

**TOWN OF SUNAPEE ETHICAL PRINCIPLES
For Town Officials, Board Members & Employees**

PREAMBLE:

It is the policy of the Town of Sunapee to uphold, promote and demand the highest standards of ethics and conduct from all of its employees and officials, whether elected, appointed or hired. The Board of Selectmen, all Town employees and all members of Town boards, commissions and committees should maintain the highest standards of personal integrity, truthfulness, honesty and fairness in discharging their public duties and never abuse their positions of trust for improper or personal gain. All Town officials, board members and employees should look to these principles for guidance.

THE PRINCIPLES OF ETHICS: (It is recommended that these be publicly displayed at the Town Hall)

- I. **THERE SHOULD BE NO CONFLICT OF INTEREST**
- II. **THERE SHOULD BE A DUTY TO RECUSE**
- III. **THERE SHOULD BE A DUTY TO DISCLOSE**
- IV. **THERE SHOULD BE NO UNFAIR PERSONAL USE OF TOWN
PROPERTY**
- V. **THERE SHOULD BE NO MISUSE OF CONFIDENTIAL
INFORMATION**
- VI. **THERE SHOULD BE NO IMPROPER GIFTS**
- VII. **ALL SHOULD EXPECT TO RECEIVE FAIR AND EQUAL
TREATMENT**

PURPOSE:

The purpose of these principles is to establish guidelines for the ethical standards of conduct for Town officials, board members and employees.

We expect our Town officials, board members and employees:

- 1) to act in the best interests of the Town;
- 2) to disclose any personal, financial or other interests in matters affecting the Town that come before them for action;

3) to remove themselves from decision making if they have a conflict of interest or even the appearance of one; and,

4) to be independent, impartial and responsible to their fellow townspeople in their actions.

We expect the Town's decisions and policies to be made through the proper channels of government.

We expect any public position in our Town not to be used for personal gain. It is important that the public has confidence in the integrity of its government and that Town officials, board members, volunteers and employees know and understand the contents of this document and can thus have an opportunity to protect their personal reputation.

EXPLANATION OF THE ETHICAL PRINCIPLES:

I. There Should be No Conflicts of Interest

Town officials, board members and employees of the Town of Sunapee should avoid conflicts of interest or even the appearance of a conflict of interest.

Town officials, board members or employees should not participate in any matter in which they, or members of their family, have a personal interest that may directly or indirectly affect or influence the performance of their duties. In such instances, they should recuse themselves from discussion and decision-making. Recusal means to remove oneself completely from all further participation in the matter in question.

Town officials, board members or employees who have been recused should immediately leave the room or should seat themselves with the other members of the public who are present. When recused they should not participate in further discussions unless they clearly state for the record that they are doing so only as a general member of the public. As a recused person, they should not deliberate or vote on the matter in question.

II. There Should be a Duty to Recuse in Quasi-Judicial Action

A "quasi-judicial action" is any action where the board or committee is acting like a judge or a jury. For example, when a board or committee has a duty to notify the potential parties, hear the parties and can only decide on the matter after weighing and considering such evidence and arguments as the parties chose to lay before such a board or committee, they are involved in a quasi-judicial action. The work of the

Planning and Zoning boards is largely a quasi-judicial action. Not only do Town officials, board members and employees have such a duty to recuse themselves as outlined in the section above, they should recuse themselves in a quasi-judicial action if they would not be qualified to sit as a juror in that case. For example, jurors are not qualified to sit in a case if they have advised or assisted either party in a matter being decided or are prejudiced to any degree regarding the pending matter or believe they cannot for any reason be totally fair and impartial.

III. There Should be a Duty to Disclose

Town officials, board members or employees should not participate in the conduct of business on behalf of the Town or enter into discussion or deliberation of any matter without first publicly and on the record stating all dealings, interests and relationships and any other possible conflicts that may exist with the parties or the issue under consideration.

IV. There Should be no Unfair Use of Town Property

No Town official, board member or employee should use town property, services or labor personally or make the same available to others, unless such use is available to other residents upon request on equal terms.

V. There Should be no Misuse of Confidential Information

No Town official, board member or employee should use any confidential information acquired by virtue of that individual's official position for personal benefit or for the benefit of any other person or business.

In addition, no Town official, board member or employee should violate the privacy of others by publicizing, gossiping or discussing confidential information acquired in the course of official duties.

VI. There Should be no Improper Gifts

No Town official, board member or employee should accept a gift (or allow acceptance of such gift by a family member) from any individual, group or corporation that has or is likely to have matters pending before the Town, board, committee or commission on which the official or employee serves.

VII. All Should Expect to Receive Fair and Equal Treatment

Acting in their official capacity, all Town officials, board members and employees should give each and every person fair and equal treatment. No Town official, board member or employee should, in the course of their official duties, give or deny any person special consideration, advantage or treatment as result of the person's public status, position, sex, race, religion, creed, sexual orientation or national origin.

EDUCATION:

1. At the time that each newly elected or appointed official, board member or employee takes the oath of office, they shall receive a copy of these ethical principles.
2. The Town Manager shall hold a meeting each spring for newly elected or appointed officials, board members and employees so they may familiarize themselves with the provisions of these ethical principles.
3. It shall be the responsibility of each department head of any new employee to insure that the employee or volunteers are aware of these ethical principles.

Approved and adopted by the Board of Selectmen October 20, 2003.

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