



TOWN OF SOUTHBURY

ETHICS COMMISSION
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Advisory Opinion Case No. 20-002a

Normally, the Ethics Commission responds to requests for advice before issuing any, however our procedures permit us the ability to issue unsolicited ad-hoc advice as well. We believe it is necessary in this instance.

Members of the Board of Finance (BOF) and members of the Board of Selectman (BOS) and their staff have been working to revise three tax abatement programs in Southbury; one affects Seniors, the second affects Veterans, and the last affects land owners participating in the PA490 Municipal Open Space program.

We are concerned that one or more members of the BOF, BOS, and/or their staff are adjudicating, discussing, investigating and otherwise working on the revision of these programs while being participants in them. The concern is that by doing this, they may have a potential financial conflict of interest in doing so, which might lead to violating the Code of Ethics. Just having an undisclosed conflict or potential conflict of interest of a financial nature is technically a violation of the Code of Ethics.

We strongly urge any member of the BOF, BOS, and town staff currently involved in reviewing or working on any of these programs to disclose their participation in them, if indeed do they participate in any of them, and to do this by writing a letter to the BOS and also to their individual board or group detailing which program they are in and the potential financial conflict of interest that might exist and making sure it is presented in the open and included in the minutes of their board's meeting. Recusal during voting on aspects of a program should be seriously considered if one is a participant in the program.

The Code of Ethics is very clear about disclosures of this type as mentioned in Section C of the Code. We urge all concerned to review this section of the code again and to make sure that they are compliant. Failure to follow the disclosure process it describes could result in a violation of the Code of Ethics and we would be required to pursue and investigate it, which is our mandate.

By
The Ethics Commission for the Town of Southbury

Joseph R. Ruggiero
Joseph R. Ruggiero Chairperson

8/13/2020
Date