Town of Mansfield

New Member Handbook

For elected & appointed officials

1/2019

Table of Contents

Welcome! 1
Definitions 2
The Appointment Process 6
Meeting Conduct 7
Meeting Attendance 9
The Role of Staff 9
Public Records Disclosure 9
Dealing with the Press 10
Committees, Boards, and Authorities (Code of Ordinances) 12
Elections (Code of Ordinances) 15
Policy and Procedures for the Posting and Retention of Agendas, Minutes, and Legal Notices 18
Freedom of Information Act (excerpts) 24
Code of Ethics (Code of Ordinances) 28
Code of Ethics Acknowledgement of Receipt 38

Inquiries regarding the contents of this handbook can be directed to the Mansfield Town Clerk at 860-429-3302 or townclerk@mansfieldct.org.

Welcome!

Congratulations on your appointment to a Town of Mansfield Board, Commission or Committee. You have made a positive step in being an active participant in the Town.

Whether you now sit on a board that meets regularly or "as-needed," your participation and viewpoints will have both an immediate and long-term effect on the Town and its residents. While you hear proposals, present ideas, and vote on outcomes, remain conscious of how you see the future of Mansfield and whether your decisions assist in reaching those goals.

This handbook has been developed to provide guidance to newly appointed officials. Please use this handbook as both a reference and guide to your dealings with other board/commission/committee members, constituents, the media, and others.

The Town is grateful for your service. We hope that you find your time on your board/commission/committee very fulfilling and that you feel you have made a difference in the lives of your friends, family, and neighbors.

Definitions

The following definitions will provide you with much of what you need to know to get started as well as the ability to understand parts of this handbook more thoroughly.

Henceforth, the term "committee" will be used to refer to any board, commission, council, or committee.

Abstention	An instance of declining to vote for or against a proposal or motion
Agenda	An agenda is a document that informs committee members and the public what items are to be discussed at the meeting. If an agenda is not physically posted on the Town Clerk bulletin board a minimum of 24 business hours in advance of a regular or special meeting, the committee may not meet. Any action taken at an improperly noticed meeting is null and void.
Alternate Member	If you have been appointed as an alternate member, it means that you are a "stand-by" member of the group. If a regular member is not able to perform their duties, you may be called upon to vote. Alternate members should attend all regular meetings to stay informed of decisions and how the group has reached their decisions.
By-Laws	By-laws are created by the committee and outline the purpose, make-up, and organization of the committee and may include location, date, and time of meetings or any other provision that adds to the overall mission of the committee. Within the by-laws, the most important component is the purpose, or mission, of the committee. This will specifically outline the reason why the committee has been established and what is its end goal. The purpose should clearly define why the committee is in place.
Chair	The chair is the "director" of the committee. The chair is responsible for making sure there is a quorum prior to the meeting, opening the meeting at the appropriate time, looking for motions and discussion on agenda items, directing debate/discussion on topics, and closing the meeting. As such, the chair should be familiar with Robert's Rules of Order.
Charge	A committee's charge is the official instruction from the Town Council regarding the purpose, make-up, and organization of the committee. Within the charge, the most important component is the purpose, or mission, of the committee. This will specifically outline the reason why the committee has been established and what is its end goal. The purpose should clearly define why the committee is in place. Committees may wish to establish by-laws in addition to or in the absence of a charge.

Code of Ethics	The Town of Mansfield's Code of Ethics is part of the Code of the Town of Mansfield and can be found in this handbook. The purpose of the Code of Ethics is to guide elected and appointed Town officials, Town employees, and citizens by establishing standards of conduct for public officials and public employees.
Executive Session	Every meeting is open to the public. This does not mean that the public may participate, but they may attend. Executive sessions, however, are closed to the public pursuant to the Freedom of Information Act (FOIA). An executive session must be listed on the agenda and shall be limited to matters allowed to be exempted from discussion at open session (see the FOIA). A specific motion to go into executive session must be made, seconded, and approved by a majority of the members present. The motion must state the reason for the executive session by referencing the applicable section of the FOIA. The vote of each member on the motion to enter executive session as well as the citation of the applicable section of the FOIA shall be recorded and entered into the minutes of the meeting. If any person who is affected by an executive session is invited to attend, that person shall have been notified in advance in writing and advised that they may require that the discussion be held in an open meeting. Failure to provide such notification shall render any action against the person null and void. Before going into executive session, the public body shall state for the record that any persons to be discussed have been so notified and this statement shall be noted in the minutes of the meeting. If you are unsure if you have cause to hold an executive session, check with the Town Clerk before you schedule it.
Freedom of Information Act (FOIA)	After the Freedom of Information Act passed Congress in 1975, Federal, State, and Local governments have been subject to lawful inspections of records. Included in these records are agendas and minutes of local committee meetings. These laws are very specific and pertain to every meeting. Under the FOIA, the public must be allowed to know when a committee is meeting and what they did. Violation of these rules can result in lawsuits, court appearances, and fines. The full FOIA can be found in the Connecticut General Statutes § 1-200 through 1-259.
Minutes	Minutes of a committee meeting serve as the permanent record of subjects discussed, conclusions reached, actions taken, and assignments given.
Motion	Other than the chair, any committee member can make a motion, so long as they "have the floor," meaning it is their turn to speak to the board or they have an opportunity to speak and there are currently no other questions or motions to the committee.

	A motion is made by stating, “I move that…” followed by the desired action. After making a motion, the person making the motion has the first opportunity to speak in support of the motion. Motions should only be the executable action desired by the person making the motion. Discussion on a motion is had during the “discussion” period of motions. This discussion period occurs following a “second to the motion.”
Ordinance	An ordinance is a piece of legislation enacted by a municipal authority. Some committees have been created within Mansfield’s Code of Ordinances and may contain information about the membership, powers, duties and other requirements. All committee members should familiarize themselves with the ordinance specific to their committee if one exists.
Quorum	A majority of the committee's membership constitutes a quorum. Without a quorum, no action may be taken.
Regular Meeting	Any meeting of a committee that is on the schedule of meetings for the calendar year filed with the Town Clerk is considered a regular meeting of that committee.
Regular Member	If you have been appointed as a regular member, it means that you immediately are a voting member of the group. You will be called upon to be at all regular and special meetings.
Robert’s Rules of Order	Meetings in Mansfield are governed by Robert’s Rules of Order. These rules provide structure and guidance on how to make a motion, how to second a motion, allowing discussion, calling for votes, recusals, abstentions, comments from the public, executive sessions, recording minutes, and other basic meeting procedures. Basic information about Robert’s Rules of Order is available online. The full text is readily available online and in bookstores. Reference copies are available at Town Hall.
Roll Call	The process of calling out a list of names to establish who is present.
Second	Once a motion is made, any committee member may “second” the motion (seconding a motion does not necessarily mean that you agree with the motion). To “second” a motion, a committee member simply needs to state, “I second the motion,” “I second it,” or, “Second.” If there is no “second,” the chair will make sure that all have heard the motion. If there is still no “second,” the chair will so state and further state, “the motion is no longer before the committee,” immediately followed by, “the next item of business is…”
Secretary	The secretary has the responsibility of recording minutes of each meeting to include who made a motion, the motion wording, who seconded the motion, and how committee members voted on the motion.
Special Meeting	A special meeting is one that is not included on the schedule of meetings for the calendar year filed with the Town Clerk. It may be

	noticed up to 24 hours prior to the meeting (excluding weekends and holidays) and no business may be transacted at the meeting unless it is listed on the agenda.
Vice Chair	The vice chair's sole responsibility, outside of being a regular voting member, is to conduct the meeting in the absence of the chair. In this circumstance, upon assuming the role of chair, the vice chair should be well-versed in how to conduct a meeting.

The Appointment Process

APPLICATION
Committee vacancies for appointed positions (as opposed to elected positions) are posted on the Town's website and are on file at the Town Clerk's Office. Persons interested in being appointed to a committee should complete an application, which is also available on the Town's website. First consideration may be given to alternate members for appointment to full membership when a vacancy occurs if the alternate member submits a letter conveying such interest.

