

**CITY OF NORWALK  
BOARD OF ETHICS  
REGULAR MEETING  
SEPTEMBER 23, 2021**

**ATTENDANCE:** Michael Church, Chairman; Tony Lopez, Chair; Kara Murphy, Haroldo Williams

**OTHERS:** Atty. Brian Candela, Corporation Counsel's Office

This meeting was conducted via Zoom.

**CALL TO ORDER**

Mr. Church called the meeting to order at 7:01 p.m.

**ROLL CALL**

Mr. Church called the roll. A quorum was present.

**NEW INTRODUCTION**

There were no new introductions to be made.

**PUBLIC PARTICIPATION**

There was no one from the public present.

**ACCEPTANCE OF MINUTES**

**• April 22, 2021**

**\*\* ATTY. MURPHY MOVED THE MINUTES OF APRIL 22, 2021.**

**\*\* MR. WILLIAMS SECONDED.**

**\*\* THE MOTION TO APPROVE THE MINUTES OF APRIL 22, 2021 AS SUBMITTED PASSED UNANIMOUSLY.**

**• May 27, 2021**

**\*\* ATTY. MURPHY MOVED THE MINUTES OF MAY 27, 2021.**

**\*\* MR. CHURCH SECONDED.**

**\*\* THE MOTION TO APPROVE THE MINUTES OF MAY 27, 2021 AS SUBMITTED PASSED WITH TWO (2) IN FAVOR (MURPHY AND CHURCH) AND TWO (2) ABSTENTIONS (WILLIAMS AND LOPEZ).**

**OLD BUSINESS.**

**Discuss and vote on potential changes to Citizen's Guide to Norwalk's Code of Ethics.**

Atty. Candela then reviewed the final changes that were made at the April 22, 2021 meeting. He said that the one remaining item that has to be done is the attaching the Ethic Code via link to the City website.

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGE ON PAGE 3 PARAGRAPH 1:**

**THE CITY OF NORWALK BOARD OF ETHICS IS AN INDEPENDENT COMMISSION CHARGED WITH ADMINISTERING AND ENFORCING THE CITY OF NORWALK'S ETHICS COMPLAINT PROCESS. THIS GUIDE PROVIDES GENERAL INFORMATION TO THE PUBLIC AND TO THE CITY OF NORWALK EMPLOYEES, AND OFFICERS, BOTH APPOINTED AND ELECTED. IF THERE IS ANY CONFLICT OR DISCREPANCY BETWEEN THIS GUIDE AND CHAPTER 32, CHAPTER 32 GOVERNS.**

**BY MOVING THE FOLLOWING SENTENCE:**

**IF THERE IS ANY CONFLICT OR DISCREPANCY BETWEEN THIS GUIDE AND CHAPTER 32, CHAPTER 32 GOVERNS.**

**TO: PARAGRAPH 3, LINE 3 – TO READ AS FOLLOWS:**

**THIS GUIDE PROVIDES GENERAL INFORMATION ONLY. THE DESCRIPTION OF THE LAW AND THE CODE ARE NOT INTENDED TO BE EXHAUSTIVE. A COMPLETE COPY OF THE CODE OF ETHICS AND THE CITIZEN'S GUIDE ARE AVAILABLE ON THE CITY'S WEBSITE AT [WWW.NORWALKCT.ORG](http://WWW.NORWALKCT.ORG). IF THERE IS ANY CONFLICT OR DISCREPANCY BETWEEN THIS GUIDE AND CHAPTER 32, CHAPTER 32 GOVERNS.**

**\*\* MR. LOPEZ SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

Atty. Candela moved the text on screen.

The discussion moved to the definition of employee and contractors. Atty. Candela referred him to the definitions listed in Chapter 32 of the Code of Ethics. He noted that the definition of employees included those under contract. Mr. Williams requested that the classification of employees as temporary or unclassified be included in the Introduction.

