

**TOLLAND ETHICS COMMISSION
MEETING MINUTES
HICKS MEMORIAL MUNICIPAL CENTER
6th FLOOR SMALL CONFERENCE ROOM
October 27, 2008**

Members present were: R. Michael Groff, Jerome Lahman, and Rebecca Tanner

Rebecca Tanner called the meeting to order at 7:08 p.m.

The minutes from the June 19, 2008 meeting were reviewed and Jerry Lahman moved that the minutes be approved as written; the motion was seconded by Mike Groff. **The motion passed.**

The committee reviewed Ordinance 75, Tolland Code of Ethics after the Town council asked that we review Ordinance 75 for enhancements or modifications in light of some potential gaps in the language. The Commission identified language in § 6.6 Political activity and in § 6.9 Administration and enforcement: ethic commission. After discussion, Jerry Lahman moved that the following text be included in Ordinance 75:

§ 6.6 Political activity.

No public employee, public official or candidate for elected Town office shall engage in political activity while on Town duty or within any period of time during which such person is normally expected to perform services for which such person receives compensation from the Town, or utilize Town funds, supplies, vehicles or facilities for the purpose of any such political activity whether or not such activity is allowed by the State of Connecticut statute. In addition, no public employee or public official may enlist nor allow Tolland Public School students to courier information from school for the purpose of influencing an upcoming election or referendum.

And

§ 6.9 Administration and enforcement: ethics commission.

Pursuant to § 7-148h of the Connecticut General Statutes, there shall be an Ethics Commission for the Town of Tolland which shall investigate allegations of conduct proscribed by this Chapter, corrupting influence or illegal activities levied against any official or employee of the Town and shall have the power to do so afforded by said statute. The Ethics Commission shall consist of three (3) members who shall be electors of the Town but no two of whom shall be members of the same political party. They shall be appointed by the Town Council based on their reputation for fairness, gravity, discretion and ability to understand the sensitive and sometimes complex nature of ethical issues. The term of the members first appointed shall end on December 31, 2008; thereafter, members shall be appointed for terms of three (3) years

If the Ethics Commission makes a finding of unethical conduct by:

- (A) An official or employee holding a position appointed by the Town Manager, it shall make a public report thereon to the Town Manager whose duty it will be to discipline such official or employee consistent with the Tolland Charter.
- (B) An official or employee holding a position appointed by the Superintendent of Schools, it shall make a report to the Superintendent of Schools whose duty it will be to discipline such official or employee consistent with the Town Charter.
- (C) An official appointed by the Town Council, it shall make a public report thereon to the Town Council which shall take appropriate action.
- (D) An official appointed by the Board of Education, it shall make a public report thereon to Board of Education and/or the Town Council which shall take appropriate action.
- (E) An elected official, it shall make a public report thereon to the Town Council.
- (F) A paid consultant or a business performing work for the Town, said commission shall have authority to disbar such paid consultant or contractor from doing business with the Town for a period of up to ten (10) years.

Nothing in the foregoing shall be construed to deter prosecution and/or recovery of damages and costs under the laws of the State of Connecticut.

Any person found responsible for an ethical violation shall have the right to an appeal as outlined in Connecticut General Statutes.

The motion was seconded by Mike Groff. **The motion passed**

Incorporated by reference and attached to these minutes is the text with the recommended changes to Ordinance 75, which are entered in the color red font.

The Committee then reviewed its own “**Procedures for Conducting Investigations and Hearing by the Tolland Ethics Commission**”. After discussion, the commissioners decided to amend the procedure to better define the process and detail the steps to be followed in any future case. The commissioners inserted a new step #2, which requires the Ethics Commission to interview the complainant and to amend the former #2, which is now #3 to decide to use a special council after the interview with the complainant, and to amend the former #3, which is now #4 to complete its investigation by securing documentation and interviewing the party or parties against a complaint was filed.

Jerry Lahman moved that the “Procedures for Conducting Investigations and Hearings by the Tolland Ethics Commission” be amend to reflect these changes. Mike Groff seconded the motion. **The motion passed.**

Incorporated by reference and attached to these minutes is the text with the recommended changes to “Procedures for Conducting Investigations and Hearings by the Tolland Ethics Commission”, which are entered in the color red font.

The Commissioners asked that these recommendations to Ordinance 75 and changes to the operating procedure be sent to the Town Manager for review and further action with the Town Council.

The Commission decided that another meeting was not unless there was a request by the Town Council to meet.

With no further business to discuss, Mike Groff moved that the meeting be adjourned; Jerry Lahman seconded the motion. **The motion passed.**

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

R. Michael Groff