INTERVIEW
Applicants for vacant positions are interviewed by the Committee on Committees for those committees requiring Town Council appointment and by the Town Manager for those committees requiring Town Manager appointment. If the vacancy requires a Town Council appointment, the Committee on Committees will bring forth their recommendation to the full Town Council following their interview.

APPOINTMENT
If approved for appointment, newly appointed committee members will be notified of their appointment by the Town Clerk's Office if the appointment was approved by the Town Council and by the Town Manager's Office if the appointment was approved by the Town Manger.

ORIENTATION
New committee members should schedule an orientation with the Town staff member assigned to their committee.

RESIDENCY
Persons serving on committees must be residents and qualified to vote in the Town of Mansfield, unless otherwise specified.

SWEARING IN
If you are elected or appointed to fill a vacancy in an elected position, please be sure to stop by the Office of the Town Clerk to be sworn in and take the oath of office soon after your election or appointment.

Meeting Conduct

ROLL CALL/QUORUM
A committee meeting is usually opened by the Chair. In the Chair's absence, the Vice-Chair or any other member of the committee may open the meeting. The first order of business should always be a roll call. This allows the Chair to determine whether a quorum is present. Since some meetings are audio-recorded, roll call also allows listeners to more easily identify the various speakers.

If the roll call demonstrates the lack of a quorum, the committee cannot take any formal action on its agenda items. The person presiding over the meeting simply declares a lack of a quorum and adjourns the meeting. Unless the meeting is to be cancelled altogether, the person adjourning the meeting should adjourn to a stated date, time and place. Notice of the new date, time and place for the meeting should be posted on the meeting room door within 24 hours. At this point the meeting is over and the minutes should end.

MAKING A MOTION
Other than the chair, any committee member can make a motion so long as they "have the floor," (i.e. they have been recognized by the chair and it is their turn to speak).

A motion is made by stating, "I move…" followed by the desired action. An example of a proper motion would be "I move to approve the minutes of the January 2, 2019 regular meeting."

After making a motion, the person making the motion has the first opportunity to speak in support of the motion. Motions should only be the executable action desired by the person making the motion. Discussion on a motion is had during the "discussion" period of motions. This discussion period occurs following a "second to the motion."

SECOND TO A MOTION
Once a motion is made, any committee member may "second" the motion (seconding a motion does not necessarily mean that you agree with the motion). To "second" a motion, a committee member simply needs to state, "I second the motion," "I second it," or, "Second." If there is no "second," the chair will make sure that all have heard the motion. If there is still no "second," the chair will so state and further state, "The motion is no longer before the committee," immediately followed by, "The next item of business is…"

DISCUSSION/DEBATE
After the motion has been seconded, the chair of the committee will restate the motion and ask if there is any discussion. As stated above, the maker of the motion has the first opportunity to discuss or speak in support of their motion. If they do not have anything to

discuss, any other committee member may contribute to discussion. Members can only speak twice on a motion and debate should be limited to ten minutes per person.

VOTING

After discussion/debate has been exhausted, the chair will "put the motion to a vote." Committee members will vote based on the typical voting style of the committee, usually a raised hand. The chair will always call for the affirmative votes first, followed by the negative votes, and then abstentions. The negative tally must always be called, regardless of how unanimous the affirmative votes appear.

After the vote has been taken, the chair will announce whether the motion "carries" (passes) or fails.

VOTING IN EXECUTIVE SESSION

Although executive sessions are closed to the public, any votes which occur in executive session must be reported upon reconvening in open session together with the nature of the business that was discussed.

DISORDERLY CONDUCT

Public meetings are for the purpose of the orderly transaction of public business. Per the Freedom of Information Act, in the event that any meeting is interrupted by any person or group of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the willful removal of those individuals interrupting the meeting, the public body may order the room cleared and continue in session to consider matters appearing on the agenda. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to stay in the room and any individual or individuals not responsible for disturbing the meeting may be readmitted at will. (CGS § 1-232)

For additional important information regarding the conduct of meetings and requirements of committees and their members, please read all additional material provided in this handbook.

Meeting Attendance

All committees are beholden to a "quorum." Without a quorum, the committee cannot hold an official meeting as there would not be enough voting members to constitute a majority. Without a quorum present, the committee can do only a limited number of things, such as set the time and place for another meeting. Any substantive action taken in the absence of a quorum is invalid. It is vital to be an active member of your committee.

Committee members, whether they are regular or alternate members, should notify the committee chair whenever they are unable to attend. If you are regularly unable to meet the requirements of the committee, you should speak with the chair about your role and, if agreed upon, submit a letter of resignation to the Town Clerk with a copy to the committee chair. Recruitment for a replacement can begin after the letter of resignation is received.

The Role of Staff

In most instances, a Town employee will be assigned to your committee. Assignments are generally made based upon the staff member's professional expertise. Your committee's staff person can generally assist with meeting agendas, minutes, research, technical advice, and other matters relevant to your committee's work. Staff members are usually, but not always, non-voting members of your committee.

Public Records Disclosure

Generally, any records in the possession of a committee are public records and are open to public inspection. Should a member of the public file a request for access to those records under the Freedom of Information Act, you are obliged to produce them for inspection or copying.

If an individual provides your committee or its members with documents, those documents are likely to be deemed public records from that moment forward unless they fall into one of the statutorily-recognized exceptions to the rule. This also applies to your correspondence with Town staff or with members of your committee about committee matters, including e-mail messages. You may wish to create a separate e-mail address for town-related correspondence using one of the popular services such as Gmail, Hotmail, or Yahoo in order to avoid having to scour through your saved messages in the unlikely event of a request to inspect those e-mail messages.

Dealing with the Press

Opportunities may arise where a member of the press would like to speak with you regarding a committee decision or upcoming discussion. Understanding your role and the role of the committee chair, Town Manager, and Mayor will greatly diminish the chance of "misspeaking" or saying something you wish you could later repeal.

The ability to differentiate between being a citizen and being a representative of the Town or committee is vital. When not representing the committee, citizens are free to speak on any issue. However, it should be understood that as a member of a town committee, your public persona may change into that of being perceived as a "representative" of the town.

In most cases, the chair of the committee will be the spokesperson for the group. Unless given authority by the chair of the committee, members should be careful to politely delegate all questions and answers to the chair. More importantly, when given authority, committee members should make sure all comments are directly related to committee activities and actions.

In all cases, when a reporter asks a question regarding a Town policy or an area outside the realm of the committee on which the member serves, the reporter should be referred to the Town Manager's Office. The Town Manager's Office is responsible for answering questions, coordinating press conferences, or anything else with regards to media relations. In the event a committee needs to promote or arrange an event that relates to the committee, all aspects should be coordinated through the Town Manager's Office. This ensures the consistency of public messaging and optimizes the use and coordination of Town resources.

The following resolution was approved for inclusion in the Policy Index of the Mansfield Town Council on June 8, 2009. The information was presented in a letter to Mansfield Advisory Groups and staff from Mayor Elizabeth Paterson and Town Manager Martin Berliner on February 3, 2000.

> *In conjunction with its review of the various responsibilities and roles of the Town's numerous elected and appointed commissions, committees, and staff members, Mansfield's Town Council has discussed the issue of who should speak for the Town of Mansfield. We are fortunate to have many dedicated citizens serving on our boards and committees and a qualified and supportive staff, but it can be counter-productive to the Town's overall interest to have multiple opinions communicated to individuals or agencies outside of the Town's collective organization. On a number of recent occasions, letters have been sent by appointed advisory boards to State elected and appointed officials and private businesses. Some of the positions expressed in these*

letters have been inconsistent with the position of the Town Council. This situation has led to confusion over the Town's position on an issue of town-wide importance.

