

## **Section 1 - ADMINISTRATION**

### **RESCINDING ORDINANCES AND SPECIAL ACTS**

RESOLUTION: That all ordinances and special acts of the Town of Deep River, violation of which carry criminal penalties, dated October 4, 1925 or prior thereto be rescinded.

October 20, 1960  
Vol. 6 Pg. 103

### **ANNUAL TOWN MEETING DATE**

To permanently amend the Town resolution to specify the date of the Annual Town Meeting on the third (3rd) Monday of the month of May, starting in Fiscal Year 1990-91, and henceforth.

The original resolution may be found in the Town Acts Book, Vol.5, Page 204.

May 23, 1990  
Vol. 7, Pg. 185

*History: Original Resolution dated 1-25-46, Vol. 5, Pg. 204 & 205 designates 4th Monday of May, 1946, and every year thereafter.*

### **RESOLUTION ADOPTING BOARD OF FINANCE PLAN**

Be it resolved that the Town of Saybrook adopt the Board of Finance Plan as provided for in the General Statutes of the State of Connecticut, Sections 413-422. Revision of 1930; and of Sections 85c and 87c on the 1935 cumulative supplement thereto.

May 6, 1940  
Vol. 5, Pg. 139

### **ORDINANCE - CONTRACT WORK OVER FIVE THOUSAND DOLLARS**

All work or services performed or done by or for the Town of Deep River, requiring an expenditure in excess of Five Thousand (\$5,000.00) Dollars, shall be, pursuant to a contract awarded to the lowest financially responsible bidder, by the proper municipal authority. This ordinance shall not apply to duly appropriated expenditures by authorized political commissions, agencies, boards, or bodies in the performance of personal services related to their ordinary administrative function.

Bidding shall require publication of a general notice in a newspaper having a general circulation in the community, stating in general terms, the nature of the work to be performed, the time within which bids must be submitted, and the proper party to whom and the place to which bids must be submitted.

Any person, commission, agency or other governmental body violating this ordinance, or any of its provisions, shall be subject to a fine of not more than \$100.00 for each person authorizing such expenditures without public bidding.

March 11, 1980.  
Vol. 7 Pg. 29A

*History: Replaces ordinance dated 8-20-70, Vol. 6 Pg. 179. Amount changed from \$1,000 to \$5,000.*

## **ORDINANCE TO PERMIT PUBLICATION OF SUMMARIES**

Whenever the Town shall be required to publish any ordinance, except for an ordinance which makes or requires an appropriation, the Town Clerk may publish a summary of such ordinance in lieu of publishing the full text of such ordinance, provided that when such a summary is published, the Town Clerk shall make a copy of such ordinance available for public inspection and shall mail a copy of such ordinance to any person requesting the same at no cost to such person. Any summary published shall bear the following disclaimer. "This document is prepared for the benefit of the public, solely for purposes of information, summarization and explanation. This document does not represent the intent of the legislative body of the Town of Deep River for any purpose.

August 25, 1989  
Vol. 7 Pg. 150

## **RESOLUTION ESTABLISHING DEEP RIVER VISITING NURSES**

RESOLVED: To authorize the Board of Selectmen to vest in the Board of Directors of the Deep River Visiting Nurses authority to act as the single legal entity responsible for all aspects of the Deep River Visiting Nurses, including the administration, service, employment of personnel and finances.

March 2, 1976  
Vol. 5, Pg. 99

*History: Original Resolution Vol. 5, Pg. 98, March 2, 1936 established Deep River Public Health Nursing Association; Vol. 5, Pg. 105, March 1, 1937, appropriated a sum for the hiring of a Public Health Nurse and added requirement for room and paid utilities; amended 3-4-75, Vol. 6, Pg. 230, to vest authority in Deep River Public Health Nursing Service Board of Directors. Resolution amended 3-31-00, Vol. 8, Pg. 87, to change name to Deep River Visiting Nurses. This Resolution was dissolved at a Special Town Meeting dated September 28, 2010, Vol. 8, Pg. 394.*

## **RESOLUTION GRANTING AUTHORITY TO DEEP RIVER TOWN HALL RESTORATION ASSOCIATION INCORPORATED**

RESOLVED: To adopt a resolution giving the Deep River Town Hall Restoration Association, Incorporated, authorization for restoration of the Deep River Town Hall in substantial conformity with plans prepared by Luchs, Beckerman & Bird of Glastonbury, Connecticut, to the extent that funds become available for such purpose, and the authority to monitor the maintenance, upkeep, restoration and alteration of said building.

