



## Select Board Workshop Meeting Agenda

Date: December 7, 2021

Time: 4:00 PM

Location: Conference Room A, Town Hall

**The purpose of this meeting is for the three Select Board members to discuss and edit a draft policy document. No votes will be taken at this meeting.**

Pledge of Allegiance

Instructions for residents to participate remotely can be found on the home page of the Town website. <https://town.pepperell.ma.us/remote>. Chair's Announcement that meeting is being recorded for re-broadcast at Pepperell Community Media.

### 1. Agenda Packet

Documents related to agenda items below have been scanned for electronic review.

Documents:

[2021-12-07 CC WORKSHOP.PDF](#)

### 2. Discussion / Action Items

2.1. Code Of Conduct Discussion

### 3. Adjournment

The next scheduled Select Board meeting is December 13, 2021. The deadline for agenda topics will be December 7, 2021.

The Town of Pepperell strives to assure that no individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of the Town of Pepperell. Towards that end, persons with special needs are asked to contact the Select Board's Office in advance of any meeting to assure that prior arrangements are made to assure full participation in the meeting.

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## 2. Discussion and Action Items

## 2.1 Code of Conduct Discussion

**Executive Summary:** The Select Board have been working on a draft Code of Conduct. This workshop was scheduled to give the three Select Board members a designated time/meeting to discuss any final editing. Adoption of this document will happen at a future meeting.

**Recommended Action:** Review and discuss any changes to the Code of Conduct.

**Draft Motion:** No vote will be taken at this meeting.

# Code of Conduct

## FOR TOWN ELECTED AND APPOINTED OFFICIALS

### I. PURPOSE

The Town recognizes that all individuals elected and/or appointed by the Town as Town officials must maintain and enforce respectful discourse with their fellow elected and/or appointed officials, with those who work for the Town, those who volunteer their time and services on behalf of the Town, and members of the public, by striving at every meeting, forum, or other official interaction to treat every person fairly and with respect regardless of any differences of opinion.

This Code of Conduct ("Code") provides a centralized standard of conduct for all elected and appointed officials in the Town.

### II. APPLICABILITY

This Code and all its sections shall apply to all elected and appointed officials of the Town, and applies to all of their actions and communications when acting on behalf of the Town or in connection with their Town positions, whether spoken or written including but not limited to all electronic communications and social media.

### III. STANDARD OF CONDUCT

All Town elected and appointed officials are expected to act honestly, respectfully, judiciously, and in good faith at all times with regard to their responsibilities, the interests of the Town, and the welfare of its residents.

All Town elected and appointed officials must refrain from communicating or acting in a disrespectful, abusive, and/or threatening manner towards members of the community, other elected or appointed officials, , and Town staff.

All elected and appointed officials of the Town must accept and carry out the following responsibilities:

#### A. Conduct Generally and in Relation to the Community

- Be well informed concerning the duties of your position, whether as an individual official or as a board/committee/commission member.
- Never purport to represent the opinion of your board/committee /commission except when specifically authorized by a recorded vote to do so.
  - When stating an individual opinion, make clear that you are not representing the board/committee/commission as a whole.

- Accept your position as a means of unselfish public service, not as a means to benefit personally, professionally, or financially.
- Recognize that the chief function of local government always is to serve the best interests of all the community.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Conduct yourself in such a way as to maintain public confidence in our local government.
- Conduct official business independently, fairly and impartially. • Unless specifically exempted, conduct the business of the public in a manner that promotes open and transparent government.
- Comply fully with all Town policies, without limitation.
- Comply fully with all applicable laws, including, without limitation, the following:
  - The Open Meeting Law
  - Procurement Laws
  - The Ethics/Conflict of Interest Statute (G.L. c. 268A)

**B. Conduct in Relation to Select Board and other elected and appointed officials**

- Treat all members of the board/committee/commission to which you belong with respect despite differences of opinion, keeping in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Participate and interact in official meetings in such a way as to contribute to healthy, honest discussions that value the differences of opinions with dignity and decorum befitting those who hold a position of public trust.
- Contribute to discussions in a way that respects differences of opinion.
- Recognize your responsibility to attend all meetings to ensure a quorum and promptly notify the Chair should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/committee/commission requires written notification to the Town Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/committee/commission outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board/committee/commission for a decision until you have had an opportunity to hear the pros and cons of the issue during a public meeting. Make decisions only after all facts on a question have been presented and discussed.

- Uphold the intent of Executive session meetings, and respect the privileged status of communication that exists in Executive session.

#### **C. Conduct in Relation to the Town Administrator**

- Recognize and support the administrative chain of command and do not act on complaints as an individual or outside the administration of Town government.
- Give the Town Administrator full responsibility for discharging the duties of his or her office.
- Refrain from giving orders or directions to the Town Administrator as an individual board/committee/commission member.

#### **D. Conduct in Relation to Town Staff**

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- As a board/committee/commission member, refrain from giving instructions to or requesting assistance from Town staff, except persons working under the direction of your board/committee/commission on matters within the responsibilities of the board/committee/commission. Rather, channel all such activities through the Town Administrator.
- Concerns about staff performance should be communicated to the Town Administrator, for consideration in accordance with applicable personnel policies.
- Elected and appointed officials who interact with Town staff must do so in a respectful manner and with the understanding that employees should not be expected to take direction from officials who do not have supervisory or oversight responsibility over them.

#### **IV. DISTRIBUTION AND EDUCATION**

- The Town Clerk shall provide a copy of this Code, to all elected and appointed officials upon its issuance and upon the subsequent appointment or re-appointment of any individual.
- Each elected and appointed official shall sign a statement that they have read this Code and will comply with all requirements set forth in this Code. In the event that any official declines to sign the form, that fact shall be noted by the Town Clerk on the form. Select Board members are required to sign the Code of Conduct. The Select Board has the discretion to not approve or to decline to appoint or reappoint a person based on their refusal to sign the Code of Conduct.



## **V. ENFORCEMENT**

### **A. Generally**

In addition to any other remedies or enforcement options available under the law, Town Charter or bylaws, each board/committee/commission may vote to censure any member; and the appointing authority for an appointed official may decline to reappoint an individual who violates any provision of this Code of Conduct.

If an elected or appointed official is accused of violating any other provision of this Code of Conduct, the board/committee/commission that the official represents, or if applicable the appointing authority, may take such action as is authorized by law, Town Charter or bylaws, and as it deems fit; and/or it may vote to request the Town Administrator to refer the matter to a disinterested outside firm or individual qualified to investigate the alleged conduct. The firm or individual shall promptly investigate the matter and report back findings of fact and recommendations to the Town Administrator and the person in question of violating the Code. To the extent permitted by law, the Town Administrator shall share the reported findings and recommendations with the official's board/committee/commission and/or appointing authority, as applicable. The board/committee/commission and/or appointing authority may then take such action as is authorized by law and as it deems fit in response to the matter. These remedies shall be in addition to, and not in substitution for, any other remedies that may be available under law.

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### 3. Adjournment

Make a motion to adjourn.