To address this issue, the Town Council, as Mansfield's elected policy board, has agreed to request that all advisory boards and staff members submit comments or concerns on issues of town-wide importance to the Town Council or Town Manager and not to State or private parties. We value your input and all comments and recommendations will be considered in developing policy positions for the Town. As private citizens, you of course, retain your right to speak your mind. When you do so, please ensure that you are speaking as an individual, not as a representative of the Town of Mansfield.

Code of the Town of Mansfield

Chapter A192: Committees, Boards, and Authorities

Article I. General Guidelines

§ A192-1. Purpose.

The purpose of this ordinance is to establish guidelines for the organization and procedure of appointive boards, committees and commissions of the Town of Mansfield, hereinafter collectively called "committees."

§ A192-2. Meetings.

A. Each appointed standing committee shall file with the Town Clerk, by January 31 of each year, a schedule of regular meetings and provide at least twenty-four (24) hours' advance notice to the Town Clerk for special meetings.
B. All committee meetings shall be open to the public except when a majority of the members of such body present and voting shall vote to hold the meeting in executive session.
C. All appointed committees may meet at the call of the appointing authority as well as at the call of their chairperson.
D. All committees advisory to the Town Manager should advise the Manager of all meeting dates in advance.

§ A192-3. Officers.

A chairperson of each committee, if not designated by the appointing authority, shall be elected by the committee at its first regular meeting. The election of a vice chairperson is also recommended. A secretary shall also be elected at this first meeting. At the first meeting of each successive year, the committee should elect officers.

§ A192-4. Procedure.

A. Each committee may formulate its own procedures for conducting meetings. The chairperson should have the same privileges of voting as any other committee member.
B. Any questions relating to committee structure, procedure or membership should be directed to the Town Manager and to the Committee on Committees of the Town Council.

§ A192-5. Minutes.

A. Each committee is to keep minutes of action taken at meetings with votes of members recorded.

B. One (1) copy of the secretary's minutes is to be sent to the appointing authority and one (1) copy either sent to each committee member or passed out prior to the start of the following meeting.
C. It is the responsibility of the chairperson to keep the Town Manager advised as to matters of substance under consideration by the committee.
D. The development of an agenda for each meeting is therefore desirable. A brief summary of action taken at meetings and submitted to the Manager within forty-eight (48) hours would be helpful.

§ A192-6. Quorum.
A majority of the committee's membership constitutes a quorum. Without a quorum, no action may be taken.

§ A192-7. Membership.
A. The secretary should take notice of expiration dates of terms of office and notify the Town Manager one (1) month in advance of such dates.
B. Ordinarily, no person appointed to a committee shall serve more than three (3) consecutive terms or ten (10) consecutive years.
C. Resignations are to be submitted in writing to the appointing authority through the office of the Town Clerk and to the chairperson of the respective committee.
D. No town employee may be a member of a committee advisory to his or her department unless it is specifically permitted in the ordinance or resolution establishing such committee.
E. Committee members should notify their chairperson in advance if they cannot attend a meeting.
F. Any committee member absent for three (3) consecutive meetings without justifiable reason as determined by majority vote of the committee shall be considered to have resigned, and the chairperson should so notify the appointing authority through the office of the Town Clerk.
G. The chair of the committee will notify the Town Clerk of any changes in membership that occur in the case of members who serve by virtue of their office.
H. Unless otherwise provided by statute, Town ordinance or Town Council resolution, any committee member whose term has expired will continue to serve until reappointed or replaced.

§ A192-8. Committee reports.
A. All committees are accountable to the appointing authority and shall serve under its jurisdiction. The official actions and/or recommendations of all such bodies shall be reported periodically to their respective appointing authority.
B. All standing committees are to report annually, in writing, to the Town Manager for submission to the Town Council.
C. Ad-hoc committees of the Town Council are to report periodically to the Council through the Manager and should act promptly and faithfully on their assignment.

§ A192-9. Publicity.
Each appointed committee should clear its publicity material through its chairperson.

§ A192-10. Outside contacts.
Official committee contacts with agencies outside of local town government should be cleared through the Town Manager.

§ A192-11. Purchasing.
A. No purchase shall be made by any committee except through the Town Purchasing Agent.
B. All purchases of supplies, materials, equipment and other commodities are to be accomplished by the Purchasing Agent based on requisitions signed by the chairperson of the committee or by a responsible representative appointed by him.
C. All purchases of professional services are to be accomplished through and with the concurrence of the Town Manager. No committee shall involve the town in any obligation to spend money for any purpose in excess of the amount appropriated therefor.

Article II. Boards, Authorities and Committees

The Town Clerk shall maintain a list of active boards, authorities, and committees which shall be available for public inspection.

Code of the Town of Mansfield

Charter (excerpts): Elections

§ C202. Elective officers.

A. At each biennial Town election there shall be elected, in accordance with the provisions of the general statutes, the following officers:

1. Nine Council members elected at large for terms of two years.
2. Three members of the nine-member Board of Education for terms of six years.
3. Three members of the Board of Assessment Appeals for terms of two years.
4. Three members of the nine-member Planning and Zoning Commission for terms of six years.
5. Two or three members of the five-member Zoning Board of Appeals for terms of four years to replace members whose terms will expire.

B. At every other biennial Town election there shall be elected, in accordance with the provisions of the General Statutes, the following officers:

1. Three alternate members of the Planning and Zoning Commission for terms of four years.
2. Three alternate members of the Zoning Board of Appeals for terms of four years.

C. At the biennial state election held on the first Tuesday after the first Monday of November in each even-numbered year there shall be elected, in accordance with the provisions of the general statutes, the following officers:

1. At least two Registrars of Voters. No two shall be from the same political party.

§ C203. Minority representation.

Except as otherwise provided in this Charter, minority representation on any elective or appointive board, commission, committee or similar body of the Town shall be determined in accordance with the provisions of the C.G.S. As provided in said statutes, the maximum number of any such body who may be members of the same political party shall be as specified in the following table:

Column I Total Membership	Column II Maximum From One Party
3	2
4	3
5	4
6	4
7	5
8	5
9	6
More than 9	2/3 of total membership

§ C206. Vacancies.

Except as otherwise provided by statute, any vacancy in any elective office, except in the Board of Education and Planning and Zoning Commission, for whatever cause arising, shall be filled by appointment by the Town Council for the unexpired portion of the term or until the next biennial Town election, whichever shall be sooner. The Board of Education shall fill its own vacancies in the same manner. Vacancies in the Planning and Zoning Commission shall be filled in such manner as the Town Council may determine. If the person vacating the office shall have been elected as a member of a political party, the vacancy shall be filled by the appointment of a member of the same political party. If there shall be a biennial election before the expiration of the term of office in which a vacancy occurs, such vacancy shall be filled by appointment as provided herein until said election and thereafter by the person elected to fill the office for the remaining portion of the term. Except as otherwise provided by statute, such person shall take office on the third Monday following the election.

§ C207. Qualifications.

Each nominee for elective office shall be an elector of the Town. If at any time any holder of an elective office shall cease to be a resident of the Town, such office shall thereupon become vacant.

§ C208. Nomination of candidates.

A. The name of any elector of the Town who has been nominated by a political party in accordance with the provisions of Chapter 153 of the C.G.S. shall be placed on the voting ballot at the municipal election as a candidate for any office to be filled. In order to ensure compliance with the C.G.S., at each municipal election each political party may nominate and each voter may vote for six candidates for the Town Council; two candidates for the Board of Education; two candidates for the Board of Assessment Appeals; two candidates for the Zoning Board of Appeals; two candidates for the Planning and Zoning Commission. At municipal elections every four years, each political party may nominate and each elector may vote for two

candidates for alternates on the Planning and Zoning Commission and two candidates for alternates on the Zoning Board of Appeals.

B. The name of any elector of the Town shall also be placed on the voting ballot at the municipal election as a candidate if that person has been nominated by petitions filed in accordance with Chapter 153, C.G.S.

