

# TOWN OF WEATHERSFIELD, VERMONT

## ETHICS POLICY

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### I. PURPOSE

The residents and property owners of Weathersfield deserve the finest municipal government possible.

The operation of a democratic government requires:

- ~ That public officials and employees be independent, impartial, and responsible to the people;
- ~ That government decisions and policy be made in the proper channels of governmental structure;
- ~ The public office not be used for personal purposes or gain; and
- ~ That the public have confidence in the integrity of its government.

In recognition of these goals, a policy relating to ethics and conflict of interest on the Select Board should be implemented. The purpose of this Policy is to establish guidelines and ethical standards of conduct to the Town of Weathersfield, by setting forth those acts or actions which are incompatible with the best interests of the Town, and directing disclosure by officials and staff of private financial, or other, interest in matters affecting the Town.

### II. DEFINITIONS

- (A) **Board** or **Commission** shall mean the Select Board of the Town of Weathersfield, and all other boards, councils, commissions, or committees of the Town of Weathersfield.
- (B) **Conflict of Interest** shall mean a personal or pecuniary interest of a public official, or his or her relative as defined in Title 12, Section 61 (a) or Title 24, Section 1023, of the Vermont Statutes Annotated, a member of the household, business associate, employer or employee, in the outcome of a cause, proceeding, application, or any other matter pending before the board or commission in which he/she holds office or is employed. **Conflict of Interest** does not arise in the case of votes or decisions on matters in which the public official has a personal or pecuniary interest in the outcome no greater than that of other persons residing in Weathersfield generally affected by the decision, such as adopting a bylaw or setting a tax rate;
- (C) **Official Action** shall mean engaging in a vote, entering into a contract, authorizing the issuance of a permit, deliberating in connection with or rendering a written or recorded decision, conducting a criminal or disciplinary investigation, or taking any formal action in a quasi-judicial capacity in the course of a public official's performance of the duties and responsibilities of his/her office.

# TOWN OF WEATHERSFIELD, VERMONT

## ETHICS POLICY

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- (D) **Public Official** means a member of the Select Board and or members of all other boards, councils, commissions, or committees of the Town of Weathersfield, elected or appointed to perform executive, administrative, legislative, or quasi-judicial functions as a member of or for a public body;

### III. OFFICIAL ACTIONS

- (A) No board or commission member has any legal powers or authority unless acting at a dully warned meeting, or acting for the board or commission after the board or commission has formally granted power to act on its behalf.
- (B) Any board or commission member shall attend all scheduled meetings, in so far as possible, and review the materials about the issues to be considered on each agenda.
- (C) All board or commission members shall maintain confidentiality of any discussion conducted in executive or deliberative sessions, and of any privileged information.
- (D) All board or commission members shall abide by the board's or commissions decisions, regardless of how individual members voted.
- (E) All board or commission members shall listen to legal counsel and constructive criticism, to protect the Town from liability.
- (F) All board or commission members, elected, or appointed officials shall adhere to the chain of command regarding complaints, reports, and concerns, and shall avoid making commitments or promises that compromise the Town.

### IV. DISCLOSURE AND RECUSAL FROM OFFICIAL ACTIONS

- (A) A public official shall not take any official action if he/she has a conflict of interest as defined in Section II (B) of this Policy.
- (B) A public official shall not take any action on any matter in which he/she has an appearance of conflict of interest unless, in his/her own estimation, he/she is able to do so fairly, objectively, and in the public interest in spite of the appearance of conflict of interest.

**TOWN OF WEATHERSFIELD, VERMONT**  
**ETHICS POLICY**

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- (C) A public official who has reason to believe that he/she has an appearance of a conflict or interest, but believes that he/she is able to act fairly, objectively, and in the public interest in spite of the appearance of conflict of interest shall, prior to participating in any official action on the matter involving the conflict, disclose to the other board or commission members, during an official public meeting of the board or commission, the nature of the potential appearance of a conflict of interest and the reason why the official believes he/she is able to take action fairly, objectively, and in the public interest in spite of the potential appearance of conflict.

**VI. VIOLATIONS**

Violations of this Ethics Policy may be grounds for removal from public office, except if such removal is prohibited by State law.

**VII: REPEAL OF INCONSISTENT PROVISIONS**

Any provisions of any Policy of the Town of Weathersfield in effect at the time of enactment of this Policy governing any activity included in this Policy is hereby revoked.

**VIII: SEVERABILITY**

The Select Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

**IX: EFFECTIVE DATE**

No section of this Policy shall be construed to supersede or replace any Vermont statute.

The foregoing Policy is hereby adopted by the Select Board of the Town of Weathersfield, Vermont, this sixteenth day of June, 2005.

	C. Peter Cole, Chairperson
	Henry C. Cobb, Jr., Vice-Chairperson
Daniel E. Boyer, Selector	Patricia W. Daniels, Selector