



# BOARD OF SELECTMEN CODE OF CONDUCT

## **Preamble**

The citizens of the Town of Nottingham are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. The effective functioning of Select Board therefore requires that:

- Select Board members comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Select Board members be independent, impartial and fair in their judgment and actions;
- Select Board position be used for the public good, not for personal gain;
- Select Board members exhibit steady and reliable leadership; and
- Select Board deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of cooperation.

To this end, the Nottingham Select Board has adopted a Code of Conduct to assure public confidence in the integrity of local government and its effective and fair operation.

## **Act in the Public Interest**

Recognizing that stewardship of the public interest must be their primary concern, Select Board members will work for the common good of the people of Nottingham, not for any private or personal interest. They will assure fair and equal treatment of all persons, claims and transactions coming before them.

## **Comply with the Law**

Select Board members shall comply with Federal and State laws, as well as the Town of Nottingham's Bylaws and policies in the performance of their public duties. This code of Conduct aims to encourage ethical behavior and adherence to laws, including but not limited to: Open Meeting Law, Public Records Laws, and State Ethics Law.

## **Positive Work Place Environment**

Officials shall support the maintenance of a positive and constructive work place environment for Town employees and for citizens and businesses dealing with the Town. Select Board members shall work cooperatively and regularly with the Town Administrator, Department heads, town employees and members of other Town Boards and Committees to help create a healthy work environment. In addition, it is incumbent upon the Select Board to hear concerns and stay apprised of issues that may require Select Board involvement.

## **Attendance**

Select Board members shall endeavor to attend all meetings of the board, committee, or commission of which they are a member. Select Board members shall prepare for, actively listen and participate in each meeting, and remain for the duration of each meeting in order to attend to all business. To the extent that an official is unable to attend a meeting, or the whole meeting, the official should notify the Select Board Chair.

## **Responsibilities**

Select Board members shall complete all duties for which they are responsible, alerting the appropriate party when they are unable to fulfill any of their responsibilities, so that this can be accounted for and business can be completed. These responsibilities include, but are not limited to: 1) fiscal responsibility for the town, review and signing of warrants, 2) hiring or appointment and oversight of town employees as agreed upon with the Town Administrator 3) setting policy and strategic direction, 4) preparing the annual and special Town Meeting warrants and attendance at all Town Meetings.

## **Conduct of Select Board members**

The professional and personal conduct of Select Board members must be above reproach and avoid even the appearance of impropriety. Select Board members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other officials, staff, employees or public.

## **Respect for Process**

Select Board members shall perform their duties in accordance with the processes and rules of order which have been established by their respective board, commission or committee, and which govern the deliberation of public policy issues, meaningful involvement of the public, and the ability of Town staff and employees to implement policy decisions as authorized by the Select Board.

## **Conduct of Public Meetings**

Select Board members shall prepare themselves for agenda items by giving due attention to related correspondence and conducting other research as necessary; listen courteously, attentively, and with an open mind to all public discussions before the body prior to drawing conclusions on topics; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments, or any other comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

## **Endorsement of Candidates**

Officials have the right to endorse candidates for Select Board seats or other elected offices. It is inappropriate to mention endorsements during public meetings or other official Town functions.

## **Keep political support away from public forums**

Just as Board and Commission members may offer political support to a Select Board member, but not in a public forum while conducting official duties, Select Board members may also

support Board and Committees members who are running for office, but not in an official forum in their capacity as a Select Board member.

### **Communication**

Select Board members shall publicly share substantive information that is relevant to a matter under consideration by a board, commission, or committee, which they may have received from sources outside of the public decision-making process.

### **Conflict of Interest**

In order to assure their independence and impartiality on behalf of the common good, Select Board members shall not participate in any government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.

### **Gifts and Favors**

Select Board members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

### **Confidential Information**

Select Board members shall protect the confidentiality of information concerning the property, personnel or affairs of the Town. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

### **Use of Public Resources**

Select Board members shall not use public resources not available to the public in general, such as Town staff time, equipment, supplies or facilities, for private gain or personal purposes.

### **Representation of Private Interests**

In keeping with their role as stewards of the public interest, Select Board members shall not appear on behalf of the private interests of third parties before any Board, Commission, Committee or proceeding of the Town (unless they are exempt from this requirement and have clarified this with the State Ethics Commission). When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Nottingham nor will they allow the inference that they do.

### **Advocacy**

Officials shall represent the official policies or positions of the Town to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and

positions, members shall explicitly state they do not represent their body or the Town of Nottingham nor will they allow the inference that they do.

### **Independence of Boards and Commissions**

Because of the value of the independent advice of boards and commissions to the public decision-making process, Select Board members shall refrain from using their position to unduly influence the deliberations or outcomes of proceedings. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Nottingham nor will they allow the inference that they do.

### **Policy Role of Officials**

Select Board members shall respect and adhere to the Town Meeting structure of government. In this structure, the Select Board determines the policies of the Town with the advice, information and analysis provided by the public, other boards, committees, commissions, and Town staff. Select Board members therefore should not interfere with the administrative functions of the Town or the professional duties of Town staff. Town staff and Select Board members have an obligation to abide by any lawful decision made by the Select Board.

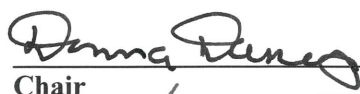
### **Implementation**

As an expression of the standards of conduct for public officials expected by the Town of Nottingham, this Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when Select Board members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the written orientation materials for candidates for Select Board members, applicants to boards, committees, and commissions, and newly elected and appointed officials. Select Board members shall annually review the Code of Conduct, and shall consider recommendations to update it as necessary.


### **Compliance and Enforcement**

The Nottingham Select Board Code of Conduct expresses standards of ethical conduct expected for all Select Board members. Select Board members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards, committees and commissions have the additional responsibility to intervene when actions that appear to be in violation of the Code of Conduct are brought to their attention.

**Adopted by the Nottingham Select Board September 12, 2022.**

  
Chair

  
Select Board Member

  
Select Board Member

  
Select Board Member

  
Select Board Member