Policy and Procedures
for the Posting and Retention of Agendas, Minutes, and Legal Notices

Effective May 1, 2007, amended March 1, 2011

I. PURPOSE AND DEFINITIONS

The purpose of this policy is to provide clarification and guidance regarding the posting and retention of agendas, the writing, posting and filing of minutes and the posting of legal notices for the Boards, Commissions and Committees in the Town of Mansfield.

- Meeting

  As defined in the Freedom of Information Act, "A public meeting is any hearing or other proceeding of a public agency, or gathering of, or communication by or to a quorum of a multi-member agency, to discuss or act on any matter over which it has authority."
- Agenda

  The purpose of an agenda is to inform both the participants and the public what items are to be discussed at the meeting.
- Minutes

  The minutes of any organization serve as the permanent record of subjects discussed, conclusions reached, actions taken, and assignments given.
- Legal Notices

  Legal notices are designed to advertise public hearings, elections, meetings, and other events as required by statute or charter.

II. REQUIREMENTS

A. Meeting Schedules

Prior to January 31st of each year all Boards, Commissions, Agencies and Committees of the Town of Mansfield must file a schedule of their regular meetings with the Town Clerk's office. This schedule must be filed at least 30 days prior to the first meeting of the agency.

B. Agendas

Each Agency must make its agenda for any regularly scheduled meeting available to the public at least 24 hours prior to the meeting. The agenda must be posted with the Town Clerk's office and on the Town website.

A special meeting may be called up to 24 hours (excluding weekends and holidays) prior to the event. An agenda stating the time, place and business to be transacted must be filed as soon as the decision to have a meeting has been made.

An emergency meeting may be held without the above notice requirements. However, the agency must file its minutes, including the reason for the emergency meeting, within 72 hours (excluding weekends and holidays) of such meeting.

C. Minutes

The votes taken at a meeting must be recorded and made available to the public within 48 hours of the meeting. They may be in the standard minutes format or simply a listing of members present and their votes (see attached example spreadsheet).

Regular meeting minutes must be made available to the public within 7 calendar days. Special meeting minutes must be made available to the public within 7 days, excluding weekends and holidays. Emergency meeting minutes must be filed within 72 hours, excluding weekends and holidays. Regardless of the type of meeting, the votes of each member on any issue must be put in writing and if requested made available to the public within 48 hours, excluding weekends and holidays.

D. Legal Notices

Posting requirements for legal notices vary depending on the enabling legislation. Please refer to the Connecticut General Statutes or the Mansfield Town Charter for guidance.

III. FORMAT

A. Agendas

There are many ways to format an agenda. The agenda essentially flow-charts the activities of a meeting and therefore can change depending on the purpose of the meeting. There are, however, some standard headings that are common to most municipal agendas.

- Name of the Board or Commission
- Date and Time of the Meeting
- Location of the Meeting
- Call to Order
- Roll Call
- Approval of Minutes, including any corrections
- Opportunity for Public Comment
- Old Business
- New Business
- Reports
- Communications
- Executive Session, if needed
- Adjournment

B. Minutes

Minutes should reflect the substance of a meeting and be a clear and accurate record of the proceedings. Minutes should usually follow the agenda items chronologically. All motions must be verbatim and all actions and assignments recorded. The name of the Board or Commission, the date and type of meeting (regular or special), the time of the beginning and the end of the meeting, the corrections to the draft minutes, if any, and a

list of those present should be included as part of the record. The amount of discussion included in the minutes should be sufficient to reflect the sense of the organization on each agenda item.

C. Legal Notices

Legal notices usually include the date, time, location, a description of the subject of the hearing or meeting, and information as to where relevant materials may be found. Audit and contract notices identify where citizens can review the agreements and/or audits. In the case of primaries and elections the offices and/or issues under consideration and the time and locations of the polling locations are included. These are the most common legal notice requirements although there are many others found throughout the statutes.

IV. POSTING

A. Meeting Schedules
   - Town agencies are responsible for scheduling their meetings on the Town Calendar. This calendar may be accessed both by staff, on the intranet, and citizens on the Mansfield website, www.mansfieldct.gov. In order for the Town website to reflect all regularly scheduled meetings for the year, as required by law, all meeting rooms should be reserved as soon as the schedule for the year is known.

B. Agendas
   - PublicNotices@mansfieldct.org
     - All agendas shall be sent to the publicnotices email address at least 24 hours prior to the meeting (except for emergency meetings). This will cause the agenda to be posted on the signboard outside the Town Clerk's office and provides the Town Manager's office with a copy for possible posting on the cable station.
   - Website
     - All agendas shall be posted to the website by staff. By law all agendas are required to be posted on the website 24 hours prior to the meetings (except for emergency meetings).
   - QNotify
     - Certain agendas, as determined by staff, are posted to Qnotify which distributes the agendas to interested citizens who have signed up to receive these notices.
   - Committee Members
     - Agendas should be sent to committee members either electronically or by mail.

C. Minutes
   - Draft Minutes *(To identify the minutes as drafts the word "draft" should appear in the heading of the document)*
     - PublicNotices@mansfieldct.org
       - Draft minutes shall be available to the public seven days following the meeting, as outlined above, and should be sent to publicnotices@mansfieldct.org for filing with the Town Clerk and, in

some cases, posting on the website. To identify the minutes as drafts the word "draft" should appear on the subject line of the email.

- Website
  - Draft minutes shall be available to the public seven days following the meeting, as outlined above, and should be posted to the Town website by staff. To identify the minutes as drafts the word "draft" should appear in the heading of the document.
- Committee Members
  - Draft minutes are provided to committee members for review and approval at their next meeting.

- Approved Minutes
  - PublicNotices@mansfieldct.org
    - Once minutes have been approved they shall be sent to the publicnotices email address and it should be noted in the subject line of the email that these minutes are approved. These minutes will be filed as a permanent record in the Town Clerk's vault and will be included in the Town Council's packet by the Manager's office.
  - Website
    - All approved minutes should be posted to the website by staff. Draft minutes are to be removed.
  - QNotify
    - All approved minutes should be sent to the committee's QNotify distribution list, if one exists.

The exceptions to this procedure are the following: Town Council, Planning and Zoning Commission, Inland Wetland Agency, Board of Education, Zoning Board of Appeals. These organizations will post, as described above, but will be responsible for the copying of their minutes into the permanent minute books.

D. Legal Notices
  - Newspaper
    - All legal notices shall be published in a newspaper which has general circulation in the Town. Posting requirements vary depending on the type of notice. (The Chronicle usually requires 3 days notice and the established billing process must be followed.)
  - Press Release
    - It is advisable to send out press releases to announce the information contained in the legal notices to maximize press coverage and increase attendance. The form and distribution information can be found on the intranet.

- PublicNotices@mansfieldct.org
    - All legal notices shall be sent to the publicnotices email address. This will cause the notice to be posted on the signboard outside the Town Clerk's office and provides the Town Manager's office with a copy for posting on the cable station, if requested.

- Website
    - Legal notices should be posted to the website by staff.
- QNotify
    - Certain legal notices, as determined by staff, are posted to Qnotify which distributes the notices to interested citizens who have signed up to receive these notices.
- Signboards
    - The Town Charter requires the posting of certain notices on the Town's sign boards which are scattered around Town. This is coordinated by the Town Clerk and posted by the Mansfield Police Department.
- Applicants (ZBA)
    - The legal notices for the Zoning Board of Appeals are distributed to applicants via certified mail.
- Committee Members
    - Legal notices should be sent to committee members either electronically or by mail.

E. Cancelled Meetings

When a meeting is cancelled, the following actions must be taken to ensure proper noticing of the cancelled meeting. Any subsequent meeting not identified on the regular meeting schedule is considered a special meeting.

- PublicNotices@mansfieldct.org
    - The previously distributed meeting agenda with the word "CANCELLED" in a prominent location shall be sent to the publicnotices email address as soon as possible. This will cause the cancellation notice to be posted on the signboard outside the Town Clerk's office.
- Town Calendar
    - In such instances where a room reservation has been made and the meeting is listed on the town calendar, the Town Clerk's office shall change the title of the meeting as it appears on the calendar to reflect the meeting cancellation (e.g. "Finance Committee" changed to "CANCELLED – Finance Committee") and change the room reservation time for that meeting to 12:00AM. This will cause notice of the cancelled meeting to appear on the date that the meeting was supposed to occur while also cancelling the previously scheduled room reservation in the town calendar.

