

1. Board Of Ethics Meeting Documents

Documents:

[REQUEST FOR ADVISORY OPINION.PDF](#)
[BOARD MEETING AGENDA.PDF](#)

Adopted 7-1-08

Town of Greenwich, Connecticut Board of Ethics

Request for Advisory Opinion

Section 2.12(b) of the Town Code of Ethics requires the Board of Ethics to render advisory opinions with respect to the Code of Ethics upon the written request of any Town Officer. For this purpose, a Town Officer includes any official, employee or agent of the Town, any consultant to the Town or any member of any board, department, commission, committee, legislative body or other agency of the Town, whether elected or appointed.

Name: Tom Klein

Town Office: Director of Information Technology

Request on Behalf of Another: Yes _____ No X

(The Board's policy is to render advisory opinions that do not name the individual requesting the opinion. However, the Connecticut Freedom of Information Act requires all filings with the Board to be made available to the general public upon request. One Town Officer may file a request on behalf of another Town Officer.)

Background: The Town entered into an agreement with CivicPlus in June 2017 to design a new Town website, build the new website on the CivicPlus software platform, migrate old Town Website content, train Town employees on the CivicPlus engagement tools, and host the new Town website in the CivicPlus hosting environment. The one-time set-up fees were \$132,765, and the annual maintenance, support, and hosting fee is approximately \$20,000.

CivicPlus specializes in municipal websites and 2,700 towns, cities, and counties use CivicPlus to power their websites. In my opinion, moving to the CivicPlus platform is a cost effective way for Greenwich to have access to modern website technology, user interfaces, and process enhancers. It is far less expensive to leverage the technology in the CivicPlus platform than to hire our own developers to create and support similar technology.

(1) Substantial financial interest in one or more transactions:

(Please note that a transaction or series of transactions having an aggregate value under \$100 per year is not reportable under the Code.)

- a. The interest or interests involved
 - b. How the Town is involved in the transaction or actions relating to the interest
 - c. The nature of the action or vote that may be influenced
The action
 - d. How the Town Official involved might be influenced
- (2) Acceptance of a thing of value:**

(Please indicate if member of immediate family is involved.)

- a. The gift, favor, loan, promise or other thing that might be accepted

In November 2017, the Vice President of Research & Development for CivicPlus asked if I would be interested in joining a Client Advisory Board comprising 7 members, representing 3 cities and 4 counties across the US. The vendor's goal is to grow the board to approximately 10 members with even representation across city/county. The board meets for 1 hour calls monthly and 2 onsite/face-to-face meetings annually. The calls are typically presentation oriented where the vendor will have an industry expert speak about topics such as "technology trends in local government", "how to sustain a culture of innovation", and "digital accessibility". Then there is typically a discussion for approximately 30 minutes between the IT government leaders about the subject.

There are also two face-to-face meetings during the year that would require me to travel to the vendor's headquarters in Manhattan, KS. I would like to attend those meetings, and I would utilize IT budget for travel costs. I anticipate that travel costs would be approximately \$2,000 per visit factoring in airfare, transportation to and from airports, local transportation at the meeting venue, and hotel before, during, or after the meetings. The vendor would likely pay for some meals and refreshments during, between, before, or after meetings; and perhaps provide supplies such as paper, pencils, mementos and other items of nominal value. But beyond that, I do not anticipate that the vendor would present gifts to the meeting participants, and I would under no circumstances accept from the vendor any type of compensation for attending such as gift cards, expensive theatre tickets, golf outings or other such entertainment.

The meetings would allow me to learn about new features that the vendor may add to the CivicPlus platform, and I would have the opportunity to advocate for features and functionality that would better serve the needs of the Town. I would also have the opportunity to learn from technology leaders from other municipalities how they use the CivicPlus environment.

My interest in participating in the board is in no way for my personal gain. I only seek to promote the Town's interest in helping to steer the vendor's development of the website platform in a direction that will provide the most benefit for the Town. And I would like to do so in an open and transparent way.

b. The official duty or duties that might be influenced

As IT Director, I am in charge of the IT budget and payments to CivicPlus for the services described above. Although I was asked to be part of the board four months after I signed the service agreement, I will continue to authorize the annual \$20K payment for maintenance, support, and hosting for as long as the Town utilizes the platform for its website. That payment could potentially increase if the Town utilizes more services from the vendor such as new online systems and services.

c. How the Town Official involved might be influenced

I have absolutely no financial interest in CivicPlus. CivicPlus does not pay me either directly or indirectly to participate in the advisory board. My only interest in participating on the board is so I can learn more about the platform and to promote the Town's interest by helping to steer the vendor's development of the website platform in a direction that will provide the most benefit for the Town. The content of the meetings might indeed influence my opinion about whether the CivicPlus platform remains a viable solution for the Town's website needs. However, that influence would be based solely on the merits of the vendor's software platform, rather than for personal gain.

(3) Definitions or interpretation

a. The word or phrase in the Code that is ambiguous

Does an invitation to participate on the advisory board meet the definition of “any valuable gift, thing, favor”? Would any incidental

b. The circumstances under which it might be ambiguous

Could participating on this advisory board be considered a gift? Does participating on the board constitute me having indirect interest with the vendor as defined by the Greenwich Code of Ethics? Would any business oriented meals provided at face-to-face meeting constitute gifts and favors? If there are no conflicts and I participate on the board, are there any additional steps I should take for the sake of transparency and compliance?

Does participating in in face-to-face meetings where coffee, lunch, or dinner might be served meet the definition of “any valuable gift, thing, favor”? Would I be in violation of the code if I accepted from the vendor and meals and refreshments during, between, before, or after meetings; or supplies such as paper, pencils, mementos and other items of nominal value.

c. Possible alternative interpretations

I think you could interpret my participation this way:

Participation on a vendor’s advisory board does not constitute a “thing of value” for the IT Director and it is not a benefit. Rather, it is a necessary activity that allows the IT Director to fulfil the following duty as outlined in his job description:

“Provides overall direction for the development, implementation and management of information systems, working with internal and external professionals and consultants to analyze requirements and develop new or modify existing file servers, information systems and services.”

Participating on an advisory board with IT leaders from other municipalities is an effective and efficient means for the IT Director to provide overall direction for an important digital communication platform for the Town, and is an efficient way for him to work with external professionals and peers to analyze the Town’s requirements and develop new systems and services via the platform. In this sense it should be the duty of the Director to serve on these types of advisory boards as long as doing so offers a clear benefit to the Town, is done transparently, and would not involve acceptance of any type of compensation from the vendor for attending.

(4) Procedure for filing disclosure statements:

a. Requirement in question

b. Possible alternatives for satisfying requirement

c. Problems affecting compliance

T O W N O F G R E E N W I C H

Board of Ethics

Regularly Scheduled Meeting

**April 24th , 2018
5:30 P.M.**

**Gisborne Conference Room
1st Floor, Town Hall
101 Field Point Road, Greenwich CT**

A G E N D A

- 1. Approval of Minutes**
- 2. Report of Chair**
 - a. Budget review by RTM Town Services Committee**
- 3. Advisory Opinion Requests**
 - a. Commission on Aging**
 - b. Request to Town employee to sit on advisory board of a Town Vendor**
- 4. Adjournment**