



PROPOSED

Code of Ethics

for the

Town of Deep River

as approved by the

Municipal Ethics Commission

and the

Board of Selectmen

at their meetings dated August 23, 2022

Attest: *Caroline B. Jansen*, MEC Secretary



Town of Deep River, CT
Code of Ethics

Section I - Declaration Policy and Purpose

Public service is a public trust. The trust of the public is essential to function effectively. In recognition of these principles, herewith is established a Code of Ethics, hereinafter referred to as “the Code”, for all Town officials, officers, employees, contractors. The purpose of this code is to establish suitable ethical standards for all such officials, officers, employees, and individuals by prohibiting acts that constitute a conflict of interest.

Section II - Applicability

1. This Code shall be applicable to all Town officials, officers, and employees, Board of Education and its employees, whether elected and/or appointed, paid or unpaid, herein referred to as “Persons Governed by this Code”.
2. This Code shall not be applicable if it conflicts in whole or in part with any labor agreement, employment contract or state statute.
3. The Board of Selectmen shall cause a copy of the Code of Ethics to be distributed to every official and employee within 60 days after the enactment of the ordinance. Each employee and official shall be furnished a copy before entering the duties of the office or employment and sign a statement that they have received a copy of the ordinance.

Section III - Definitions of the Code of Ethics

1. “**Business**” means an entity through which activity for profit or not for profit is conducted, including but not limited to, a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or self-employed individual.
2. “**Complainant**” means any person who signed a sworn complaint under penalties of false statement as defined in Connecticut General Statutes 53-a-156 alleging a violation of this Code.

3. **“Commission”** means the Deep River Ethics Commission.
4. **“Confidential Information”** means information, whether transmitted orally or in writing, which is obtained by reason of the public position or office held, that is not at the time of transmission, generally available to the public.
5. **“Confidential Investigation”** means the examination conducted by the Commission, prior to the finding of probable cause, of both written and oral evidence, that is not to be disclosed to any third party by anyone connected with the investigation, except upon the written request of the respondent.
6. **“Financial Interest”** means a monetary or pecuniary benefit received by a town official/employee as a result of a contract, transaction, zoning decision, or other matter which is, or may be, the subject of an official act or action by or with the Town of Deep River. Contracts or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all persons and/or property similarly situated, are excluded from this definition.
7. **“Gift”** means anything of monetary value including services in excess of \$100.00 cumulative in a calendar year. A gift does not include:
 - a. A political contribution, recorded as required by law or a donation or payment as described in subdivision (9) or (11) or subsection (b) of CGS 9-333b.
 - b. A commercially reasonable loan made on terms not more favorable than loans made in the ordinary course of business.
 - c. Anything of monetary value including services received from a member of a person’s immediate family or fiancée.
 - d. Goods or services which are provided to the municipality and facilitate government actions or functions.
 - e. A certificate, plaque, or other ceremonial award valued at \$200 or less
 - f. A rebate or discount on the price of anything of value made in the ordinary course of business, without regard to that person's status.

- g. Printed or recorded information germane to government actions or functions.
 - h. An honorary degree bestowed upon a public official or public employee by a public or private university
 - i. A meal provided at an event or business meeting and/or the registration or entrance fee to attend such an event, in which the public official or employee participates in his official capacity.
 - j. A meal provided in a private residence.
 - k. Items of value received on gift giving occasions recognized by the public, including religious holidays or events, birthdays, birth or adoption of a child, weddings, provided that the total value of such gifts shall not exceed \$100.00 for each event.
8. “**Immediate Family**” means a spouse/partner in a civil union, child, grandchild, brother, sister, father, mother, grandparent, daughter-in-law, son-in-law, father-in-law, mother-in-law, sister-in-law, brother-in-law, or household member.
9. “**On the Record**” means in writing, signed and dated or a directive to the secretary taking the minutes of a meeting to note in the minutes a special disclosure or statement.
10. “**Personal Beneficial Interest**” means any interest, other than Financial Interest which would affect the action of the official or employee, except if that interest is based primarily on the responsibility of their town office or employment. Membership in or affiliation with a social, fraternal, Charitable, service, educational, religious, governmental or similar non-profit organization is not deemed to create a presumption of personal interest unless the official employee is also an employee of the organization.
11. “**Probable Cause**” means a determination by the Commission that the facts would warrant a reasonable person to believe that a town official, officer, or employee violated this Code; the belief should be more than a mere suspicion, but less than proof beyond a reasonable doubt.
12. “**Respondent**” means any person accused of violating this Code.