- Website
    - The previously distributed meeting agenda with the word “CANCELLED” in a prominent location shall be posted to the website by staff as soon as possible.
- QNotify
    - If the committee has a QNotify distribution list, the previously distributed meeting agenda with the word “CANCELLED” in a prominent location shall be sent to the distribution list.
- Committee Members
    - Committee members must be notified of the cancelled meeting through any means appropriate (e.g. electronic mail, phone call etc.)

V. RETENTION SCHEDULE

A. Agendas

A copy of the agenda of each meeting must be retained for one year. The Town Clerk’s office will be the owner of record of all agendas sent to the office and will maintain the file and request authorization to destroy when appropriate. Individual agencies may retain a copy of the agenda for their records and use.

B. Minutes

The minutes of each meeting are permanent records of the Town. All approved minutes shall be filed in the Town Clerk’s office via an email to publicnotices except as noted in Section IV. Departments will be responsible for ensuring that the minutes of the Boards and Commissions that they staff are properly filed.

C. Legal Notices

Legal notices must be retained for one year. The Town Clerk’s office retains copies of all legal notices sent through publicnotices for the retention period but for legal notices not forwarded to the Clerk’s office it shall be the responsibility of the department to maintain and dispose of the notice.

VI. QUESTIONS OR COMMENTS

Any questions or comments regarding this policy/procedure should be directed to the Town Clerk.

Freedom of Information Act
(excerpts)

Section 1-200. Definitions.
(1) "Public agency" or "agency" means: (A) Any executive, administrative or legislative office of the state or any political subdivision of the state and any state or town agency, any department, institution, bureau, board, commission, authority or official of the state or of any city, town, borough, municipal corporation, school district, regional district or other district or other political subdivision of the state, including any committee of, or created by, any such office, subdivision, agency, department, institution, bureau, board, commission, authority or official, and also includes any judicial office, official, or body or committee thereof but only with respect to its or their administrative functions, and for purposes of this subparagraph, "judicial office" includes, but is not limited to, the Division of Public Defender Services; (B) Any person to the extent such person is deemed to be the functional equivalent of a public agency pursuant to law; or (C) Any "implementing agency", as defined in section 32-222.

(2) "Meeting" means any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multimember public agency, and any communication by or to a quorum of a multimember public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power. "Meeting" does not include: Any meeting of a personnel search committee for executive level employment candidates; any chance meeting, or a social meeting neither planned nor intended for the purpose of discussing matters relating to official business; strategy or negotiations with respect to collective bargaining; a caucus of members of a single political party notwithstanding that such members also constitute a quorum of a public agency; an administrative or staff meeting of a single-member public agency; and communication limited to notice of meetings of any public agency or the agendas thereof. A quorum of the members of a public agency who are present at any event which has been noticed and conducted as a meeting of another public agency under the provisions of the Freedom of Information Act shall not be deemed to be holding a meeting of the public agency of which they are members as a result of their presence at such event.

(3) "Caucus" means (A) a convening or assembly of the enrolled members of a single political party who are members of a public agency within the state or a political subdivision, or (B) the members of a multimember public agency, which members constitute a majority of the membership of the agency, or the other members of the agency who constitute a minority of the membership of the agency, who register their intention to be considered a majority caucus or minority caucus, as the case may be, for the purposes of the Freedom of Information Act, provided (i) the registration is made with the office of the Secretary of the State for any such public agency of the state, in the office of the clerk of a political subdivision of the state for any public agency of a political subdivision of the state, or in the office of the clerk of each

municipal member of any multitown district or agency, (ii) no member is registered in more than one caucus at any one time, (iii) no such member's registration is rescinded during the member's remaining term of office, and (iv) a member may remain a registered member of the majority caucus or minority caucus regardless of whether the member changes his or her party affiliation under chapter 143.

(6) “Executive sessions” means a meeting of a public agency at which the public is excluded for one or more of the following purposes: (A) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting; (B) strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of the member’s conduct as a member of such agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled; (C) matters concerning security strategy or the deployment of security personnel, or devices affecting public security; (D) discussion of the selection of a site or the lease, sale or purchase of real estate by the state or a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would adversely impact the price of such site, lease, sale, purchase or construction until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned; and (E) discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210.

Sec. 1-225. Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions.

(a) The meetings of all public agencies, except executive sessions, as defined in subdivision (6) of section 1-200, shall be open to the public. The votes of each member of any such public agency upon any issue before such public agency shall be reduced to writing and made available for public inspection within forty-eight hours and shall also be recorded in the minutes of the session at which taken. Not later than seven days after the date of the session to which such minutes refer, such minutes shall be available for public inspection and posted on such public agency’s Internet web site, if available, except that no public agency of a political subdivision of the state shall be required to post such minutes on an Internet website. Each public agency shall make, keep and maintain a record of the proceedings of its meetings.

(c) The agenda of the regular meetings of every public agency, except for the General Assembly, shall be available to the public and shall be filed, not less than twenty-four hours before the meetings to which they refer, (1) in such agency's regular office or place of business, and (2) in the office of the Secretary of the State for any such public agency of the state, in the office of the clerk of such subdivision for any public agency of a political subdivision of the state or in the office of the clerk of each municipal member of any multitown district or agency. For any such public agency of the state, such agenda shall be posted on the public agency’s and the Secretary of the State’s web sites. Upon the affirmative vote of two-thirds of the members of a

public agency present and voting, any subsequent business not included in such filed agendas may be considered and acted upon at such meetings.

(d) Notice of each special meeting of every public agency, except for the General Assembly, either house thereof or any committee thereof, shall be posted not less than twenty-four hours before the meeting to which such notice refers on the public agency's Internet web site, if available, and given not less than twenty-four hours prior to the time of such meeting by filing a notice of the time and place thereof in the office of the Secretary of the State for any such public agency of the state, in the office of the clerk of such subdivision for any public agency of a political subdivision of the state and in the office of the clerk of each municipal member for any multitown district or agency. The secretary or clerk shall cause any notice received under this section to be posted in his office. Such notice shall be given not less than twenty-four hours prior to the time of the special meeting; provided, in case of emergency, except for the General Assembly, either house thereof or any committee thereof, any such special meeting may be held without complying with the foregoing requirement for the filing of notice but a copy of the minutes of every such emergency special meeting adequately setting forth the nature of the emergency and the proceedings occurring at such meeting shall be filed with the Secretary of the State, the clerk of such political subdivision, or the clerk of each municipal member of such multitown district or agency, as the case may be, not later than seventy-two hours following the holding of such meeting. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by such public agency.

(e) No member of the public shall be required, as a condition to attendance at a meeting of any such body, to register the member's name, or furnish other information, or complete a questionnaire or otherwise fulfill any condition precedent to the member's attendance.

(f) A public agency may hold an executive session as defined in subdivision (6) of section 1-200, upon an affirmative vote of two-thirds of the members of such body present and voting, taken at a public meeting and stating the reasons for such executive session, as defined in section 1-200.

(g) In determining the time within which or by when a notice, agenda, record of votes or minutes of a special meeting or an emergency special meeting are required to be filed under this section, Saturdays, Sundays, legal holidays and any day on which the office of the agency, the Secretary of the State or the clerk of the applicable political subdivision or the clerk of each municipal member of any multitown district or agency, as the case may be, is closed, shall be excluded.

