

Code of Ethics Policy

Purpose:

The proper operation of democratic government requires that Selectmen, Appointed Committees, and Employees be fair, impartial and responsive to the needs of the people and to each other in the performance of their respective functions and duties; that decisions and policy be made in proper channels of the Town's governmental structure; that public office or employment not be used simply for personal gain; and that such Selectmen, Appointed Boards, and Employees 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 Policy is hereby established for all Selectmen, Appointed Boards, and Employees of the Town of Bowdoinham.

1). It is the obligation of every public official and employee to support the Constitution of the United States and the Constitution of the State of Maine. The purpose of this Code of Ethics Policy is to establish standards of conduct for all Selectmen, Appointed Committees, and Employees by setting forth those acts or actions deemed to be in conflict or incompatible, or to create the appearance of conflict or incompatibility, with the best interests of the Town of Bowdoinham.

3.1 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 Ordinance. 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 Selectmen, Appointed Committees, and Employees of the Town of Bowdoinham whenever applicable, as if more fully set forth herein, to wit:

17 MRSA ss 3104 Conflict of Interest; Purchases by the State
17-A MRSA ss 456 Tampering with Public Records of Information
17-A MRSA ss 602 Bribery in Official and Political Matters
17-A MRSA ss 603 Improper Influence
17-A MRSA ss 604 Improper Compensation for Past Action
17-A MRSA ss 605 Improper Gifts to Public Servants
17-A MRSA ss 606 Improper Compensation for Services
17-A MRSA ss 607 Purchase of Public Office
17-A MRSA ss 608 Official Oppression
17-A MRSA ss 609 Misuse of Information
17-A MRSA ss 903 Misuse of Entrusted Property
21 MRSA ss 533 Persons Ineligible to Serve as Election Officials
30 MRSA ss 2251 Conflicts of Interest
30 MRSA ss 4819 Interest of Public Officials, Trustees or Employees

2). **Every citizen shall receive a fair and impartial hearing on any matter coming before the Selectmen, its appointed agencies or any employee of the Town. No public official or employee shall make any promise or pledge to any person concerning any matter to be heard before a public official or employee except upon fair, impartial and final hearing thereof.**

Guidelines

Impression of Influence. Officials should conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

Fair and Impartial Hearing. This means that Public officials will await hearing all facts pertaining to a particular issue coming before them and not promise or commit to a course of action on behalf of any person until all of the facts are heard.

3). **The conduct of public business shall be free of any hidden personal or financial interest of any public official or employee. No public official or employee shall advocate in any public meeting or private discussion any matter in which he has a personal or financial interest except upon full and timely disclosure of the interest.**

Guidelines

Investment Conflict with Official Duties. Public officials should endeavor to avoid or hold investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with their official duties. Where such a conflict exists it should be disclosed to the governing board prior to any decision to be undertaken by that Board, and if requested by the membership of that Board, the official should recuse him/herself from taking official action.

In the case of real estate, the potential use of confidential information and knowledge to further an official's personal interest requires special consideration. This guideline recognizes that official's actions and decisions can be influenced if there is a conflict with personal investments. Purchase and sales which might be interpreted as speculation for quick profit ought to be avoided.

Personal Relationships. Public Officials should disclose any personal relationship to the governing board in any instance where there could be the appearance of a conflict of interest. For example, if the official's spouse works for a developer doing business with the local government, that fact should be disclosed.

4). **It is the obligation of every public official to faithfully discharge the duties of his office. In the conduct of public business, no public official shall be excused from voting except on matters involving consideration of his own official conduct, or where his financial interests are involved. Every public official shall make full and timely disclosure of any personal or financial interest which he has in any matter of public business to be transacted before him.**

Guideline.

Faithfully discharge duties. It is the obligation of every Public Official to fully and faithfully discharge his/her duties. This includes voting on all matters even when such a vote will not be popular.