February 25, 1981  
Vol. 7 Pg. 40  
This Resolution was dissolved at a Special Town Meeting dated November 22, 2011  
Vol. 8 Pg. 434

## **AN ACT CHANGING THE NAME OF THE TOWN OF SAYBROOK**

SECTION 1. The name of the Town of Saybrook is changed to Deep River.

SECTION 2. This act shall not affect the keeping of the records of said town, its representation in the general assembly nor the provisions of any special act passed prior to the effective date of this act.

SECTION 3. This act shall take effect July 1, 1947.

January 17, 1947  
Vol. 5 Pg. 220 Town Meeting  
Vol. 5 Pg. 229 House Bill No. 199  
Approved June 2, 1947

## **AN ACT CONCERNING A PROBATE DISTRICT FOR THE TOWN OF DEEP RIVER**

The Town of Deep River shall, on and after the Wednesday following the first Monday of January, 1949, constitute a probate district by the name of the Probate District of Deep River. In 1948, and biennially thereafter, a Judge of Probate for such district shall be elected at the time and in the manner provided by law for election of Judges of Probate. From and after the Wednesday following the first Monday of January, 1949, the probate court for the District of Deep River shall have jurisdiction of all probate business arising in the Town of Deep River, but all business previously entered or begun in the Probate Court for the District of Saybrook shall be completed in the same manner as if this section had not been passed.

January 17, 1947  
Vol. 5 Pg. 220 & 230

Constituted, January 5, 1949, from Saybrook.

An Agreement was entered into on January 12, 2011 to comply with the mandates of Public Act 09-01 which establishes a consolidated probate district serving the towns of Chester, Clinton, Deep River, Essex, Haddam, Killingworth, Lyme, Old Saybrook and Westbrook.

## **TOWN SEAL**

RESOLVED: Under the authority of Section 7-101 of the Connecticut General Statutes to amend the Seal of the Town of Deep River to conform to that prepared by Nils Akervall.



October 9, 1973  
Vol. 6, Pg. 215

## **ORDINANCE PROVIDING FOR PARTICIPATION IN THE CONNECTICUT RIVER VALLEY COUNCIL OF ELECTED OFFICIALS**

I. Authorization to form and join the Connecticut River Valley Council of Elected Officials.

To authorize the Board of Selectmen pursuant to Section 4-124c of the Connecticut General Statutes, to form and join a regional organization known as the Connecticut River Valley Council of Elected Officials with whose powers and for those purposes set forth in Sections 4-124c through 4-124h of the Connecticut General Statutes as the same may, from time to time, be amended.

II. Representation

The representative to the Connecticut River Valley Council of Elected Officials shall be the First Selectman.

January 23, 2003  
Vol. 8 Pg. 165

## **RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF THE LOWER CONNECTICUT RIVER VALLEY COUNCIL OF GOVERNMENTS**

**RESOLVED:**

“That the Town Meeting of the Town of Deep River hereby ratifies the action of the Connecticut River Valley Council of Elected Officials to become a council of Governments at their meeting of July 27, 2011, toward that end, the Connecticut River Valley Council of Elected Officials formally adopted section 4-124i to 4-124p, inclusive, of the Connecticut General Statutes, in accordance with the procedures set forth in section 4-124j of the Connecticut General Statutes, and that this newly established Council of Governments be called the Lower Connecticut River Valley Council of Governments.”

February 28, 2012  
Vol. 8 Pg. 439

## **ORDINANCE TO ESTABLISH COMMUNITY HEALTH COMMITTEE**

**RESOLVED:** The Deep River Board of Selectmen shall be authorized to create a Community Health Committee for the following purposes:

**RESOLVED:** The Deep River Board of Selectmen shall be authorized to create a Community Health Committee for the following purposes:

- A. Advise the Board of Selectmen on all matters related to public health nursing;
- B. Act as liaison between the Deep River community and our contracted nursing service;
- C. Administer the Memorial Fund as a special segregated town fund for charitable purposes;
- D. Develop eligibility criteria for the Memorial Fund;
- E. Develop eligibility criteria for other special purpose funds;
- F. Assume other duties or responsibilities assigned to that Community Health Committee by the Board of Selectmen or a town meeting.

To accomplish these purposes, the Community Health Committee shall be authorized to:

- A. Advise the Board of Selectmen as deemed necessary and keep abreast of the town's public health nursing program;
- B. Establish, maintain liaison and oversee the town's contracted nursing service with designated Community Health Committee members sitting on the contracted nursing service Board of Directors where appropriate;
- C. Administer the Memorial Fund;

D. Create and administer additional special service funds and solicit funds for same.\_ Apply for, receive, and administer grants that are consistent with the stated or assigned purposes of the Community Health Committee;  
E. Exercise additional authority granted to the Community Health Committee by the Board of Selectmen or a town meeting.