Sec. 1-226. Recording, broadcasting or photographing meetings.
(a) At any meeting of a public agency which is open to the public, pursuant to the provisions of section 1-225, proceedings of such public agency may be recorded, photographed, broadcast or recorded for broadcast, subject to such rules as such public agency may have prescribed prior to such meeting, by any person or by any newspaper, radio broadcasting company or television

broadcasting company. Any recording, radio, television or photographic equipment may be so located within the meeting room as to permit the recording, broadcasting either by radio, or by television, or by both, or the photographing of the proceedings of such public agency. The photographer or broadcaster and its personnel, or the person recording the proceedings, shall be required to handle the photographing, broadcast or recording as inconspicuously as possible and in such manner as not to disturb the proceedings of the public agency. As used herein the term television shall include the transmission of visual and audible signals by cable.

Sec. 1-228. Adjournment of meetings. Notice. The public agency may adjourn any regular or special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular meeting the clerk or the secretary of such body may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in section 1-225, for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular or special meeting was held, within twenty-four hours after the time of the adjournment. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings, by ordinance, resolution, by law or other rule.

Sec. 1-231. Executive sessions.
(a) At an executive session of a public agency, attendance shall be limited to members of said body and persons invited by said body to present testimony or opinion pertinent to matters before said body provided that such persons' attendance shall be limited to the period for which their presence is necessary to present such testimony or opinion and, provided further, that the minutes of such executive session shall disclose all persons who are in attendance except job applicants who attend for the purpose of being interviewed by such agency.

(b) An executive session may not be convened to receive or discuss oral communications that would otherwise be privileged by the attorney-client relationship if the agency were a nongovernmental entity, unless the executive session is for a purpose explicitly permitted pursuant to subdivision (6) of section 1-200.

Code of the Town of Mansfield

Chapter 25: Code of Ethics

Revised May 29, 2012

§ 25-1. Title.

This chapter shall be known and may be cited as the "Code of Ethics."

§ 25-2. Authority.

This code is legally authorized by Connecticut General Statutes, § 7-148h, and Town of Mansfield Charter § C304.

§ 25-3. Purpose.

The purpose of this code is to guide elected and appointed Town officials, Town employees and citizens by establishing standards of conduct for public officials and public employees. Public office or employment is a public trust. The trust of the public is essential for government to function effectively. Public policy developed by government officials and public employees affects every citizen of the municipality and it must be based on honest and fair deliberations and decisions. Good government depends on decisions which are based upon the merits of the issue and are in the best interests of the Town as a whole without regard to personal gain. This process must be free from threats, favoritism, undue influence, and all forms of impropriety so that the confidence of the public is not eroded. By enacting this code, the Town of Mansfield seeks to maintain and increase the confidence of our citizens in the integrity and fairness of their Town government. In pursuit of that goal, these standards are provided to aid those involved in decision making to act in accordance with the public interest, use objective judgment, assure accountability, provide democratic leadership, and uphold the respectability of our Town government.

§ 25-4. Definitions.

As used in this chapter, the following words or phrases shall have the meanings ascribed to them in this section:

ADVISORY BOARD

Any appointed board, committee, commission, or agency of the Town of Mansfield without legal authority to finally and effectively require implementation of its determinations, or to legally bind the Town, or to restrict or limit the authority of the Town to take action.

ADVISORY OPINION

A written response by the Board of Ethics to a request by a public official or public employee asking whether his or her own present or potential action may violate any provision of this Code of Ethics.

BOARD

The Town of Mansfield Board of Ethics established in § 25-5 of this chapter.

BUSINESS

Any entity through which business for profit or not for profit is conducted, including a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or self-employed individual.

BUSINESS WITH WHICH ONE IS ASSOCIATED

A business of which the person or a member of his or her immediate family is a director, officer, owner, employee, compensated agent, or holder of stock which constitutes 5% or more of the total outstanding stock of any class.

CONFIDENTIAL INFORMATION

Any information, whether transmitted orally or in writing, which is obtained by reason of the public position or public office held and is of such nature that it is not at the time of transmission a matter of public record per the Connecticut Freedom of Information Act, C.G.S. § 1-200 et seq., or public knowledge.

FINANCIAL INTEREST

Any interest representing an actual or potential economic gain or loss, which is neither de minimis nor shared by the general public.

GIFT

A. Anything of value, including entertainment, food, beverage, travel and lodging, given or paid to a public official or public employee to the extent that a benefit of equal or greater value is not received.

B. A gift does not include:

1. A political contribution otherwise reported as required by law or a donation or payment as described or defined in Subdivision (9) or (11) of Subsection (b) of C.G.S. § 9-601a.
2. Services provided by persons volunteering their time to the Town.
3. A commercially reasonable loan made on terms not more favorable than loans made in the ordinary course of business.
4. A gift received from a public official or public employee's spouse, fiance or fiancee, the parent, brother or sister of such spouse or such individual, or the child of such individual or the spouse of such child.
5. Goods or services which are provided to the municipality and facilitate governmental action or functions.
6. A certificate, plaque or other ceremonial award costing less than $100.
7. A rebate or discount on the price of anything of value made in the ordinary course of a business without regard to that person's status.
8. Printed or recorded informational material germane to governmental action or functions.
9. Items of nominal value, not to exceed $20, containing or displaying promotional material.
10. An honorary degree bestowed upon a public official or public employee by a public or private university or college.

11. A meal provided at an event and/or the registration or entrance fee or travel costs to attend such an event, in which the public employee or public official participates in his or her official capacity.
12. A meal provided in the home by an individual who resides in the municipality.
13. Gifts in-kind of nominal value, not to exceed $25, tendered on gift-giving occasions generally recognized by the public, provided the total value of such gifts in any calendar year from all donors do not combine to exceed $100.

IMMEDIATE FAMILY

Any spouse, child, parent, sibling or co-habiting partner of a public official or public employee, any other individual who resides in the household of the public official or public employee, and the spouse, child, parent or sibling of any such spouse, child, parent, sibling, co-habiting partner or other individual who resides in the household.

INDIVIDUAL

Any natural person.

INDIVIDUAL WITH WHOM ONE IS ASSOCIATED

Any individual with whom the public official or public employee or a member of his or her immediate family mutually has an interest in any business.

OFFICIAL RESPONSIBILITY

The direct administrative or operating authority, whether exercised personally or through subordinates, to approve, disapprove, or to otherwise direct Town government action.

PERSON

Any individual, sole proprietorship, trust, corporation, union, association, firm, partnership, committee, club, or other organization or group of persons.

PUBLIC EMPLOYEE

Any person or contractor of the Town of Mansfield, including the employees of the Board of Education to the extent permitted by law, full or part time, receiving wages or other compensation for services rendered.

PUBLIC OFFICIAL

Any elected or appointed official, whether paid or unpaid or full or part time, of the Town or a political subdivision thereof, including members and alternate members of Town agencies, boards and commissions, and committees, or any other board, commission or agency that performs legislative, administrative, or judicial functions or exercises financial authority (collectively hereinafter referred to as "body"), including candidates for any such office, except for any member of an advisory board. Town agencies, boards, commissions and committees that have sufficient authority to qualify as public officials subject to the requirements of this code are the Town Council, Board of Education, Planning and Zoning Commission, Inland Wetlands Agency, Zoning Board of Appeals, Conservation Commission, Board of Assessment Appeals, Board of Ethics, Building Board of Appeals, Housing Code Board of Appeals, Historic District Commission, Personnel Appeals Board, the Advisory Committee on the Needs of Persons with Disabilities when it is functioning as the ADA Grievance Committee, the Mansfield Downtown Partnership Board and its employees when functioning as the Town's municipal development agency, and any hearing officer appointed per § 129-4 of the Hearing Procedure for Citations

Ordinance, or § 189-6A of the Zoning Citations Ordinance, of the Code of the Town of Mansfield.

§ 25-5. Board of Ethics.

A. There is hereby established a Board of Ethics consisting of five electors of the Town. The members shall be appointed by the Town Council and shall serve for a term of three years, except for the initial Board, upon which two members served for a term of two years and one member served for a term of one year. Terms shall commence on the first day of the month after the date of appointment. Any vacancy that occurs shall be filled for the unexpired portion of the term.

