

RED: DELETION LANGUAGE

BLUE: NEW LANGUAGE TO BE INSERTED

§ 28-11           **Composition; terms; qualifications.**

A.           The Board of Ethics shall be composed of four regular members and two alternate members, all of which shall be resident electors, to be appointed by the Town Council. Of the four regular members initially appointed, two shall be appointed for a term of three years and two shall be appointed for a term of two years. No political party shall have as appointees more than two regular members and one alternate member on the Board of Ethics at one time. All subsequent appointments to the Board of regular members and all appointments of alternate members shall be for a term of three years. Any member having served for six years in succession shall be ineligible for reappointment to the Board. For individuals filling a vacancy, successive years of service will commence with the next appointment period. **No individual while a regular or alternate member of the Board shall hold any other Town office.**

**All members shall be electors of the municipality. No member shall (1) hold or campaign for any public office; (2) hold an officer's position in any political party or political committee; or (3) serve as a member of any other municipal agency.**

B.           If a regular member of the Board of Ethics is absent or is disqualified, the Chairman of the Board shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal in number of times as possible. If an alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

§ 28-14           **Investigation of conduct**  
[Amended 7-11-1995; 4-24-2006]

(4)           If the Board makes a finding of no probable cause, the complaint and the record of its investigation shall remain confidential, except upon the request of the respondent and except that some or all of the record may be used in subsequent proceedings. No complainant, respondent, witness, designated party, or Board or staff member shall disclose to any third party any information from the investigation, including knowledge of the existence of a complaint, which the disclosing party would not otherwise have known. If such a disclosure is made, **the Board may, after consultation with the respondent if the respondent is not the source of the disclosure, publish its finding and a summary of its reasons therefor** and **it is concluded that the complainant is the source of the disclosure, then the Board may dismiss the complaint.**

§ 28-15 **Report of findings.**  
[Amended 7-11-1995; 4-24-2006; 10-9-2012<sup>[1]</sup>]

If the Board of Ethics makes a finding of a **probable cause violation of this Code**, it may issue **punishment by (1) public censure and reprimand; (2) In the case of a public employee not under a collective bargaining agreement, recommend dismissal from employment or suspension from employment without pay; (3) in the case of an appointed official, recommend dismissal from their appointment.**

**It shall report said finding to the appointing authority or the elected board or commission with recommendations as to the disposition to be made. The disposition shall be made by majority vote, excluding the respondent, in open session and on the record.**

<sup>[1]</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

§ 28-16\_ **Right to appeal.**  
[Amended 7-11-1995]

**A. Any respondent aggrieved by the action of the Board of Ethics and the disposition made by the referral individual or board set forth in § 28-14 shall have the right to appeal the decision of such referral individual or board to the Town Council (except Board of Education employees other than the Superintendent, whose appeal shall be to the Board of Education) by filing a written statement of appeal with the Chairman thereof within 15 working days after the decision has been rendered by the referral individual or board and served upon the respondent by registered mail, return receipt requested. Upon receipt of such appeal, the Chairman shall schedule a hearing within 15 working days (unless such time limitation is extended by agreement of the respondent).**

**B. Upon such hearing to be conducted by the Town Council or the Board of Education, as the case may be, such body shall have full, complete and final authority to take such action as it may deem appropriate. The respondent and the complainant, at such hearing, shall have the right to present evidence in oral and written arguments.**

**A. Any respondent aggrieved by the decision of the board regarding a finding of a violation may within thirty days take an appeal to the Superior Court for the Judicial District of New Britain. If the aggrieved respondent is successful in his appeal, then the Town of Southington shall reimburse reasonable attorney's fees to the aggrieved respondent in an amount not to exceed Ten thousand (\$10,000) dollars.**

**S28-17 Consultation with Town Attorney; confidentiality.**

- A. Any person subject to the provisions of this chapter may request in writing an advisory opinion from the Town Attorney as to whether any activity contemplated by such person would be in violation of the provisions of this chapter.
- B. Any request for opinions, and the opinions rendered therein, shall be confidential and shall not be open to public inspection or disclosure without the written consent of the person requesting the opinion.
- C. **All newly elected and appointed officials shall meet with the Town Attorney within thirty (30) days of their election or appointment to review the ethics ordinance.**

**S 28-18 Statement of Financial Disclosure**

1. Each elected public official and non-union public employee will be required to file an annual financial disclosure form, by December 1<sup>st</sup> of each year, of the following applicable sections.