Personal or Financial interest. Where there is doubt about the potential influence of an investment, holding, or personal relationship, this should be disclosed to the governing board prior to any decision to be undertaken by that Board, and if requested by the membership of that Board, the official should recuse him/herself from taking official action.

5). **The conduct of public business shall be free of any influence arising from gifts, favors or special privileges. It is the obligation of every public official and employee to refuse personal gifts, favors or special privileges in every instance where such public official or employee reasonably believes such gift, favor or special privilege would not have been extended but for the position of such public official or employee, or where there exists a reasonable belief that the giver's interests are likely to be affected by the actions of the public official or employee, or where the gift is or may reasonably be considered to be designed to influence the actions of the public official or employee. No public official or employee shall seek personal or financial advantage by means of his public office, appointment or employment.**

Guideline.

Gifts. No Public Official should directly or indirectly solicit any gift or accept or receive any gift - whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form - under the following circumstances: (1) it could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or (2) the gift was intended to serve as a reward for any official action on their part.

It is important that the prohibition of unsolicited gifts be limited to circumstances related to improper influence. In *de minimus* situations, such as meal checks, some modest maximum dollar amount should be determined by the official as a guideline. This guideline is not intended to isolate officials from normal social practices where gifts among friends, associates, and relatives as appropriate for certain occasions.

6). **The use of public trust for private gain is in conflict with good government. No public official or employee shall violate the provisions of Maine State Statutes. No public**

official or employee shall use confidential or advance information obtained by virtue of public office, appointment or employment for personal or financial advantage.

Guideline

Confidential Information. Public Officials should not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.

7). It is the obligation of every public official and employee to carry out the lawful orders and policies of the Selectmen. No public official or employee shall knowingly take any action inconsistent with the lawful orders or policies established by the Selectmen. No public official or employee shall knowingly take any action which would be detrimental to the best interests of the Town.

Guideline.

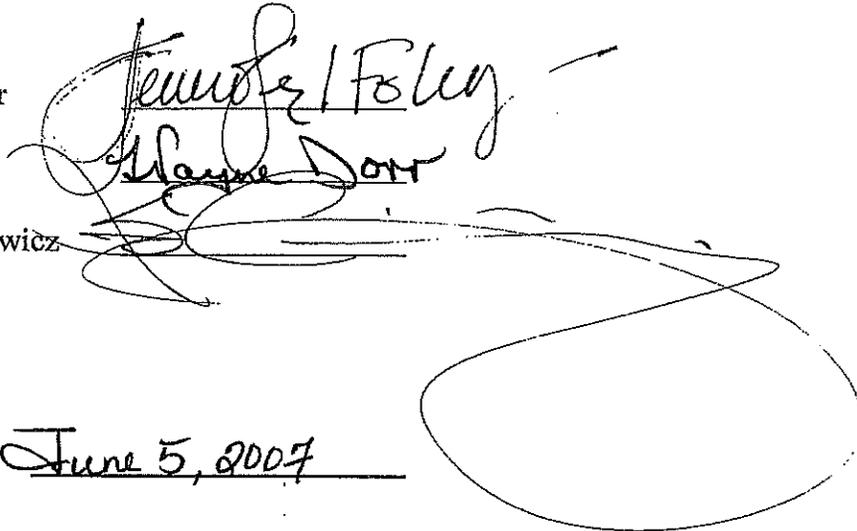
Public Confidence. Public Officials should conduct themselves so as to maintain public confidence in their government and its processes.

Policy adopted by the Town of Bowdoinham Municipal Officers on June 5, 2007

Jennifer Foley, Chair

Wayne Dorr

Stephen Ciembroniewicz



Date Adopted

June 5, 2007

Date Amended

ATTEST:

Pamela C. Ross

Pamela C. Ross, Bowdoinham Town Clerk

To Board Members:

I have received and fully understand all of the components of the

Town of Bowdoinham
CODE OF ETHICS
Standard of Conduct for Town
Officials and Employees with Guidelines

I submit the following as areas that might constitute a conflict of Interest

Signature of Board Member: _____

Print Name: _____

Date: _____