

Ordinance #174 - Conflict of Interest

BE IT ORDAINED, BY THIS TOWN MEETING, THAT:

A. Financial Interest Prohibited: No person holding any elective or appointed Town office, nor any employee of the Town including the Board of Education and employees of the Board, shall be financially interested (directly or indirectly) as a principal, surety, officer or otherwise, except as a minority stockholder of a corporation, in any contract with the Town, sales to the Town, purchases from the Town, or comparable services rendered to the Town; provided, however, that any elected or appointed officer or employee of the Town whose office or position is not directly connected with the department, commission, board of agency of the Town purchasing or selling said material or service shall not be barred from contracting with the Town on such sales or purchases or services.

B. Disclosure of Confidential Information: No official or employee shall disclose or use any confidential information obtained in an official capacity for the purpose of advancing the financial or personal interest of himself/herself or others.

C. Gifts and Favors: No official or employee or member of his/her immediate family shall solicit or accept any gift having a substantial value, whether in the form of service, loan, thing, promise or any other form from any person or persons who to his/her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town.

D. Disclosure of Interest: 1. Any official or employee who has a personal beneficial interest in any matter coming before any board, commission, or agency of the Town shall make the same known to such body and such interest shall be disclosed on the records of such body. If such official or employee is a member of such body, he/she shall refrain from voting upon or otherwise participating in the consideration of such matter or any determination in connection therewith by such body.

2. Any official or employee who believes he/she may have a personal beneficial interest in any matter coming before any board, commission, or agency of the Town shall make the same known to such body and such interest shall be disclosed on the records of such body. If such official or employee is a member of such body, he/she shall disclose fully to other members of the board, commission, or agency the facts relating to his/her personal or financial interest. The remaining members, by secret ballot in his/her absence, shall determine whether or not he/she should participate in the matter.

E. Procedure: Any person having reasonable cause to believe that an official or employee has a personal interest in any matter coming before him/her in his/her capacity as such official or employee which might affect his/her ability to make an objective determination with respect to such matter or that an official or employee has violated any provision of the Code, may make factual information known in writing to the Board

of Selectmen, or to the appointing authority if the conduct complained of involves an appointed official, or to the employing authority if the conduct complained of concerns an employee. The Board of Selectmen, or the appointing authority, or the employing authority, may take such action thereon as it may deem proper, including: dismissal, suspension, or reprimand.

It was moved and seconded to amend Section D. to read as follows:

D. Disclosure of Interest: 1. Any official or employee who has a personal beneficial interest in any matter coming before any board, commission, or agency of the Town shall make the same known to such body, if he appears before that body while that matter is being considered, and such interest shall be disclosed on the records of such body. If such official or employee is a member of such body, he/she shall refrain from voting upon or otherwise participating in the consideration of such matter or any determination in connection therewith by such body.

2. Any official or employee who believes he/she may have a personal beneficial interest in any matter coming before any board, commission, or agency of the Town shall make the same known to such body and such interest shall be disclosed on the records of such body, if he appears before that body while that matter is being considered. If such official or employee is a member of such body, he/she shall disclose fully to other members of the board, commission, or agency the facts relating to his/her personal or financial interest. The remaining members, by secret ballot in his/her absence, shall determine whether or not he/she should participate in the matter.

Upon motion duly made and seconded the amendment was adopted unanimously.