B. Alternate members. In addition to the regular members, the Town Council shall appoint two alternate members to serve in the absence of any regular member(s). The initial appointments were for a term that expired on June 30, 1996. Thereafter, all terms have been and shall continue to be for two years.

C. No more than three members and no more than one alternate member shall be of the same political party at any time.

D. All members and alternates shall be electors of the Town.

1. No member or alternate shall:
    a. Hold or campaign for any public office;
    b. Hold office in any political party committee, political committee, candidate committee, exploratory committee or national committee, as those terms are defined in Connecticut General Statutes, § 9-601, as amended;
    c. Serve as a public official as defined in § 25-4 of this Code; or
    d. Be a public employee.
2. Two (2) Members of the Board of Ethics may also serve on any Town advisory board.

E. Any member of the Board of Ethics shall have an unrestricted right to vote, make political contributions, attend or buy a ticket to fund-raising or other political events, identify himself or herself as a member of a political party, be politically active in connection with a question that is not specifically identified with a candidate for any Town office subject to the jurisdiction of the Board of Ethics, such as a referendum or approval of a municipal ordinance, or any other question or issue of a similar character, and otherwise participate fully in public affairs. No member or employee of the Board of Ethics may, however, publicly endorse or publicly oppose any candidate for any Town office subject to the jurisdiction of the Board of Ethics per this code in a speech, public advertisement, political advertisement, broadcast, campaign literature, or similar action or material; take any part in managing the political campaign of any such candidate, or initiate or circulate a nomination petition, work as a driver transporting voters to the polls during an election, or directly solicit, receive, collect, handle, disburse or account for assessments, contributions or other funds for any such candidate; place a sign or sticker supporting or opposing a candidate for any such Town office on real or personal property owned by the placer of such sign or sticker; or become a candidate for any such Town office.

§ 25-6. Organization and procedure.

A. The Board of Ethics 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. In the absence of both the chairperson and vice chairperson, Board members shall elect a temporary chairperson. Three members shall constitute a quorum. Except for its final determination of a complaint after a hearing per § 25-8G of this chapter, a majority vote of the Board shall be required for action of the Board. The chairperson, vice chairperson in the absence of the chair, or any three regular members may call a special meeting of the Board.

B. The Board of Ethics shall:

1. Compile and maintain a record of all reports, advisory opinions, statements, and memoranda filed with the Board to facilitate public access to such reports and statements in instances in which such public disclosure is legally permissible.
2. Issue advisory opinions with regard to the requirements of this Code of Ethics upon the request of any public official, public employee or agency of the Town regarding whether his or her own present or potential action may violate any provision of this code. Advisory opinions rendered by the Board of Ethics shall be binding on the Board and shall be deemed to be final decisions of the Board. Any advisory opinion concerning an official or employee who requested the opinion and who acted in reliance thereon in good faith shall be an absolute defense in any subsequent matter regarding the same issue(s) brought under the provisions of this code; the Board may make available to the public such advisory opinions which do not invade personal privacy and take other appropriate steps in an effort to increase public awareness of this Code of Ethics.
3. The Board of Ethics shall prepare and submit to the Town Council an annual report of its actions during the preceding 12 months and its recommendations, if any. Additional reports, opinions and recommendations may be submitted by the Board to the Town Council at any time. In all such submissions, the Board shall be careful to protect and uphold the confidentiality of all information regarding cases in which no final determination of violation has been made;
4. The Board shall prepare materials informing public officials and public employees of their rights and responsibilities under this Code of Ethics.

C. The Board of Ethics shall establish and from time to time amend its own rules and procedures, which shall be made available to the public at the office of the Town Clerk.

D. The Board of Ethics may utilize or employ necessary staff or outside counsel within available appropriations and in accordance with existing rules and procedures of the Town of Mansfield.

§ 25-7. Rules.

A. Outside business. No public employee or public official shall engage in or participate in any business or transaction, including outside employment with a private business, or have an interest, direct or indirect, which is incompatible with the proper discharge of his or her official responsibilities in the public interest or which would tend to impair his or her independent judgment or action in the performance of his or her official responsibilities.

B. Gifts.

1. No public employee or public official shall solicit or accept any gift from any person interested in any pending matter within such individual's official responsibility.

2. If a prohibited gift is offered, the public employee or public official must refuse it, return it, pay the donor the full value of the gift, or donate it to a nonprofit organization, provided that the public employee or public official does not take the corresponding tax deduction. Alternatively, it may be considered a gift to the Town of Mansfield, provided it remains in the Town's possession permanently.

C. Conflict of interest.

1. A public official or public employee shall not vote upon or otherwise participate to any extent in any matter on behalf of the Town of Mansfield if he or she, a business with which he or she is associated, an individual with whom he or she is associated, or a member of his or her immediate family has a financial interest in the transaction or contract, including but not limited to the sale of real estate, material, supplies or services to the Town of Mansfield.
2. If such participation is within the scope of the official responsibility of the public employee or public official, as soon as possible after he or she becomes aware of such conflict of interest, he or she shall submit written disclosure which sets forth, in detail, the nature and extent of such interest to his or her agency or supervisor, as the case may be, and to the Board of Ethics.
3. Notwithstanding the prohibition in Subsection (C)(1), a public employee or public official may vote or otherwise participate in a matter if it involves a determination of general policy and the interest is shared with a substantial segment of the population of the Town of Mansfield.

D. Representing private interests.

1. Except for a public official who receives no compensation for his or her service to the Town other than per diem payments or reimbursement of expenses, no public employee or public official shall appear on behalf of private interests before any board, agency, commission or committee of the Town of Mansfield.
2. No public employee or public official shall represent private interests against the interest of the Town in any litigation to which the Town is a party.

E. Self-representation. Nothing contained in this Code of Ethics shall prohibit or restrict a public employee or public official from appearing before any board, agency, commission or committee of the Town of Mansfield on his or her own behalf, or from being a party in any action, proceeding or litigation brought by or against the public employee or public official to which the Town of Mansfield is a party.

F. Confidential information. No public employee or public official shall disclose confidential information, as defined in § 25-4 of this Code, concerning Town affairs, nor shall such employee or official use such information for the financial interests of himself or herself or others.

G. Use of Town property. No public employee or public official shall request or permit the use of Town funds or services, or Town-owned vehicles, equipment, facilities, materials or property for personal use, except when such are available to the public generally or are provided by written official Town policy or contract for the use of such public employee or public official. Enforcement of this provision shall be consistent with the Town's legal obligations.

H. Contracts with the Town. No public employee or public official, or a business with which he or she is associated, or member of his or her immediate family shall enter into a contract with the Town of Mansfield unless it is awarded per the requirements of prevailing law, and in

particular, Chapter 76 of the Code of the Town of Mansfield, the "Ordinance for Obtaining Goods and Services."
I. Financial benefit. No public employee or public official may use his or her position or office for the financial benefit of himself or herself, a business with which he or she is associated, an individual with whom he or she is associated, or a member of his or her immediate family.
J. Fees or honoraria. No public employee or public official acting in his or her official capacity shall accept a fee or honorarium for an article, appearance or speech, or for participation at an event.
K. Bribery. No public employee or public official, or member of such individual's immediate family or business with which he or she is associated, shall solicit or accept anything of value, including but not limited to a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the public employee or public official would be or had been influenced thereby.
L. Disclosure. Any public official or public employee who presents or speaks to any board, committee, commission or agency during the time set aside during any meeting of any such body for public comment shall at that time disclose his or her name, address, and Town of Mansfield public affiliation, regardless of whether said affiliation is related to the matter being addressed by the speaker.
M. Political activity. No public official or public employee may request, or authorize any other public official or public employee to request, that a subordinate employee of the Town actively participate in an election campaign or make a political contribution. No public official or public employee may engage in any political activity while on duty for the Town, or with the use of Town funds, supplies, vehicles or facilities. Political activity includes voting, making political contributions, buying a ticket to fund-raising or other political events, taking an active role in connection with a question such as a referendum or approval of a municipal ordinance, or any other question or issue of a similar character, and otherwise participating in political affairs, endorsing or opposing any candidate for any public office, taking any part in managing the political campaign of any such candidate, or initiating or circulating a nomination petition, working as a driver transporting voters to the polls during an election, or directly soliciting, receiving, collecting, handling, disbursing or accounting for assessments, contributions or other funds for any such candidate, placing or wearing a sign or sticker supporting or opposing a candidate for any public office, becoming or acting as a candidate for any public office. However, no Mansfield voter may be prohibited from voting at any Town Meeting based on his or her status as a public official or public employee. Activity legally authorized by Connecticut General Statutes, § 9-369b, regarding the preparation, printing and dissemination of certain explanatory materials pertaining to referendum questions and proposals, is exempt from such restriction.

