

MIDDLETOWN LEADS

WHAT IS MIDDLETOWN LEADS?

Middletown Leads is a weekly newsletter intended to connect the Middletown community by providing information about civic undertakings by the Town.

NO MORATORIUM

The Middletown Town Council rejected the proposal to place a 6-month emergency moratorium on new proposals for development in the Atlantic Beach District.

The proposed moratorium was generally aimed at preventing an expansion of hotels in the area. It would not have halted the proposals for two hotels that are already being considered by the Planning and/or Zoning Boards, which are for relatively small establishments on Wave Ave. and Aquidneck Ave.

The specific reason for the rejection of the moratorium was that it was categorized as an “emergency” measure; it did not meet the criteria for an “emergency.”

On the other hand, the Town Council responded to resident concerns by referring the issue to the Planning and Zoning Boards which were directed to develop recommendations for changes in the zoning that would limit the size and height of new development in order to preserve the character of the district.

ETHICS PRESENTATION

The Educational Coordinator from the Rhode Island State Ethics Commission made a presentation to the Town Council and members from the various Town boards and commissions related to the rules intended to ensure ethical conduct, avoid the appearance of impropriety, and not use their position for private gain or advantage.

It is interesting that the reason the Ethics Commission exists is that “The years preceding the 1986 constitutional convention were marked by scandal and corruption at all levels of government. Indeed, widespread breaches of trust, cronyism, impropriety, and other violations of ethics standards decimated the public’s trust in government.”

A person subject to the Code of Ethics . . .

may *not* participate in any matter in which he or she has an interest, financial or otherwise, which is in *substantial conflict* with the proper discharge of his or her duties in the public interest.

A substantial conflict of interest occurs if it is reasonably foreseeable that he or she or any family

member or business associate, or any business by which he or she is employed or represents, will derive a direct monetary gain or suffer a direct monetary loss by reason of his or her official activity.

In such circumstances, the public official must recuse. *Recusal* refers to a public official or employee declining to participate in a matter because of a potential conflict of interest under the Code of Ethics. It means that the person is not participating in deliberations or debates, making recommendations, giving advice, considering findings, or in any other way assuming responsibility for or participating in any aspect of the work or decision-making relating to the matter where there are potential conflicts of interest.

No person subject to the Code of Ethics may enter into any contract with a state or municipal agency unless the contract has been awarded through an open and public process, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded.

The *appearance of impropriety* is a phrase referring to a situation which to a layperson without knowledge of the specific circumstances might seem to raise ethics questions.

No person subject to the Code of Ethics may accept anything of value based on the understanding that the gift will influence that person's judgment or official action. This prohibition includes anything of value given to that person's family or business associates.

Other provisions are related to the following: honoraria, political contributions, the revolving door, and financial disclosure.

A person subject to the Code of Ethics may request an advisory opinion about a particular provision of the Code which may affect him or her. Persons subject to the Code are: 1) state and municipal elected officials; 2) state and municipal appointed officials; and 3) employees of state and local government, board, commissions, and agencies.

COUNCIL LIAISONS, CANDIDATE INTERVIEWS

Town Councilors serve as liaisons to the various volunteer boards and committees. Councilors were appointed at the Dec. 17 Town Council meeting. Discussion led to disbanding the existing Town Council sub-committees and bringing the current status forward to be discussed by the entire council for more public transparency.

The current board and committee application process ended on Tuesday, Dec. 18. There was discussion related to ensuring fairness in the interview process required for the Planning and Zoning Boards by requiring responses to the interview questions in writing prior to the public interviews.

FOOTNOTE

Weekly essays about Middletown community and municipal affairs will appear on the Middletown Public Library website. Questions and suggested topics are welcome.

Editorial essays may appear in the following blog: MiddletownLeads@blogspot.com.