**SECTION I**

- a. Any C Corp. holdings of more than 5% of voting stock.
- b. Any S Corp. holdings of more than 5% of voting stock.
- c. Any LLC, LLP and/or Doing Business As (DBA) membership in which they are personally a member and such entity(ies) conducts any for-profit business within and/or with the Town of Southington. Such a listing will exclude property that is owned in a sole proprietorship or partnership where the personal names of such ownership is/are filed with the Town Clerk and readily accessible to the public.
- d. Any real estate including leases owned by the town official or any entity with which they are associated that is located in the Town of Southington.
- e. All disclosed items under this section shall include the person completing the form as well as their spouse and immediate family (household) members.
- f. This Section will state the type of business conducted for each disclosed entity that is conducted within or with the Town of Southington.

g. Elected public officials and non-union public employees that do not have any mandatory disclosures to list under this section will write "Nothing to disclose under Section 1".

## SECTION 2

a. The employer(s) and/or self-employment of the elected public official and nonunion public employees, their spouse, or immediate family (household) members only.

b. All employment disclosed under this section will state the type of business conducted for each disclosed employer/self-employment and any activity that is conducted within or with the Town of Southington.

c. Elected public officials and nonunion public employees that do not have any mandatory disclosures to list under this section (e.g. retired with no other employment and/or self-employment) will write "Nothing to disclose under Section 2".

2. Values of disclosures are not and will not be part of the disclosure process.

3. The completed financial disclosure form will:

a. Be sworn to by the Town Clerk under penalty of false statement and other sanctions that may be imposed.

b. Be filed with the Town Clerk's office and accessible to the public.

c. Be updated within 45 days by the elected public official or non-union public employee if a change in disclosure status occurs under SECTION 1 or SECTION 2.

4. The financial disclosure form does not release an elected official or non-union public employee from other conflicts of interests, where their position of public trust could be used for personal enrichment.

5. Failure by a town official to comply with this section shall be sufficient cause where allowed by law to remove such town official from office.

# STATEMENT OF FINANCIAL DISCLOSURE

LAST NAME --- FIRST NAME -- MIDDLE NAME

MAILING ADDRESS:

CITY:

STATE

ZIP

Name of Department:

NAME OF OFFICE OR POSITION HELD:

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.  
CHECK ONLY IF  EMPLOYEE (Non-Collective Bargaining Employees)  ELECTED OFFICIAL

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### \*\*\* THIS SECTION MUST BE COMPLETED \*\*\*

Each elected public official and non-union public employee will be required to file an annual financial disclosure form, by December 1<sup>st</sup> of each year, on the following applicable sections.

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#### **PART A – BUSINESSES**

The following shall be disclosed by you , your spouse and any family member residing in your household. (1.) C Corp holdings of more than 5% of voting stock (2) S Corp holdings of more than 5% of voting stock (3) Any LLC, LLP and/or Doing Business as (DBA) membership in which they are personally a member and such entity(ies) conducts any for profit business within and/or with the Town of Southington. You shall disclose the type of business conducted for each entity(ies). If nothing is to be disclosed under this section, please write: Nothing to disclose under Part A.

**NAME OF BUSINESS**

**ADDRESS**

**BUSINESS CONDUCTED**

**PART B – EMPLOYMENT**

The following shall be disclosed by you, your spouse and any family member residing in your household. You shall disclose your employer and the type of business conducted by your employer and whether it has any business conducted within or with the Town of Southington. If nothing is to be disclosed under this section, please write: Nothing to disclose under Part B.

<b>(Your) EMPLOYER</b>	<b>ADDRESS</b>	<b>BUSINESS CONDUCTED</b>

<b>(Spouse) EMPLOYER</b>	<b>ADDRESS</b>

<b>(Household members) EMPLOYER</b>	<b>ADDRESS</b>

**PART C – REAL ESTATE**

The following shall be disclosed by you, your spouse and any family member residing in your household. A list of real property (including leases) owned by you, your spouse and any family member residing in your household or any entity with which they are associated that is located in the Town of Southington. If nothing is to be disclosed under this section, please write: Nothing to disclose under Part C.


**IF ANY PARTS ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE \_\_\_\_\_**

**PART D - FILING WITH TOWN CLERK**

Each elected public official and non-union public employee will be required to file an annual financial disclosure form, by December 1<sup>st</sup> of each year with the Town Clerk's Office. This disclosure shall be updated within 45 days by the elected official or non union public employee if there is a change of disclosure status in Section A, B or C.

**SIGNATURE OF FILER:**

I hereby certify and state, under penalties of false statement, that all of the information set forth on this Statement of Financial Interests for the period covered is true, accurate and complete.

**Signature :** \_\_\_\_\_

**Date signed:** \_\_\_\_\_

STATE OF CONNECTICUT

ss: Southington

(Date)

COUNTY OF HARTFORD

On the \_\_\_\_\_ day of \_\_\_\_\_ 2017, before me, the undersigned officer, personally appeared \_\_\_\_\_ signer and sealers of the foregoing instrument and acknowledged the same to be his/her free act and deed before me.

In witness whereof, I have hereunto set my hand and official seal.

\_\_\_\_\_  
(Name)

Notary Public

My Commission Expires: