

TOWN OF NORRIDGEWOCK ADMINISTRATIVE CODE OF ETHICS

1. DECLARATION OF POLICY

The proper operation of democratic government requires that Select Board members be fair, impartial, and responsive to the needs of the people and each other in the performance of their respective functions and duties; that decisions and policy be made in proper venues and within the Town's governmental structure; that public office not be used for personal gain; and that such Select Board members maintain a standard of conduct that will inspire public confidence in the integrity of the Town's government. In recognition of these goals, a Code of Ethics is hereby established for all Select Board members. This Code of Ethics is not intended to deny Select Board members their constitutional rights nor violate their civil rights.

The members of the Select Board commit themselves to the highest ethical standards and adopt this Code of Ethics as their own the policy.

Board members shall make diligent effort to remain open-minded and receptive during any debate or deliberation, and shall not take an uncompromising or unyielding position prior to the discussions by the full Board. Individual members shall not contrive, scheme, or barter votes on issues prior to meeting discussions, in order for the democratic process to continue unfettered in the public view. Board members shall examine the issues thoroughly in advance, so far as possible. They will solicit and share information with each other and the Town Manager, and permit the public Board discussions to determine the votes they will make, recognizing the need for negotiation and compromise on some occasions.

2. STATUTORY STANDARDS

There are certain provisions of the general statutes of the State of Maine which should, while not set forth herein, be considered an integral part of this code. Accordingly, the provisions of the following sections of the general statutes of the State of Maine, as may be amended, are hereby incorporated by reference and made a part of this Code of Ethics, and shall apply to all Select Board members whenever applicable:

17 M.R.S.A. § 3104	Conflicts of Interest; Purchases by the State
17-A M.R.S.A. § 456	Tampering with Public Records or Information
17-A M.R.S.A. § 602	Bribery in Official and Political Matters
17-A M.R.S.A. § 603	Improper Influence
17-A M.R.S.A. § 604	Improper Compensation for Past Action
17-A M.R.S.A. § 605	Improper Gifts to Public Servants
17-A M.R.S.A. § 606	Improper Compensation for Services
17-A M.R.S.A. § 607	Purchase of Public Office
17-A M.R.S.A. § 608	Official Oppression
17-A M.R.S.A. § 609	Misuse of Information
17-A M.R.S.A. § 903	Misuse of Entrusted Property

21-A M.R.S.A. § 504
30-A M.R.S.A. § 2605
30-A M.R.S.A. § 5122

Persons Ineligible to Serve (as Election Officials)
Conflicts of Interest
Interest of Public Officials, Trustees or Employees

2. DEFINITIONS

Business – Any corporation, partnership, individual, sole proprietorship, joint venture, or any other legally-recognized entity organized for the purposes of making a profit.

Censure – A judgment or resolution condemning a person for misconduct.

Financial Interest – A direct or indirect interest having monetary or pecuniary value including, but not limited to the ownership of shares of stock.

Immediate Family – Spouse, domestic partner, or significant other; child, stepchild, grandchild, step grandchild, parent, stepparent, and/or any other individual residing in the in the household of a Select Board member.

Select Board Member – Duly elected member of the Town of Norridgewock Select Board.

Special Interest – A direct or indirect interest having value peculiar to a certain individual or group, whether economic or otherwise, which value may accrue to such individual or group as a result of the passage or denial of any order, ordinance, or resolution, or the approval or disapproval thereof, by the Select Board, and which interest is not shared by the general public.

Town Employee – Any individual working for, on a permanent or temporary basis, and drawing a salary, wages, or stipend from the Town of Norridgewock, excluding employees of Maine School Administrative District 54. The term “Town Employee” shall not include consultants or special personnel providing services on a short-term contractual basis for less than one year.

4. STANDARDS OF CONDUCT

The purpose of this code is to establish minimum ethical standards of conduct for Select Board members by setting forth those actions deemed to be in conflict or incompatible, or to create the appearance of conflict or incompatibility, with the best interest of the Town of Norridgewock.

5. CONFLICTS OF INTEREST

No Select Board member shall participate directly by means of deliberation, approval or disapproval, or recommendation, in the purchase of goods and services for the Town, and the award for any contracts with or by the Town (except that he or she may be allowed to submit bids for the same in accordance with the Town ordinances, policies, and under laws of the State of Maine), where to the member’s knowledge there is a financial interest, or

special interest other than that possessed by the public generally, in such purchase or award, held by:

- A. The member or a member of his/her immediate family;
- B. A business in which the member and/or a member of his/her immediate family serves as an officer, director, trustee, partner and/or or employee in a policy-making position; or
- C. Any other person or business with whom the member or a member of his/her immediate family are in business, or are negotiating to have an arrangement concerning future employment.