§ 25-8. Powers and duties; complaints and investigations; confidentiality.
A. Upon the complaint of any person on a form prescribed by the Board of Ethics, signed under penalty of false statement, or upon its own complaint, the Board of Ethics shall investigate any alleged violation of this code. Unless and until the Board of Ethics makes a finding of a violation, a complaint alleging a violation of this code shall be confidential except upon the request of the respondent.

B. No later than 10 days after the receipt or issuance of such complaint, the Board shall provide notice of such receipt or issuance and a copy of the complaint, by registered or certified mail, to any respondent against whom such complaint is filed, and shall provide notice of the receipt of such complaint to the complainant. The Board of Ethics shall review and investigate the complaint to determine whether the allegations contained therein constitute a violation of any provision of the code. This investigation shall be confidential except upon the request of the respondent. If the investigation is confidential, any allegations and any information supplied to or received from the Board of Ethics shall not be disclosed to any third party by a complainant, witness, designated party, or Board of Ethics member.

C. In the conduct of its investigation of an alleged violation of this code, the Board of Ethics shall have the power to hold investigative hearings, administer oaths, examine witnesses, receive oral, documentary and demonstrative evidence, subpoena witnesses and require by subpoena duces tecum the production for examination by the Board of any books and papers which the Board deems relevant in any matter under investigation. In the exercise of such powers, the Board may use the services of the Town police, who shall provide the same upon the request of the Board. Any such subpoena is enforceable upon application to the Superior Court. If any such investigative hearing is scheduled, the Board of Ethics shall consult forthwith with the Town Attorney or outside counsel authorized per § 25-7D of this Code. The respondent shall have the right to appear, to be represented by legal counsel and to examine and cross-examine witnesses.

D. If, after investigation, the Board of Ethics determines that the complaint does not allege sufficient facts to constitute probable cause of a violation, the Board shall dismiss the complaint. The Board shall inform the complainant and the respondent of its finding of dismissal by registered or certified mail not later than three business days after such determination of dismissal. After any such finding of no violation, the complaint and the record of its investigation shall remain confidential, except upon the request of the respondent. No complainant, witness, designated party, or Board of Ethics or staff member shall disclose to any third party any information learned from the investigation, including knowledge of the existence of a complaint, which the disclosing party would not otherwise have known.

E. If, after investigation, the Board of Ethics determines that the complaint alleges sufficient acts to constitute probable cause of any violation, then the Board shall send notice of said finding of probable cause to the complainant and respondent by registered or certified mail within three business days and fix a date for the hearing on the allegations of the complaint to begin no later than 30 calendar days after said issuance of notice, The hearing date regarding any complaint shall be not more than 60 calendar days after the filing of the complaint. If any such hearing is scheduled, the Board of Ethics shall consult forthwith with the Town Attorney or outside counsel authorized per § 25-7D of this Code.

F. A hearing conducted by the Board of Ethics shall not be governed by formal rules of evidence. Any such hearing shall be closed to the public unless the respondent requests otherwise. In the conduct of its hearing of an alleged violation of this code, the Board of Ethics shall have the power to administer oaths, examine witnesses, receive oral, documentary and demonstrative evidence, subpoena witnesses and require by subpoena duces tecum the production for examination by the Board of Ethics of any books and papers which the Board deems relevant in any matter under investigation or in question. In the exercise of such powers,

the Board may use the services of the Town police, who shall provide the same upon the request of the Board. Any such subpoena is enforceable upon application to the Superior Court. The respondent shall have the right to appear, to be represented by legal counsel and to examine and cross-examine witnesses.

G. If, after a hearing on a complaint for which probable cause has previously been found, the Board of Ethics finds by a vote of at least four of its members based on clear and convincing evidence that any violation of this Code of Ethics has occurred, the Board shall submit a memorandum of decision, which may include recommendations for action, to the Town Council, Town Manager, and any other appropriate Town agency for such actions as it may deem appropriate. The recommendations of the Board of Ethics may include, but not be limited to, any combination of the following: recusal, reprimand, public censure, termination or suspension of employment, removal or suspension from appointive office, termination of contractual status, or the pursuit of injunctive relief. No such recommendation may be acted upon in violation of federal or state law or the Charter, ordinances, legally adopted policies, or collective bargaining agreements of the Town of Mansfield. Any discussion by the Town Council or other Town agency regarding any such memorandum of decision shall be in executive session, subject to the requirements of state law, unless the affected individual requests that such discussion be held in open session.

H. The Board of Ethics shall make public any finding of a violation not later than five business days after the termination of the hearing. At such time, the entire record of the investigation shall become public. The Board of Ethics shall inform the complainant and the respondent of its finding and provide them a summary of its reasons for making such finding by registered or certified mail not later than three business days after termination of the hearing.

I. No complaint may be made under this code except within two years of the date of knowledge of the alleged violation, but no more than four years after the date of the alleged violation.

J. No person shall take or threaten to take official action against an individual for such individual's good faith disclosure of information to his or her supervisor, any Town official or the Board of Ethics under the provisions of this code. After receipt of information from an individual, the Board of Ethics shall not disclose the identity of such individual without his or her consent unless the Board determines that such disclosure is unavoidable during the course of an investigation or hearing.

§ 25-9. Former public officials/employees .

A. No former public employee or public official, as defined in § 25-4 of this code, shall appear for compensation before any Town of Mansfield board, commission or agency in which he or she was formerly employed or involved at any time within a period of one year after termination of his or her service with the Town.

B. No such former public employee or public official shall represent anyone other than the Town of Mansfield concerning any particular matter in which he or she participated personally and substantially while in the service of the Town.

C. No such former public employee or public official shall disclose or use confidential information acquired in the course of and by reason of his or her official duties in the service of the Town of Mansfield for financial gain for himself or herself or others.

D. No such former public employee or public official who participated substantially in the negotiation or award of a Town of Mansfield contract obliging the Town to pay $100,000 or more, or who supervised the negotiation or award of such a contract, shall accept employment with a party to the contract other than the Town of Mansfield for a period of one year after such contract is finally executed.

§ 25-10. Distribution of Code of Ethics.

Copies of this Code of Ethics shall be made available to the Town Clerk for filing and to the Town Clerk and Town Manager for distribution. The Town Clerk shall cause a copy of this Code of Ethics to be distributed to every public official of the Town of Mansfield within 30 days of the effective date of this code or any amendment thereto. The Town Manager shall cause a copy of this Code of Ethics to be distributed to every public employee within 30 days of the effective date of this code or any amendment thereto. Each new public employee and public official shall be furnished a copy of this code before entering upon the duties of his or her office or employment.

§ 25-11. Severability; conflicts with other provisions.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter, or any part thereof, is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter. Furthermore, should any such provisions of this chapter conflict with any provisions of state or federal law, the relevant provisions of the state or federal law shall prevail.

Code of Ethics

Acknowledgement of Receipt

Town of Mansfield
Code of Ethics
Revised May 29, 2012
Acknowledgement of Receipt

I, _____ have received a copy of the Town of Mansfield's
(Print full name)
Revised Code of Ethics dated May 29, 2012. I have read the Code of Ethics and understand its applicability to me as a Town of Mansfield public employee or public official.

_____ _____
(Signature) (Date)

Please complete this form and return it to the Office of the Town Clerk