To accomplish these purposes, the Community Health Committee shall comply with all federal and state laws, and court orders. The initial membership of the Community Health Committee shall be five, but may be modified by the Board of Selectmen to a maximum of nine members. Deep River representatives on the board of directors of our contracted nursing service will be members of our Community Health Committee.

All members of the Community Health Committee shall be appointed by the Board of Selectmen, with confirmation by a town meeting, for terms of 2 years. The initial Community Health Committee will have 3 members appointed for 2 years, with the remaining 2 members serving 1-year terms. Thenceforth, all appointments shall be for two year terms.

The Board of Selectmen shall develop, or cause to be developed, suitable by-laws, fiscal procedures, objectives, and policies that will serve to govern the operation and functioning of the Community Health Committee. The Board of Selectmen shall have the authority to amend and/or rescind any of those by-laws or operating procedures.

Adopted September 28, 2010  
Vol. 8 Pg. 393-395

*History: terms were changed to begin on 12/1 at a Town Meeting dated 12/09/2014.*

## **ORDINANCE TO ESTABLISH DEEP RIVER TOWN HALL AUDITORIUM RESTORATION COMMITTEE**

RESOLVED: The Deep River Board of Selectmen shall be authorized to create an administrative structure to replace the Deep River Town Hall Restoration Association, Incorporated, which will include:

1. Creation of a committee to be called the Deep River Town Hall Auditorium Restoration Committee (DRTHARC). The DRTHARC is authorized to oversee, and to arrange for the completion of the restoration of the Deep River Town Hall Auditorium, to the extent that funds are available.
2. DRTHARC membership will consist of a maximum of eleven (11) members who shall be appointed by the Board of Selectmen, with each to serve a two-year term. Approximately half of the initial members shall have one-year terms.

## **ORDINANCE ESTABLISHING THE MUNICIPAL ETHICS COMMISSION**

1. Be it enacted by the electors of the Town of Deep River that
2. There shall be an Ethics Commission which shall consist of five members and two alternate members. The members shall be elected on the Municipal election day by majority vote and serve four-year terms beginning December 1, except that the initial election shall be held by paper ballot at a Town meeting within 60 days of adoption of the ordinance. The terms of the Commission shall be staggered so that all do not expire at the same time. No individual shall serve for more than 12 consecutive years. No more than three shall be members of the same political party.
3. All members of the Commission shall be electors of the municipality. No member of the Commission shall:
  - a. Hold or campaign for any public office during their term;
  - b. Hold office in any political party or political committee;
  - c. Concurrently serve as a member of any other agency, committee or commission of the

- municipality;
  - d. Be a public official or employee of the municipality or an official or employee of a quasi-public agency of the municipality;
  - e. Be an immediate family member of a sitting member of the Ethics Commission
  - f. Be a party to any contract doing business with the Town of Deep River; or
  - g. Have held elected office on the Board of Selectmen, Board of Education, Registrar of Voters, Judge of Probate, Board of Library Trustees or Constable in a three-year period prior to appointment.
- 4. Political activity:
  - a. Although any member or employee of the Commission shall have an unrestricted right to vote, make political contributions or attend fund- raising or other political events, no member or employee shall publicly support any candidate for any municipal office subject to the Commission's jurisdiction, including but not limited to volunteering as a campaign worker, giving a speech at a political event or formally endorsing a candidate, or posting a sign at their home or business.
  - b. No candidate for municipal office may disseminate information that indicates that a Commission member or Commission employee supports the candidate's candidacy.
- 5. The members of the Commission shall elect a Chairperson who shall preside at meetings of the Commission and a Vice Chairperson to preside in the absence of the Chairperson. Three members shall constitute a quorum. A majority vote of the Commission members shall be required for action of the Commission. The Chairperson or any three members may call a meeting of the Commission.
- 6. A Code of Ethics shall be established pursuant to the provisions of CGS 7-148h and shall apply to all officials, officers, employees, and personnel of the Town of Deep River, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions in the performance of their duties. The Code shall also hold accountable all persons, entities, consultants or others in their dealings with the Town of Deep River.
- 7. Any member of the Commission may be removed upon recommendation of the Board of Selectmen and by vote at a Special Town Meeting, after a hearing, in the event that said member is found to have violated the provisions of this ordinance or the Code of Ethics.
- 8. This Ordinance shall not be applicable if it conflicts in whole or in part with Federal or State statute or municipal law or regulation.

November 3, 2020  
Vol. 9 Pg. 147

## **CODE OF ETHICS ORDINANCE**

### **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.

Approved at referendum 11/08/2022

Volume 9, Page 197

Effective 12/24/2022