Section IV- Conflict of Interest

1. Persons Governed by this Code shall not engage or participate in any Business or transaction, nor have a Financial Interest or Personal Beneficial Interest which is in conflict with the proper discharge of that person's official duties in the public interest or would impair that person's independent judgment or action in the performance of that person's official duties.
2. Persons Governed by this Code shall not have a Financial Interest or Personal Beneficial Interest in any contract or purchase order for supplies, materials, equipment, or contractual services furnished or used by the board, agency or commission of which that person is a member, or an employee.
3. Persons Governed by this Code shall not vote upon or otherwise participate in the decision on any matter on behalf of the municipality if they, or a member of their Immediate Family, have a Financial or Personal Beneficial Interest in the transaction or contract being considered, including but not limited to votes concerning the sale or purchase of real estate by the Town, material, supplies or services to the municipality.
4. Persons Governed by this Code shall not accept or receive any Gifts, or any promise, obligation, or contract for future reward or compensation directly or indirectly, from any person or Business to which a contract or purchase order may have been awarded or promised to be awarded by the Town on Deep River or any of its boards, agencies or commissions.
5. Persons Governed by this Code that have a Financial or Personal Beneficial Interest in any transaction or contract with the Town of Deep River, including but not limited to the sale of real estate, materials, supplies or services to the Town, on which transaction or contract that person may be called upon to act in that person's official capacity, shall disclose the conflict and shall not vote or otherwise participate in the transaction or contract on behalf of the Town.
6. Persons Governed by this Code shall not use Town owned vehicles, equipment, facilities, materials, or property for personal convenience or profit, except when such are available to the public generally or provided under a municipal policy for the use of such town official/employee in the interest of the Town.

Section V- Former Public Officials/Employees

1. No former employee or town official shall represent private interests in dealing with the board or agency with which they were associated for a period of no less than 1 year after the termination of their service to the town.
2. No former employee or town official shall represent for compensation private interests in dealing with the board or agency with which they were associated within 1 year after the termination of service to the town. Nothing herein shall prohibit or restrict a former employee or town official from appearing before such board or agency in his or her own individual interest or the individual interest of an immediate family member.
3. No former employee or town official shall disclose or use Confidential Information acquired in the course of and by reason of their official duties for financial interest for themselves or others.
4. No former employee or town official who participated substantially in the negotiation or award of a town contract obligating the town to pay the amount of \$25,000 or more or who supervised the negotiation or award of such contract shall accept employment with a party to the contract other than the town for a period of no less than 1 year after such contract is signed.

Section VI- Ethics Commission, Members: Appointment: Qualification: Compensation.

1. There shall be an Ethics Commission consisting of five (5) regular members and two (2) alternates. The members shall be elected by the Town of Deep River to serve 3 year terms. The terms are to be staggered and no member shall serve more than two (2) consecutive terms. Any member having served two (2) consecutive terms shall be ineligible for reelection to the Commission for a period of three (3) years.
2. All members shall be electors of the municipality. No member shall (1) hold or campaign for any other municipal office; (2) be a member of a political town committee; or (3) serve as a member or employee of any other municipal agency, commission, department or board or a member of a town committee. A person shall not be disqualified from serving if a member of their Immediate Family is employed by the Town or is a member of the Board of Education.

3. The Commission members shall elect a Chairperson who shall preside at meetings of the Board, a Vice-Chairperson to preside in the absence of the Chairperson, and a Secretary. The Commission will meet quarterly unless additional meetings are deemed necessary by the Chairperson or a quorum of the Commission. Three members shall constitute a quorum. A majority vote of the Commission shall be required for action of the Commission except as otherwise specifically provided for herein. Members will serve without compensation.

Section VII- General Procedures, Complaints, Time Limits, Investigations, Notice: Hearings

The Ethics Commission shall adopt procedures and regulations for the initiation and handling of complaints, including those initiated by private citizens. The Commission shall also adopt procedures and regulations whereby all Persons Governed by this Code may request and receive advisory opinions from the Ethics Commission as to whether certain conduct by such officials and employees complies with this Code of Ethics.

Section VIII- Appeals

1. Any person aggrieved by any final decision of the commission may appeal such decision within thirty (30) days of the official posting in accordance with the provisions of Section 4-175 or Section 4-183 of the Connecticut General Statutes.

Section IX- Validity

If any part of this Code is determined to be invalid, such determination shall not affect the validity of any other part and the remainder shall remain in full force and effect.

Section X- Date of Effect

The Code shall take effect thirty (30) days after its publication in a local newspaper following its enactment by a vote of the municipality.