No Select Board member shall participate by means of deliberation, approval or disapproval, or recommendation, in the decision to hire, promote, discipline, lay off, or to take any other personnel action in respect to any applicant for Town employment or Town employee, as the case may be, where the applicant or employee is:

- A. A person of the Select Board member's immediate family;
- B. A person with whom either the Select Board member or a member of his/her immediate family are in business.

6. DISCLOSURE OF CONFIDENTIAL INFORMATION

No Select Board member shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the Town, nor shall a member use such information to advance the financial or private interest of him/herself or others. For purposes of this subsection, the term *confidential information* shall mean "any information, oral or written, which comes to the attention of, or is available to, such Select Board members only because of his/her position with the Town, and is not a matter of public record." Information received and discussed during an executive session shall be considered within the constraints of this section and shall not be disclosed to any third-party unless permitted by affirmative vote of the Select Board.

7. GIFTS AND FAVORS

No Select Board member shall accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person and/or business which to the member's knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town; nor shall any Select Board member:

- A. Accept any gift, favor, or thing of value that tends to influence him/her in the discharge of his/her official duties; or
- B. Grant in the discharge of his/her official duties any improper favor, service, or thing of value.

8. USE OF TOWN PROPERTY

No Select Board member shall use, or permit the use of, any Town-owned property including, but not limited to motor vehicles, equipment, and buildings, for any private purposes. Nothing herein shall prohibit the use of Town buildings and equipment at rates and/or on terms as may be established (for the public at large).

9. CONFLICTS OF INTEREST

A. Deliberation and Vote Prohibited

No Select Board member shall participate in the deliberations, vote, or otherwise take part in the decision-making process on any agenda item before the Select Board in which the Select Board member or a member of his/her immediate family has a financial or special interest, other than an interest held by the public generally.

B. Disclosure of Interest in Agenda Items

Any Select Board member who believes s/he or a member of his immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before the Select Board shall disclose the nature and extent of such interest, and have it recorded into the meeting minutes.

C. Determination of Conflict

Once the issue of conflict has been initiated relative to the individual Select Board member and disclosure has been made as provided above, the individual initiating the issue of conflict may request unanimous consent for the affected individual to be excused from participating in the deliberation or vote on the agenda item. If there is any objection to this unanimous consent request, such individual's fellow Select Board members shall vote on whether or not such individual shall be excused from participating in the deliberation or vote, or otherwise taking part in the decision-making process, on the relevant agenda item. Such individual shall be excused only upon a vote of the majority of his/her fellow Select Board members that a conflict of interest in fact exists.

D. Avoidance of Appearance of Conflict

If any individual Select Board member has been determined to have a conflict of interest with respect to any agenda item, said individual may immediately remove him/herself from the meeting room, or to the area of the room occupied by the general public, until deliberation and action on the agenda item has been completed.

E. Personal Interest

Nothing herein shall be construed to prohibit any Select Board member from representing his/her own personal interest by appearing before the Select Board on any such agenda item.

10. DISCLOSURE STATEMENT BY SELECT BOARD MEMBERS

Every April, each Select Board member shall file with the Town Clerk a written statement under oath containing the following information, to the best of his/her knowledge or belief:

The name of each person or business doing business with the Town in an amount in excess of \$1,000.00 during the preceding calendar year from which such Select Board member and/or or a member of his/her immediate family, has received money or other thing of value in an amount in excess of \$1,000.00 during the preceding calendar year, including campaign contributions.

11. POLITICAL ACTIVITIES

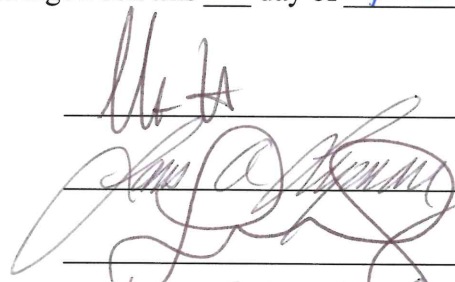
No Select Board member shall participate in any political activity that would be in conflict or incompatible with the performance of his/her official functions and duties for the Town. In conjunction therewith:

- A. No Select Board member may solicit funds or contributions or accept or receive funds or contributions from Town employees for political purposes.
- B. Nothing herein shall be construed to prohibit any Select Board member from participating in the political process in his/her capacity as a private citizen.

12. PENALTIES

In addition to any other penalties or remedies as may be provided by law, violation of this code shall constitute cause for censure, after notice and hearing conducted by the Board. A majority of the Select Board shall conduct such proceedings.

Adopted by the Select Board of the Town of Norridgewock this 15th day of March, 2023.



Charlotte A. Curtis

Amended by the Select Board:
March 1, 2023