

OFFICE OF THE
FIRST SELECTMAN

Telephone (203) 563-0100
Fax (203) 563-0299

Email to: Selectman@Wiltonct.org



William F. Brennan
First Selectman

Susan A. Bruschi
Second Selectman

Richard F. Creeth

Harold E. Clark

Ted W. Hoffstatter

TOWN HALL
238 Danbury Road
Wilton, CT 06897

**CONNECTICUT LEGISLATIVE COMMITTEE ON
GOVERNMENT ADMINISTRATION AND ELECTIONS**

**A LETTER IN OPPOSITION TO RAISED BILL NO. 6696 – AN ACT CONCERNING MUNICIPAL
ETHICS**

**BY THE HONORABLE WILLIAM F. BRENNAN, FIRST SELECTMAN
TOWN OF WILTON**

MARCH 23, 2009

Distinguished members of the Legislative Committee on Government Administration and Elections:
Thank you for allowing me to comment on this proposed Bill. In September 2008, I testified before the Task Force on Ethics at a hearing held in West Haven. (A copy of my testimony is attached for reference.)

As indicated in my testimony, it is essential that any municipal ethics code be written in clear, understandable language. It must also not be so onerous in its provisions that it deters competent citizens from participation in local government.

Raised Bill 6696, as proposed, would require major unproductive alterations to Wilton's Code of Ethics, which has been very effective. It would also significantly impair our ability to fill over 150 unpaid volunteer positions in our Town Government that we depend on to operate the Town in a cost efficient manner.

For these reasons, I support the written comments on Bill 6696 by Stephen M. Hudspeth, dated March 19, 2009. I wish to emphasize again the need for brevity and clarity in any legislation in this area. The Bill should not discourage volunteerism on which Wilton and many other towns statewide rely so heavily. Bill 6696, as written, does not advance the interests of volunteerism. While Wilton strongly supports required local ethics codes having specified minimum requirements and supports local enforcement, we cannot support Bill 6696 unless it is substantially revised along the lines indicated in Mr. Hudspeth's written submission.

I urge the Committee and the Legislature to revisit this Bill and to improve it by considering the recommendations submitted by Mr. Hudspeth. Thank you again for allowing me the opportunity to submit my thoughts on this important matter.

William F. Brennan
First Selectman

APPENDIX TO FIRST SELECTMAN BRENNAN'S LETTER IN OPPOSITION TO R.B. 6696

State of Connecticut, Task Force on Municipal Ethics

Testimony before the Task Force of W. F. Brennan at the Public Hearing on 9.17.08

Good evening. I am Bill Brennan, First Selectman for the Town of Wilton, and I am very grateful to have the opportunity to share my thoughts on ethics policy with the distinguished members of the state's task force on ethics.

For information, the town of Wilton's population is approximately 18,000. We employ 158 employees in the Town government and our schools employ over 650 educators, administrators and other employees. Our FY '09 operating budget exceeds \$107.6 mm. Lastly, over 150 volunteer citizens serve on the Town's various boards, commissions, authorities and councils. Other citizens also serve from time to time on various committees. Of this group of citizens, only three receive compensation. In brief, the town is very dependent on our citizen volunteers for the effective operation and governance of our community.

Connecticut has long prided itself on home rule and citizen volunteers serving in local government. As in Wilton, I believe these traditions are the bedrock of town government in many towns throughout Connecticut.

Wilton's experience on ethical matters has been positive, with issues handled very effectively for over four decades now by a local town code and local enforcement. By providing to all those who serve, clear written guidelines as to expected conduct, awareness is raised at the onset of service. And to keep our code current with best practices in the field, our town code has undergone periodic revisions, most recently a year ago.

This leads me to one of my concerns. If the State Legislature enacted legislation that mandated all municipalities to abide by a single state code of ethics, I believe it would be a mistake. As I am sure you realize, there are substantial differences in the size, structure and activities of various towns and cities in our state. A one size fits all approach would not be effective, as I believe local boards or councils on ethics are much better equipped to handle and adjudicate local ethical questions.

It is hard to imagine having a town ethics matter heard in Hartford by a panel that is unfamiliar with the town or that nobody knows. It would also result in a substantially increased work load for the Office of State Ethics, currently averaging 600 calls and 80-100 written staff opinions – per month. In a time of

state deficits, I believe the last thing the task force should recommend is an ethics policy that would require additional manpower be added to the state's payroll, when these matters can be efficiently handled on a local level by unpaid volunteer citizens serving on town ethics councils or boards.

It is recognized that some municipalities might not have enacted a code of ethics or that they have a code that could be improved. In my opinion, all municipalities large and small should have a clearly written and understandable code of ethics in place for elected/appointed officials and town employees. It is the most important step for communities to take to insure proper conduct by officials and town employees.

Another major concern would be a code that requires periodic financial interest disclosures by volunteer citizens serving on town boards and commissions, etc. This would be a huge impediment to recruitment of competent volunteers. I can not emphasize this point more strongly. If this becomes a mandated requirement, Wilton and many other towns would be severely impacted. This issue has nothing to do with malfeasance, only the legitimate desire to keep personal finances private if one is a volunteer. It is a continuing challenge to motivate citizens to volunteer for town government positions, where a great deal of time and effort is required to serve without compensation. For information, I have already had several members of various boards call me to indicate that a personal financial disclosure policy would end their service in town government. In summary, adding a requirement to disclose one's personal finances, in my opinion, would be the kiss of death to volunteer government recruitment!

It is my understanding that the Connecticut Conference of Municipalities (CCM) has presented testimony to this task force. In my ten years of town government service, I have been very impressed with this organization's focus on ethical issues and ethics' education. CCM offers a great deal of available information for municipalities on Ethics and Conflicts of Interest. In addition, they have published several booklets featuring a variety of "ethical dilemmas" with resolution information on each real life case. I have periodically sent copies of these booklets to all our board, commission members, etc. for educational purposes and the feedback has been excellent!

As noted above, I believe it should be a fundamental requirement that all municipalities, large and small, have an ethics policy and a method to address complaints of possible unethical behavior by town officials and employees.

My recommendation would be for the state to set basic guidelines and a requirement that all municipalities adopt an ethics code that meets a set of minimum standards, including local municipal

enforcement. Municipalities that fail to adopt a local code that meets the state's minimum standards by a specific date would be legislatively bound by the state's code of ethics and enforcement requirements under the Office of State Ethics.

In summary, I strongly recommend that local municipalities be required to establish, administer and enforce their own Codes of Ethics. I am equally opposed to any state mandate that requires personal financial interest disclosures by local officials, volunteers and employees. It would kill our volunteer forms of government and from a practical perspective is an unnecessary, costly administrative requirement that is insensitive to the privacy rights of our most active citizens – our town volunteers.

Lastly, my colleagues serving in first selectman or mayoral positions are very concerned over the continuing trend of unfunded state mandates that increase municipalities' costs and administrative burdens. I respectfully ask you to please keep these thoughts in mind during your deliberations and when you finalize your recommendations.

Thank you again for allowing me to testify before this distinguished and very important task force.

William F. Brennan
First Selectman
Town of Wilton