called the roll. A quorum was present.

NEW INTRODUCTION

Mr. Church then greeted Ms. Straniti, who was recently appointed to the Commission. Ms. Straniti greeted everyone and gave a brief overview of her accomplishments. Mr. Church announced that Ms. Murphy had been re-appointed.

Mr. Haroldo Williams joined the meeting at 7:09 p.m.

ACCEPTANCE OF MINUTES

February 28, 2019

**** MS. MURPHY MOVED THE MINUTES OF FEBRUARY 28, 2019.**

**** MR. CHURCH SECONDED.**

**** THE MOTION PASSED WITH FOUR (4) IN FAVOR (CHURCH, MURPHY, KOLESZAR, AND WILLIAMS) AND ONE (1) ABSTENTION (STRANITI).**

OLD BUSINESS

Atty. Candela said that the Commissioners had expressed a wish to review Section 32-12E(1)[a]. The Commissioners reviewed it and found it to be acceptable.

**** MR. KOLESZAR MOVED TO APPROVE SECTION 32-12E(1)[A] OF THE NORWALK CODE OF ETHICS AS PRESENTED.**

**** MS. MURPHY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners then reviewed the proposed changes in Section 32-12E(2)[c].

Ms. Straniti asked if the Commission would accept a complaint that has already been made public. Mr. Church said that they would not take on that complaint.

**** MS. MURPHY MOVED TO APPROVE THE SUGGESTED AMENDMENTS FOR SECTION 32-12E(2)[c] OF THE NORWALK CODE OF ETHICS.**

**** MR. KOLESZAR SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The discussion then moved to Section 32-12E(2)[b], Appointment of Investigating Panel.

Upon receipt of said complaint by the Board of Ethics members and subject to 32-12(E) (1)[a], an Investigating Panel will be appointed, within 21 days consisting of three individuals who are electors of the City of Norwalk. The members of the Investigating Panel shall not be Officers or Employees from the Agency at which the individuals allege to be involved in the facts of the complaint currently serves or formally served within one year as officers or employees. The Investigating Panel members may delete, differ or reject any part of a complaint that does not conform to the requirements specified by the Board of Ethics. If any member of the Board of Ethics initiates or is involved in a complaint, he or she will recuse himself or herself from the Board of Ethics for the purposes of that complaint, including the appointment of the Investigating Panel and any Hearing Board, and an alternate of the Board shall serve in his or her place as to all further proceedings on that complaint.

Discussion followed regarding the time frame for the appointment of the Investigating Panel.

**** MS STRANITI MOVED TO AMEND SECTION 32-12E(2)[B] FROM:**

UPON RECEIPT OF SAID COMPLAINT BY THE BOARD OF ETHICS MEMBERS AND SUBJECT TO 32-12(E) (1)[A], AN INVESTIGATING PANEL WILL BE APPOINTED, WITHIN 21 DAYS CONSISTING OF THREE INDIVIDUALS WHO ARE ELECTORS OF THE CITY OF NORWALK. THE MEMBERS OF THE INVESTIGATING PANEL SHALL NOT BE OFFICERS OR EMPLOYEES FROM THE AGENCY AT WHICH THE INDIVIDUALS ALLEGE TO BE INVOLVED IN THE FACTS OF THE COMPLAINT CURRENTLY SERVES OR FORMALLY SERVED WITHIN ONE YEAR AS OFFICERS OR EMPLOYEES. THE INVESTIGATING PANEL MEMBERS MAY DELETE, DEFER OR REJECT ANY PART OF A COMPLAINT THAT DOES NOT CONFORM TO THE REQUIREMENTS SPECIFIED BY THE BOARD OF ETHICS. IF

ANY MEMBER OF THE BOARD OF ETHICS INITIATES OR IS INVOLVED IN A COMPLAINT, HE OR SHE WILL RECUSE HIMSELF OR HERSELF FROM THE BOARD OF ETHICS FOR THE PURPOSES OF THAT COMPLAINT, INCLUDING THE APPOINTMENT OF THE INVESTIGATING PANEL AND ANY HEARING BOARD, AND AN ALTERNATE OF THE BOARD SHALL SERVE IN HIS OR HER PLACE AS TO ALL FURTHER PROCEEDINGS ON THAT COMPLAINT.

