



Town of Stow

BOARD AND COMMITTEE

CODE OF CONDUCT POLICY

ADOPTED – 09/26/2023

I. PURPOSE

This policy serves as the standard for achieving and maintaining a high level of public confidence, trust, and professional respect regarding how the Town of Stow (the “Town”) and its officials conduct business. They are intended to define and create a centralized understanding regarding standards of conduct.

The Select Board recognizes the importance of maintaining professional standards at all levels of the government, including for those who volunteer their time and services on behalf of the Town. The Select Board encourages other boards and committees of the Town who are not appointed by the Select Board to adopt these standards.

II. APPLICABILITY

This policy applies to the Select Board and all other Town board, commission, and committee members, appointed by the Select Board or Town Administrator. It also applies to appointed public officials, and other representatives of the Town while acting in their official capacity. Violations of this policy will be addressed following the disciplinary actions described in the Town Charter and in compliance with the Open Meeting Law.

III. CODE OF CONDUCT

All members of the Select Board and all other individuals listed above assume the following obligations and commitments:

A. Conduct Generally and in Relation to the Community

- Stay informed about the local and state duties of a board or committee member.
- Remember that you represent the Town at all times.
- Accept your position as a means of unselfish public service and do not attempt to benefit personally, professionally, or financially from your position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard all confidential information, including, without limitation, privileged attorney- client communications.
- Seek no favors and understand that personal aggrandizement or profit secured by holding these positions is often dishonest and may be unlawful.

- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner as to give the clear impression that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted (e.g., Executive Session), conduct the business of the public in a manner that promotes open and transparent government and maintains full compliance, as fully as possible with all applicable laws, including, without limitation, the following:
 - The Open Meeting Law (G. L. c. 30A, §§ 18-25)
 - Procurement Laws (G. L. c. 30B)
 - The Ethics/Conflict of Interest Statute (G. L. c. 268A)
 - The Public Records Law (G.L. c. 66, § 10).
- Comply as fully as possible with all Town policies.

B. Conduct in Relation to Your Fellow Board/Commission/Committee Members

- Treat all your fellow members of the board, commission, or committee with respect despite differences of opinion.
 - Professional respect does not preclude honest differences of opinion but requires respect within those differences.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chair as soon as possible should you for any reason be unable to attend a given meeting.
- If you are unable or unwilling to continue to serve in your position, notify the chair of your board, commission, or committee and provide formal written notice to resign from your position to the Select Board and Town Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/commission/committee 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 until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after the presentation and discussion of all facts applicable to a question.

C. Conduct in Relation to the Town Administrator

- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Town Administrator full responsibility for making and implementing their decisions.

- Refrain from giving orders or directions to the Town Administrator for action as an individual Select Board or Committee member.
- Refrain from giving instructions to or requesting assistance from Town department heads and their staff, but rather channel all such activities through the full board, commission, or committee, and/or the Town Administrator, as applicable.
- Refrain from providing information to the Town Administrator that you would not be willing to share with other Board members.

D. Conduct in Relation to Town Staff

- Treat all staff as professionals and respect the abilities, experience, and dignity of each.
- Direct questions about Town staff or requests for additional background information to the Town Administrator.
- Avoid publicly criticizing an individual employee or a department; only raise concerns about staff performance to the Town Administrator through private communication.
- Ensure that all requests for staff support go through the Town Administrator's office.

E. Other Conduct

- Read and adhere to these additional Town Policies:
 - Anti-fraud Policy
 - Harassment and Sexual Harassment Policy
 - Pregnancy and Pregnancy Workers Condition Policy
 - Workplace Violence Policy

IV. GUIDELINES FOR INDIVIDUALS SPEAKING AT PUBLIC MEETINGS

- The Chair of the public body (Board, Commission, or Committee) is responsible for conducting all public meetings in an orderly and peaceable manner.
- The Chair may allow a public comment session during the open session of a public meeting. If public comment is posted on the meeting agenda, the session will last for no more than ten minutes. Each speaker during the public comment session shall be limited to a maximum of two minutes.
- Members of the public may speak only with the permission of the chair.
- To maintain an orderly and peaceable meeting, all speakers must identify themselves by name and address prior to speaking.
- All remarks shall be addressed to or through the chair or to the public body as a whole.
- Matters presented by speakers during a public comment session will not be debated or acted upon by the public body at the time they are presented. All persons addressing the public body must

conduct themselves in a peaceable and orderly manner. Such persons may not make true threats of violence or incite imminent lawless conduct by others. Additionally, speakers are encouraged to refrain from making any personal, impertinent, unduly repetitive, slanderous, or profane remarks. Speakers are further encouraged to respect the views and opinions of others (including members of the public body and the general public) and to treat others respectfully.

- Individuals in attendance at a public meeting may not interrupt recognized speakers or members of the public body. Further, such individuals are encouraged to refrain from engaging in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language; whistling; stamping of feet; or other acts which disrupt or otherwise impede the orderly conduct of any meeting.
- If any person disrupts the proceedings of a meeting, the chair shall give the person a clear warning to cease such disruption. If, after a clear warning, the person continues to be disruptive, the chair may order the person to withdraw. If the person so ordered fails to withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.
- Whenever the public is allowed to participate in remote public meetings, the same rules and guidelines that apply to in-person meetings apply to their remote counterparts.
- Comments made during public comment sessions do not reflect the views or the positions of the public body before which the member of the public is speaking. Because of constitutional free speech principles, public bodies do not have the authority to prevent or limit all speech that may be upsetting or offensive during such sessions.

V. DISTRIBUTION AND EDUCATION

- The Town Clerk shall provide a copy of this policy to all members upon its issuance and upon the subsequent appointment or re-appointment of any member.
- The Town Clerk shall maintain and distribute educational materials from the State Ethics Commission to members.
- The Town Clerk shall educate the Board and members on the Conflict of Interest Law and ensure compliance with annual state mandated on-line training.

Board and Committee Code of Conduct Policy

Signature: _____

Print Name: _____

Body: _____

Position: _____

By signing, I acknowledge that I have received, read, and understood the **Board and Committee Code of Conduct Policy** of the Town of Stow.

Furthermore, I understand that I will be held responsible for complying with the provisions of this policy and am subject to disciplinary action, as outlined in the Town Charter and in compliance with the Open Meeting Law.