

## **TOWN OF FAIRLEE**

### **CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY**

The objective of the Town of Fairlee is to provide exceptional public service and efficient use of tax dollars. Fairlee's Selectboard, committee and commission members, and employees (hereafter referred to as Board members and employees) have a duty to conduct themselves in a manner consistent with Town policies and the public interest and not to advance their personal interests. They shall take all reasonable steps to avoid any action which might result in, or create the appearance of, a conflict of interest. This Code of Conduct and Conflict of Interest Policy is written to identify and address any real, potential or apparent conflict of interest that might in fact, or appearance, call into question the service of Board members and employees to the Town of Fairlee.

#### **CODE OF CONDUCT**

- 1) A Board member or employee has an affirmative obligation to conduct the affairs of his or her office in such a manner as to instill public trust and confidence. Thus, a Board member or employee shall take all reasonable steps to avoid any action or circumstance, whether or not specifically prohibited by this policy which might result in, or create the appearance of:
  - a) Undermining his or her independence or impartiality of action;
  - b) Taking official action on the basis of unfair considerations, unrelated to the merits of the matter;
  - c) Giving preferential treatment to any private interest, or interest of any affected State agency on the basis of unfair considerations, unrelated to the merits of the matter;
  - d) Using the office or position for the advancement of personal interest;
  - e) Using the office or position to secure special privileges or exemptions; or
  - f) Affecting adversely the confidence of the public in the integrity of the Board or position.
- 2) A Board member or employee shall not take any official action in any particular matter in which he or she has a conflict of interest or in which there is an appearance of a conflict of interest that, in the member's view, will undermine public confidence.
- 3) A Board member or employee shall not take any official action that advances the interest of a private entity with which he or she is actively seeking employment or a significant financial relationship.
- 4) A Board member or employee shall not disclose to any private entity any confidential or privileged information for the purpose of advancing his or her, or anyone else's, pecuniary interest.
- 5) A Board member or employee shall not solicit or receive any payment, a gift, or favor based on any understanding that it would influence any official action.

- 6) A Board member or employee shall not use or permit the use of Town property unless reasonably related to his or her official responsibilities.
- 7) The Selectboard may, by majority vote, determine that a Board member or employee is ineligible to participate in a matter before the Town of Fairlee because of a violation of this Policy.

#### **CONFLICTS OF INTEREST OR APPEARANCE OF CONFLICT**

A conflict of interest may exist when a Board member or employee has the authority or responsibility to act on some matter in which he/she has a substantial personal or financial interest that may inhibit, or appear to inhibit, the person's ability to act in the interest of the Town of Fairlee. Such an interest may be financial or may result from family or social relationships.

A conflict does not exist when the person's interest is, or appears to be, no greater than that of any other person generally affected by the act for which one has authority or responsibility. Every effort should be made to avoid any real and/or appearance of a conflict of interest or impropriety in connection with any actions or inactions associated with their official duties. Board members and employees shall not, during work hours, engage in or purport to represent the Town of Fairlee in any partisan political activity. If a Board member or employee holds an elected or appointed position on other local boards or commissions, or is otherwise involved in policymaking or quasi-judicial responsibilities that relate to town or regional planning, he/she must exercise discretion to minimize the risk of appearance of a conflict.

#### **DISCLOSURE, REFRAIN FROM INFLUENCE, AND RECUSAL**

A Board member or employee shall disclose to the Town Administrator any personal interest or appearance of a conflict of interest with his or her responsibilities or obligations to the Town of Fairlee. The Town Administrator shall decide if a conflict of interest condition exists and if it is necessary to assign the responsibilities to another staff person or if other action is appropriate. The Town Administrator shall disclose such interest to the Selectboard. If found to have a conflict of interest, or perceived conflict of interest, said person(s) must refrain from using their personal influence either by recusing themselves from further discussion or physically excusing themselves except to answer questions on the subject to the Selectboard.

#### **CONFIDENTIALITY**

Board members and employees shall exercise care not to disclose confidential information acquired through their connection with their positions which might be adverse to the interests of the Town of Fairlee. In addition, Board members and employees shall not disclose or use information relating to the Town of Fairlee for their own personal or family members', profit or advantage.

**The Selectboard requires each Board member and employee to annually review this Code of Conduct and Conflict of Interest Policy in the month of March**

Approved April 3, 2023