TO:

UPON RECEIPT OF SAID COMPLAINT BY THE BOARD OF ETHICS MEMBERS AND SUBJECT TO 32-12(E) (1), AN INVESTIGATING PANEL WILL BE APPOINTED, WITHIN 21 DAYS OF THE NEXT REGULARLY SCHEDULED BOARD OF ETHICS MEETING. THE MEMBERS OF THE INVESTIGATING PANEL SHALL NOT BE OFFICERS OR EMPLOYEES FROM THE AGENCY AT WHICH THE INDIVIDUALS ALLEGE TO BE INVOLVED IN THE FACTS OF THE COMPLAINT CURRENTLY SERVES OR FORMALLY SERVED WITHIN ONE YEAR AS OFFICERS OR EMPLOYEES. THE INVESTIGATING PANEL MEMBERS MAY DELETE, DEFER OR REJECT ANY PART OF A COMPLAINT THAT DOES NOT CONFORM TO THE REQUIREMENTS SPECIFIED BY THE BOARD OF ETHICS. IF ANY MEMBER OF THE BOARD OF ETHICS INITIATES OR IS INVOLVED IN A COMPLAINT, HE OR SHE WILL RECUSE HIMSELF OR HERSELF FROM THE BOARD OF ETHICS FOR THE PURPOSES OF THAT COMPLAINT, INCLUDING THE APPOINTMENT OF THE INVESTIGATING PANEL AND ANY HEARING BOARD, AND AN ALTERNATE OF THE BOARD SHALL SERVE IN HIS OR HER PLACE AS TO ALL FURTHER PROCEEDINGS ON THAT COMPLAINT.

**** MS. MURPHY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Ms. Straniti asked about the Conflict of Interest policies. The Commission then reviewed §32-4A(6) with her. While on the Council, Ms. Straniti said that as a member of the Keystone House Board, she had to recuse herself when votes took place involving Keystone House. Ms. Murphy pointed out that §32-12C(7) addresses that and is part of the current version of the code. Mr. Church said that if there was a Council Member serving on a Board, they could give input to the discussion but could not be present during the vote. Discussion followed.

Atty. Candela said that there was a recent program and the presenter, who was a municipal attorney that specializes in this area and she was quite impressed with the

current Norwalk Code of Ethics. He added that there are other towns and cities that are updating their Codes and Norwalk is ahead of the curve.

Mr. Church reminded everyone that the Commission's charge is two fold. First is to update the Code of Ethics and the Citizen's Guide to the Norwalk Code of Ethics. The second charge is to make the staff and the general public aware of the Code of Ethics.

Atty. Candela then stated that the language in the Citizen's Guide will be updated to reflect the changes made in the Code of Ethics.

Ms. Straniti left the meeting at 8:02 p.m.

The Commission then moved back to Section §32-4A(4). Mr. Williams said that he still had concerns about Council Members who might be employed by a business that contracts with the City. Ms. Murphy said that she felt the Council Member should abstain from commenting and voting on both the employer's and the City's governance. Discussion followed. Mr. Church said that if someone was unsure, they could always ask guidance from the Commission. Atty. Candela said that the municipal attorney at the recent presentation had made the same statement that if someone is not sure, they should ask advice.

EXECUTIVE SESSION

**** MR. CHURCH MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES.**

**** MR. WILLIAMS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners and Atty. Candela entered into Executive Session at 8:15 p.m. in order to discuss personnel issues. They returned to Public Session at 8:25 p.m. No actions were taken or motions made during Executive Session.

ADJOURNMENT

**** MR. KOLESZAR MOVED TO ADJOURN.**

**** MS. MURPHY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

City of Norwalk
Ethics Commission
Regular Meeting
March 28, 2019