**\*\* MR. LOPEZ MOVED TO APPROVE THE following change to the Introduction from:**

**THE CITY OF NORWALK BOARD OF ETHICS IS AN INDEPENDENT COMMISSION CHARGED WITH ADMINISTERING AND ENFORCING THE CITY OF NORWALK'S ETHICS COMPLAINT PROCESS. THIS GUIDE PROVIDES GENERAL INFORMATION TO THE PUBLIC AND TO THE CITY OF NORWALK EMPLOYEES, AND OFFICERS, BOTH APPOINTED AND ELECTED.**

**TO:**

**THE CITY OF NORWALK BOARD OF ETHICS IS AN INDEPENDENT COMMISSION CHARGED WITH ADMINISTERING AND ENFORCING THE CITY OF NORWALK'S ETHICS COMPLAINT PROCESS. THIS GUIDE PROVIDES GENERAL INFORMATION TO THE PUBLIC AND TO THE CITY OF NORWALK EMPLOYEES, AND OFFICERS (AS DEFINED BY SECTION 32-3 OF THE NORWALK CODE OF ETHICS.)**

**\*\* ATTY. MURPHY SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGE ON PAGE 4, PARAGRAPH 2, LINE 3:**

**FROM "WHICH IN SOME CASES DIFFER FROM WHAT IS TO FOLLOW."**

**TO: "WHICH IN SOME CASES MAY DIFFER FROM WHAT IS TO FOLLOW."**

**\*\* MR. LOPEZ SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

The discussion moved to the Prohibition of Special Consideration.

**\*\* MR. LOPEZ MOVED TO APPROVE THE ELIMINATION OF THE SECOND PARAGRAPH UNDER PROHIBITION OF SPECIAL CONSIDERATION – OFFICER AND EMPLOYEES WHICH WAS AS FOLLOWS:**

**WHILE IN HIS OR HER OFFICIAL ROLE FOR THE CITY OF NORWALK, OFFICERS SHALL NOT BE GRANTED OR GIVEN SPECIAL CONSIDERATION, TREATMENT, OR ADVANTAGE TO ANY PERSON BEYOND THAT WHICH IS GENERALLY AVAILABLE TO THE PUBLIC.**

**\*\* ATTY. MURPHY SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

The discussion moved back to the second paragraph on page 4. [19:30]

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGE ON PAGE 4, PARAGRAPH 2, LINE 3:**

**FROM : “WHICH IN SOME CASES MAY DIFFER FROM WHAT IS TO FOLLOW.”**

**TO: “WHICH IN SOME CASES MAY DIFFER FROM WHAT IS OUTLINED BELOW.”**

**\*\* MR. WILLIAMS SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

The discussion moved page 5, the bullet points under Gifts regarding discounts being obtained.

- Discounts obtained on the price of anything sold in the normal course of personal business.

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGE:**

**FROM: “DISCOUNTS OBTAINED ON THE PRICE OF ANYTHING SOLD IN THE NORMAL COURSE OF PERSONAL BUSINESS.”**

**TO: “DISCOUNTS OBTAINED IN THE NORMAL COURSE OF PERSONAL**

**BUSINESS ON THE PRICE OF ANYTHING SOLD.”**

Atty. Candela reviewed the next proposed change which separated the section of Nepotism away from Subsequent employment on page 5.

**\*\* ATTY. MURPHY MOVED TO APPROVE THE SEPARATION OF THE CATEGORY OF NEPOTISM OUT OF SUBSEQUENT EMPLOYMENT ON PAGE 5 INTO A SEPARATE CATEGORY.**

**\*\* MR. WILLIAMS SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The discussion moved to Procurement paragraph 1, “who wished to do business with the City must comply.

**\*\* ATTY. MURPHY MOVED TO CONFIRM THE PROPOSED CHANGE ON PROCUREMENT PARAGRAPH 1 ON PAGE 6:**

**FROM: “VENDORS AND CONTRACTORS WHO WISH TO DO BUSINESS MUST COMPLY WITH THE PROCUREMENT GUIDELINES...”**

**TO: “VENDORS AND CONTRACTORS WHO WISH TO DO BUSINESS WITH THE CITY MUST COMPLY WITH THE PROCUREMENT GUIDELINES...”**

**\*\* MR. WILLIAMS SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The discussion moved to Number 5, paragraph 2.

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGE ON PAGE 6, NUMBER 5, PARAGRAPH 2, LINE 1:**

**FROM: “NO OFFICER OR EMPLOYEE SHALL USE OR AUTHORIZE TO USE CITY-OWNED PROPERTY”**

**TO: “NO OFFICER OR EMPLOYEE SHALL USE OR AUTHORIZE THE USE OF CITY-OWNED PROPERTY”**

**\*\* MR. WILLIAMS SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

On Page 8, the Commissioners discussed the removal of a comma in the phrase “ any third party by you” in Subsection e and inclusion of “or online at www.norwalkct.org.”

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGES ON PAGE 8 INCLUDING:**

**FROM: E. UNLESS THE BOARD OF ETHICS ADVISES YOU (THE COMPLAINANT) OTHERWISE, THE ALLEGATIONS IN THE COMPLAINT AND OTHER INFORMATION RECEIVED FROM THE BOARD OF ETHICS MAY NOT BE DISCLOSED TO ANY THIRD PARTY, BY YOU (THE COMPLAINANT).**

**TO: E. UNLESS THE BOARD OF ETHICS ADVISES YOU (THE COMPLAINANT) OTHERWISE, THE ALLEGATIONS IN THE COMPLAINT AND OTHER INFORMATION RECEIVED FROM THE BOARD OF ETHICS MAY NOT BE DISCLOSED TO ANY THIRD PARTY BY YOU (THE COMPLAINANT).**

**AND THE ADDITION OF THE PHRASE “REMAINDER OF” TO THE STATEMENT “PAGE INTENTIONALLY LEFT BLANK”.**

**\*\* MR. WILLIAMS SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Discussion followed regarding the process of delivering a complaint to the City Clerk as shown on page 7. It was agreed that a complaint could be delivered via mail or in person.

The Commission then reviewed the change to page 3 of the complaint form, Subsection 5, which is located on page 15 of the Guide. This involved the removal of a colon and the addition of a period.

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGE:**

**FROM: 5. DESCRIBE OR ATTACH COPIES OF ANY DOCUMENTS THAT SUPPORT YOUR COMPLAINT:**

**TO: 5. DESCRIBE OR ATTACH COPIES OF ANY DOCUMENTS THAT SUPPORT YOUR COMPLAINT.**

**\*\* MR. CHURCH SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The Commission then discussed that the complaints could not be delivered to the City Clerk via email or fax in the first item on page 16.

**\*\* ATTY. MURPHY MOVED TO APPROVE THE FOLLOWING CHANGE On PAGE 16:**

**FROM: "THIS COMPLAINT WILL NOT BE CONSIDERED FILED WITHOUT THE NAME, ADDRESS AND ORIGINAL SIGNATURE OF THE COMPLAINT."**

**TO: "THIS COMPLAINT WILL NOT BE CONSIDERED FILED WITHOUT THE NAME, HOME ADDRESS AND ORIGINAL SIGNATURE OF THE COMPLAINT."**

**\*\* MR. LOPEZ SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Atty. Candela said that they would have to approve the amendment to insert the final approved version of the Code of Ethics under Subsection 4 on page 17.

**\*\* ATTY. MURPHY MOVED TO AUTHORIZE ATTORNEY CANDELA TO INSERT THE FINAL APPROVED VERSION OF THE CODE OF ETHICS UNDER SUBSECTION 4 ON PAGE 17 AND TO ADJUST THE PAGINATION AND TABLE OF CONTENTS AS NEEDED.**

**\*\* MR. LOPEZ SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Atty. Candela asked what date would be the certification date for the Citizens Guide on page 1 of the Guide.

**\*\* ATTY. MURPHY MOVED TO INSERT THE DATE OF SEPTEMBER 23, 2021 ON PAGE 1 OF THE CITIZENS GUIDE TO THE NORWALK CODE OF ETHICS.**

**\*\* MR. WILLIAMS SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Mr. Church thanked all the Commissioners for their patience, their time, contributions and suggestions.

Atty. Candela said that once all the changes and pagination was done, he will email the final document to the Commissioners.

### **NEW BUSINESS**

Mr. Church said that now that this was completed, the Commission needs to consider how they can inform the employees and others about the new Code.

Mr. Williams said that the Commission also needs to consider the use of pronouns in the various documents.

**EXECUTIVE SESSION**

There was no need for an Executive Session at this time .

**ADJOURNMENT**

**\*\* MR. LOPEZ MOVED TO ADJOURN.**

**\* ATTY. MURPHY SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

S. L. Soltes  
Telesco Secretarial Services